

**PURCELLVILLE TOWN COUNCIL MEETING
TUESDAY, MARCH 9, 2021, 7:00 PM
VIRTUAL**

The meeting of the Purcellville Town Council convened at 7:00 PM virtually on GoTo Meeting.

COUNCIL MEMBERS PRESENT:

Kwasi Fraser, Mayor
Mary Jane Williams, Vice Mayor
Tip Stinnette, Council Member
Joel Grewe, Council Member
Ted Greenly, Council Member
Stan Milan, Council Member
Christopher Bertaut, Council Member

PLANNING COMMISSIONERS PRESENT:

Nedim Ogelman, Chair/Commissioner
Boo Bennett, Commissioner
Nan Forbes, Commissioner
Stanley Milan, Town Council Liaison
Ed Neham, Vice Chair/Commissioner
Chip Paciulli, Commissioner
Stosh Kowalski, Commissioner

STAFF PRESENT:

David Mekarski, Town Manager
Sally Hankins, Town Attorney
Hooper McCann, Director of Administration
Sharon Rauch, Director of Human Resources
Chief Cynthia McAlister, Police Dept.
Connie LeMarr, Assistant Director of Finance
Dale Lehnig, Director of Engineering, Planning & Development
Jason Didawick, Director of Public Works
Don Dooley, Director of Planning & Economic Development
Andy Conlon, Senior Planner
Diana Hays, Town Clerk/Executive Assistant
Kimberly Bandy, Deputy Town Clerk

CALL TO ORDER:

Mayor Fraser called the meeting to order at 7:00 PM. The Pledge of Allegiance followed.

AGENDA AMENDMENTS/APPROVAL:

Council member Grewe formerly adopted the revision of the existing agenda to include the discussion item "Farmers Market Relocation" with no objection from Council.

CONSENT AGENDA

- a. Approval of Meeting Minutes – February 23, 2021
- b. Deed of Well Lot Dedication – Jeffries Well

Council member Grewe made the motion that the Purcellville Town Council approve Consent Agenda, item 6a-b, as presented in the March 9, 2021 Town Council Meeting agenda packet. (Carried: 7-0, Greenly: Aye, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Fraser: Aye)

JOINT PUBLIC HEARING OF THE TOWN COUNCIL & PLANNING COMMISSION

Mayor Fraser and Chair Ogelman opened the joint public hearing of Ordinance 21-02-01 Building Height, Height Calculations, Height Standards in the C-4 District, Destruction of Nonconformities at 7:04 PM.

Council member Stanley Milan read citizen comments that he had received from the Browns. Mr Mark Nelis, Mr. Ken Beckstrom and Ms. Carol Luke commented. Vice Mayor Williams read into the record a series of comments submitted by email from various citizens that are included with these minutes.

Mayor Fraser and Chair Ogelman closed the joint public hearing of Ordinance 21-02-01 Building Height, Height Calculations, Height Standards in the C-4 District, Destruction of Nonconformities at 8:13 PM.

STANDING COMMITTEE, COMMISSION, AND BOARD REPORTS

- a. **Planning Commission (Nedim Ogelman, Chair/S. Milan Council Liaison)**
Chair Ogelman stated report was given by comments were made during joint public hearing.
- b. **Purcellville Arts Council (Doug McCollum and Oak Winters, Co-Chairs/MJ Williams Council Liaison)**
Chair McCollum gave the report.
- c. **Board of Architectural Review (Pat Giglio, Chairman/T. Greenly Council Liaison)**
The Purcellville BAR did not meet in February due to a lack of applications, no report will be provided.
- d. **Parks and Recreation Advisory Board (Phil Rohrer Chair/T. Stinnette Council Liaison)**
Chair Rohrer will submit his report in writing to Council.
- e. **Economic Development Advisory Committee (Misty Williams, Chair/C. Bertaut, Council Liaison)**
Council member Bertaut gave the report.
- f. **Tree and Environment Sustainability Committee (Nikhil Mallampalli, Chair/J. Grewe, Council Liaison)**
Council member Grewe gave the report.
- g. **Community Policing Advisory Committee (Christopher Baltimore, Chair and Elizabeth Ford, Vice Chair/MJ Williams, Council Liaison)**
Vice Chair Ford gave the report.
- h. **Train Station Advisory Board Kacey Young, Chair/K. Fraser, Council Representative)**
Chair Kacey Young gave the report.

CITIZEN/BUSINESS COMMENTS

None

MAYOR AND COUNCIL COMMENTS

Mayor and Council were given 3 minutes.

ACTION ITEM(S)

a. FY22 Employee Healthcare Renewal

Sharon Rauch, Director of Human Resources, gave the report.

Council member Grewe made the motion that the Town Council endorse the Town of Purcellville's continued participation in the Key Advantage 250 Plan offered by The Local Choice Health Benefits Program. He further moved that Town Council continue the current cost-share of 85% paid by the Town and 15% paid by the employee. **(Carried: 7-0, Greenly: Aye, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Fraser: Aye)**

b. Award of the Refuse and Recycling Services Contract

Hooper McCann, Director of Administration, gave the report.

Vice Mayor Williams made the motion that the Town Council award the Contract for the Collection and Disposal of Refuse and Recyclables within the Town of Purcellville, Virginia to American Disposal Services, Incorporated, under the terms and conditions outlined in the contract and for the level of service delivery designated in the staff report as Residential Collection Option #2. The Town Manager will execute the contract on behalf of the Town. **(Carried: 7-0, Greenly: Aye, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Fraser: Aye)**

DISCUSSION/INFORMATIONAL ITEMS

a. Two Hops Wireless Pre Construction Cell Tower << Shovel Readiness>> Proposal

Council discussed the introduction email submitted to Mayor Fraser from Mr. Richard Biby of Two Hops Wireless and how or if this proposal could work along with the Cell Tower project. Mayor Fraser gave direction to staff to let Wireless Edge continue to playout and wait on a contract and while waiting on that contract, to work on ordinances.

b. Farmers Market Relocation

Joshua Goff, Asset Management Coordinator, gave the report. Mayor Fraser requested to add this item for action to another meeting.

CLOSED MEETING

Mayor Fraser requested with no objection from Council to move to a closed session to discuss consideration for appointment of the Zoning Administrator at 9:43PM.

MOTION TO RECESS THE SPECIAL MEETING AND CONVENE A CLOSED MEETING:

Pursuant to § Section 2.2-3711(A)(1) of the Code of Virginia, Council member Grewe moved that the Purcellville Town Council convene in a closed meeting to discuss and consider prospective candidates for appointment of Zoning Administrator for the Town of

Purcellville. The following are requested to attend the closed meeting: 1) All Town Council members (**Carried: 7-0**, Greenly: Aye, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Fraser: Aye)

MOTION TO CERTIFY THE CLOSED MEETING:

In accordance with Section § 2.2-3712 of the Code of Virginia, Council member Grewe moved that the Purcellville Town Council certify to the best of each member’s knowledge, only public business matters lawfully exempted from open meeting requirements under Virginia Freedom of Information Act and such public business matters for the purpose(s) identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by Town Council. (**Carried: 7-0**, Greenly: Aye, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Fraser: Aye)

ACTION ITEM

a. Appointment of Zoning Administrator (Town Council)

Council member Milan moved that the Town Council appoint Andy Conlon to serve as Zoning Administrator per the job description as prepared by the Director of Planning and the Director of Human Resources.

Council member Grewe made a motion for friendly amendment to replace Andy Conlon with Don Dooley. (**Carried: 4-3**, Greenly: Aye, Grewe: Aye, Bertaut: No, Stinnette: Aye, Williams: Aye, Milan: No, Fraser: No)

Council member Grewe stated the amended motion as the Town Council appoint Don Dooley to serve as Zoning Administrator per the job description as prepared by the Director of Planning and the Director of Human Resources. (**Carried: 4-3**, Greenly: Aye, Grewe: Aye, Bertaut: No, Stinnette: Aye, Williams: Aye, Milan: No, Fraser: No)

ADJOURNMENT

With no further business, Council member Milan made a motion to adjourn the meeting at 10:14PM and carried 7-0.

Kwasi Fraser, Mayor

Kimberly Bandy, Deputy Town Clerk

Bandy, Kimberly

From: Hays, Diana
Sent: Monday, March 8, 2021 10:00 AM
To: Bandy, Kimberly
Subject: FW: Historical District Overlay / Corridor

Please save in the meeting file. Thanks!

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Beverly Macdonald <bevmacdonald99@aol.com>
Sent: Saturday, March 6, 2021 1:10 PM
To: Neham, Ed <eneham@purcellvilleva.gov>
Cc: Mekarski, David <dmekarski@purcellvilleva.gov>; Only Town Council <purcellvilletc@purcellvilleva.gov>; Hays, Diana <dhays@purcellvilleva.gov>; Planning Commission <PlanningCommission@purcellvilleva.gov>; Hankins, Sally <shankins@purcellvilleva.gov>; Beverly Chiasson <bevmacdonald99@aol.com>
Subject: Re: Historical District Overlay / Corridor

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please read and include the following in Citizens Comments at your next meeting.

Good Afternoon Ed and Purcellville Planning Commission,

I appreciate the follow-up to my emails.

My assumption was responses to basic questions would be easily answered.

I just finished listening to the recent Planning Commission meeting. There still appears to be confusion, amongst the Commissioners, with the language being proposed for the new ordinance.

Confusion regarding should it be height and/or stories? I appreciate that at least some other Commissioners recognize that there are, in fact, homes in Purcellville that have 3 finished stories whether the County recognizes them as such. Stipulating a 2 stories in the ordinance, plus height will continue the confusion.

Concerning the future protection of Historic Structures while using the Cole Farm as an example - Regulations and agreements were in place to protect the primary structures on the Cole Farm. Historic reviews went into ensuring the "main" structures were preserved and if needed, moved. Part of one of the structures was damaged and was rebuilt..... very unfortunate. However this very same thing can happen again with any language you adopt as well. Hopefully the Planning Commission can appreciate the architectural design which includes the farm home, barn and silo remain a visible indication of Purcellville's History. Stating structures were destroyed, and the basis for enacting new ordinances, is disingenuous.

Approvals needed -" It is the intent that homeowners will be able to make alterations, etc". is not definitive. I have witnessed businesses that have gone a year just trying to get a change made through BAR. Will the same approval process now be applied to "contributing" residences if district is extended?

Election - I was not aware that the original draft response, to me, included verbiage regarding the recent Town Election. **As such Diana Hayes, please accept this as my FOIA to request the original draft that contained that information.** In the future I would advise the Planning Commission Chairman that ALL information that is part of the agenda be included for the public's review.

As you can appreciate with the meticulous minutes you request.....words matter. Next month, next year and even decades from now residents can pull these minutes to review..

As such it is important for me to include the following for the record.

- During my time on Council my family and I voluntarily downzoned over 2 acres of land. This action permitted Purcellville to rezone Main Street to Single Family/Duplex Zoning. This erased the apartment zoning that had loomed over our Main Street for decades. My family loss value to their property but asked nothing in return. We were grateful to be part of protecting our town's heritage.

- Ten acres of my parent's land was downzoned from Apartment zoning to TownHouse zoning during the previous Comprehensive Plan. We did not challenge this loss of value.

- I have personally donated over 10 acres of land to the Town.

So when I hear implications that the election was won for reasons you appear to implymy response is **you are wrong**. The election was won because:

- the successful candidates made commitments not to raise water and sewer rates. I could not make that promise.
- Allegations that I was involved in Voter Intimidation was levied by the current Planning Commission Chair. (In a public meeting) Police investigated and discovered the allegations were false.
- False Claims, during the election, were published that I was going to annex land, build over Purcellville and raise taxes.

I lost the election but it clearly was not for the reasons you appear to allude to during the Planing Commission meeting.

As I stated in my original email I remain focused on ensuring the residents of Purcellville have the facts. That I why I requested the original information and that is why I write this email.

Thank you,
Beverly Chiasson

On Mar 5, 2021, at 12:04 PM, Neham, Ed <eneham@purcellvilleva.gov> wrote:

MS. CHIASSON:

Please excuse the delay in replying to you. The Planning Commission is treating your correspondence as though you had appeared before us in one (or more) of our meetings and it is being entered into the record, so we wanted to give the entire Commission the opportunity to provide input before responding to you.

In the attached document, reviewed at our March 4th meeting, the Commission's comments are in blue text.

--ED NEHAM
Vice Chair, Planning Commission

From: Beverly <bevmacdonald99@aol.com>
Sent: Sunday, February 28, 2021 10:06 AM
To: Planning Commission
Cc: Mekarski, David; Only Town Council; Beverly Chiasson
Subject: Re: Historical District Overlay / Corridor

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Good morning Chair Ogelman, My apologies if I missed any reply you may have sent.

I'm following up on two emails with questions regarding proposed legislation and statements.

First email was requesting a list of historic properties that was destroyed in development of the Cole Farm. (This statement was made in proposed letter to residents).

Second - 3 basic questions were outlined in email below regarding proposed expansion of historic district.

I know it is the Planning Commissions and Town Councils desire to have accurate information disseminated. That is why I seek clarifications.

I look forward to your reply.

Thank you,
Beverly

Sent from my iPad

On Feb 24, 2021, at 1:33 PM, Beverly Macdonald <Bevmacdonald99@aol.com> wrote:

Good Afternoon Chair Ogelman, I'm addressing this to the Chair of the Planning Commission but also including, Planning Commission and Town Council since all will play a role in reviewing and approving.

I have followed most of the planning commission meetings over the past few months. I have written emails of concern regarding proposed legislation but have not received any response to my questions.

It would help if I could receive a response so I could better understand any of the noted misconceptions/confusions I have.

As I understand it the Planning Commission is proposing an expansion of the Historical District that now just includes businesses in old Town. Initially the Planning Commission discussed just using the original survey done under Lazaro's Council. However there was some discussion that since it has been quite some time since the last survey possibly a new survey should be done to capture additional homes that now may be deemed contributing.

Question - Will a new survey be done or the original survey be used?

Question - If someone has a home and shed on their property, and both are considered "contributing", what will the landowner need to do to remove a shed if they feel it is in a state of disrepair?

(I ask this because a friend in Leesburg bought a home in the historic district that had an old shed in the back corner that was in horrible shape. It was going to cost thousands to go through the approval process. They elected to just leave it.)

I understand that the legislation is strictly to prevent the demolition of "historical" structures. (I can appreciate that it would be a true loss to our town to lose some of our iconic structures including homes along Mail Street). The draft mailing to homeowners noted this ordinance would not require homeowners to get approval for exterior alterations **however** at last night's Council meeting one of the Town Council members noted there were some additional restrictions (?) that need to be disclosed.

Question - Other than a property owner needing approval before demolition of a structure what else what a property owner need approval for if they were to make ANY changes to their homes.

Thank you in advance for your response,

Beverly Chiasson

<Response to Beverly Chiasson Emails-2103014.pdf>

Bandy, Kimberly

From: Hays, Diana
Sent: Monday, March 8, 2021 10:43 AM
To: Bandy, Kimberly
Subject: FW: C-4 Building Height Vote

For the file – thanks.

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Williams, Mary Jane
Sent: Monday, March 8, 2021 10:13 AM
To: Hays, Diana <dhays@purcellvilleva.gov>
Subject: Fw: C-4 Building Height Vote

Mary Jane Williams

Purcellville Town Council Member

From: Steve Oechslein <oechsleins@yahoo.com>
Sent: Sunday, March 7, 2021 11:54 AM
To: Only Town Council
Subject: C-4 Building Height Vote

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Purcellville TC,

Please vote against the proposed building height reduction in the C-4 zoning district.

Redevelopment of existing aging properties should be encouraged to keep the town commercial tax base strong and improve the in-town dining, shopping, and entertainment options for residents and neighboring communities. Just as I did not support rezoning to facilitate annexation development (i.e. Warner Brook Annexation), I do not support rezoning to limit by-right development.

Thank you for your consideration,
Steve Oechslein
Pickwick Dr

Sent from the Yahoo Mail app. Get yours!

Bandy, Kimberly

From: Hays, Diana
Sent: Monday, March 8, 2021 10:43 AM
To: Bandy, Kimberly
Subject: FW: Vineyard Square

For the file – thanks.

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Williams, Mary Jane
Sent: Monday, March 8, 2021 10:12 AM
To: Hays, Diana <dhays@purcellvilleva.gov>
Subject: Fw: Vineyard Square

Mary Jane Williams

Purcellville Town Council Member

From: Sherry Frazier <sherryfrazierpr@icloud.com>
Sent: Sunday, March 7, 2021 1:08 PM
To: Only Town Council
Subject: Vineyard Square

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I would love to see the Vineyard Square development proceed as planned. It will help the existing businesses in the area and bring tax revenue to Purcellville. The only time most go to Old Town Purcellville now is to go to dinner at Magnolias which was a huge renovation and made an eyesore into a treasure. Having viable businesses in Old Town does not take away from the community or history. Rather, it celebrates its unique history and makes it accessible to many who now just drive on by.

Sherry Frazier
628 Kinvarra PL
Purcellville, Va 20142
Landline: 540-338-1545
Mobile: 703-431-7895

Bandy, Kimberly

From: Hays, Diana
Sent: Tuesday, March 9, 2021 2:00 PM
To: Bandy, Kimberly
Subject: FW: March 9th meeting

Here's another.

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Ogelman, Nedim
Sent: Monday, March 8, 2021 7:39 PM
To: Only Town Council <purcellvilletc@purcellvilleva.gov>
Cc: Planning Commission <PlanningCommission@purcellvilleva.gov>
Subject: Fw: March 9th meeting

FYI.

From: Shaileen Backman <srbackman@gmail.com>
Sent: Monday, March 8, 2021 5:48 PM
To: Planning Commission
Subject: March 9th meeting

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Hello and thank you for serving on the Planning Commission. We know first hand the service you provide as Keith served on the planning commission many years ago. We have lived in one of the old historic houses on Main Street since 1985 and would like to go on record as wholeheartedly supporting the amendment to reduce the height of stories in the C-4 district to 35 feet. We believe it is imperative to maintain the characteristic charm and quality of life in these historic district areas. You may read this note into the public record.

Shaileen & Keith Backman
301 East Main St
Purcellville, VA

Bandy, Kimberly

From: Hays, Diana
Sent: Tuesday, March 9, 2021 8:47 AM
To: Bandy, Kimberly
Subject: FW:

For the file. Thanks.

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Kendra Herlig <kherlig@gmail.com>
Sent: Monday, March 8, 2021 8:37 PM
To: Planning Commission <PlanningCommission@purcellvilleva.gov>
Subject:

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I am not able to attend the meeting so I am emailing you to voice my support of an amendment to lower the height in the C-4 district from 45 feet (3 stories) to 35 feet (2 stories) and to preserve the historic look and feel of our town.

Kendra Herlig
311 West Main St

Bandy, Kimberly

From: Hays, Diana
Sent: Tuesday, March 9, 2021 2:01 PM
To: Bandy, Kimberly
Subject: FW: Public Comment for the Public Hearing this evening.

For tonight.

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Grewe, Joel
Sent: Tuesday, March 9, 2021 2:00 PM
To: Hays, Diana <dhays@purcellvilleva.gov>; Only Town Council <purcellvilletc@purcellvilleva.gov>
Cc: Williams, Mary Jane <mjwilliams@purcellvilleva.gov>
Subject: Public Comment for the Public Hearing this evening.

Mayor and TC,

One of our residents was having trouble sending in public comments to the group town council email address for tonight. Since they couldn't get the email system to work I promised them I would pass their comments along. The comments are below my signature exactly as they provided them to me.

Sincerely,

Joel D. Grewe
Town Council
Purcellville
(540)-751-8630
221 South Nursery Avenue
Purcellville, Virginia 20132



Town Council

I wish my letter to be included in the public hearing citizen comments. I am against the height restrictions being proposed by the Planning Commission. First and foremost, this proposal goes directly against the Planning Comprehensive Plan that was finally and recently ratified after 5 years and hundreds of hours of community input. The Comprehensive Plan clearly outlines on page 26 "Buildings should be limited to a maximum height of 3 stories...". It even includes a picture of a three story building as an example of an appropriate structure under the Plan. There are also many, many other 3 story buildings around town. As far as retaining the "small town historical structure and feel", I suggest the Planning Commission look at pictures of the original town buildings burnt during the town fire as many of these were three stories. This proposal to change the height is not warranted and against the Comprehensive Plan.

Thank you
Dawn Bowman
211 N 28th Street

Bandy, Kimberly

From: Sharon Cline <sharoncline220@gmail.com>
Sent: Tuesday, March 9, 2021 3:12 PM
To: Planning Commission
Subject: Support for

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I would like to add my name in support of the amendment to lower the height in the C-4 district from 45 feet (3 stories) to 35 feet (2 stories).

Thanks for your efforts!!

Sharon Cline
220 West J Street
Purcellville, VA 20132
703.915.1652

"Be kind whenever possible. It is always possible." Dalai Lama

Bandy, Kimberly

From: Hays, Diana
Sent: Tuesday, March 9, 2021 5:14 PM
To: Bandy, Kimberly
Subject: FW: Public Hearing on C4 building heights

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Greenly, Ted
Sent: Tuesday, March 9, 2021 5:04 PM
To: Hays, Diana <dhays@purcellvilleva.gov>
Subject: Fwd: Public Hearing on C4 building heights

Ted

Begin forwarded message:

From: Mary Lynn Hickey <marylynnhickey@gmail.com>
Date: March 9, 2021 at 4:59:43 PM EST
To: Only Town Council <purcellvilletc@purcellvilleva.gov>, teamgrewe@gmail.com
Subject: **Public Hearing on C4 building heights**

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please enter my comments into the record for the Public Hearing.

Mayor and Members of the Purcellville Town Council,

If the unstated intention of imposing building heights in the 21st St. corridor and surrounding areas is to stifle the by-right development options of one or more property owners in the process of exercising said options, this action will most certainly lead to another expensive lawsuit which this Town can ill afford.

It is also in clear variance with the 2020 Comp Plan that came to pass after many years of **public** hearings and **public** comment. In fact, it is NOT "the first zoning change to provide alignment with the new Comprehensive Plan".

21st Street in its current iteration is an underperforming asset and actions such as this will only further discourage redevelopment efforts that would expand our

tax base and provide additional residential, commercial and retail options that could be enjoyed by taxpaying citizens and visitors alike.

The 7 members of our Town Council should be legislating in lockstep with the Comp Plan which does reflect the collective will of this community and every citizen and stakeholder who took the time to share their own input.

You should not be pursuing the narrower agenda of a very small group who decided that lowering existing by-right building heights would accomplish an outcome the current Comp Plan will not guarantee.

Unfortunately, this is not the first time one of more members of Town Council have shown such flagrant disregard for the defined scope of your purvey as elected officials. You have no business pursuing this course of action and should cease trying immediately.

Rather than sending yet one more sign that the Town of Purcellville is not a business friendly community in which to invest and set up shop, instead, proactively seek ways to encourage such interest that is fully - and accurately - in alignment with our Comp Plan.

Thank you.

Mary Lynn Hickey
307 Miles Hawk Terrace
Purcellville, VA. 20132

To: Town Council and Staff

From: Joan Lehr, Resident 824 Woodbine Court and Business Owner Purcellville Copy 198 B N. 21st Street - C4 District

Ref: Public Hearing for ZTA21-01/ZTA21-03/ZTA21-04

It is difficult to comment on these proposed actions and should be even more difficult For Planning Commissioners or Town Council members to vote on them. When a PC or TC votes on something without having all the information, it, normally, means they are voting politically, they are voting for or against a specific project, but hiding their vote by saying it is for the entire district. Please remember as Council members, you were elected by those that agreed with you or liked you during the election. But your job is to represent all of the town residents, and make decisions for the benefit of all. Zoning decisions are long term decisions and should benefit the town, financially. A good financial impact comes from the want of people and businesses to make the town their home. Waiting a few weeks or even a few months to get all the facts and ensure that you are not making a decision that will have unintended consequences is important. You have been elected or appointed to your position, to protect the town and its residents and not to make decisions based on your own hidden agendas.

Here are my concerns and thoughts – before you vote, please make sure you have all the answers:

1. We have not been told how many non-conforming vs conforming structures will be in the C4 district should this change take effect. Having been both a Planning Commissioner and a Council member, my training says that placing a large portion of your district in a non-conforming mode is not healthy for a town and specifically not healthy for redevelopment.
2. In the staff report it states that there are no financial impacts – Every decision has a financial impact. If the town wants 21st street to be revitalized, the development community needs to be able to put in projects that are financially feasible. If they cannot, then the street will continue to deteriorate. Many of us have driven through towns and we say I wouldn't want to live here. – the town is decaying – don't make Purcellville one of those towns. Fewer businesses, fewer residents are a definite financial impact on the town.
3. The PC is stating the that it is OK to go outside the proposed height restrictions utilizing a Special Use Permit. SUPs are expensive to the builder and cost large amounts of staff time.
 - a. What are the reasons for approving or disapproving a Special Use Permit height increase request. An SUP is specifically for things that will need additional planning in a district. i.e. a drive through – needs to have proper traffic flow; moving a building closer to a lot line - needs special screening; etc. What does the height of a building need? Its either allowable or not.
 - b. SUP for church spires/belfries and cupolas is also unnecessary –set a size – putting the developer and staff through a SUP process for this type of architectural add-on is unnecessary. If the builder wants to go beyond the set size, then they would go through the process.
4. The PC is stating that buildings that become non-conforming due to ordinance changes, will be able to rebuild to the same that they were. Again, you are stating that you like what you have? The height of the current buildings are ok? Why change the ordinance?

Again, I ask that you ask the hard questions. What are the benefits to the residents and businesses of the town? Keeping the “small town feel”, has nothing to do with building heights. Please go online and look at towns around the state and towns around the country. Great Barrington, MA has a great downtown. Under 6000 residents, many one and 2 story buildings, and some 4 and 5 story buildings. Apartments over stores. People living and shopping and enjoying entertainment with in a few blocks. The revitalization of their downtown made a major financial impact on the town.

Unintended consequences are the worst part of making a decision, before all the facts are in. Unless you don't care about facts and you don't care about the future of our town.

Thank you for your time and consideration.

Bandy, Kimberly

From: Hays, Diana
Sent: Tuesday, March 9, 2021 5:49 PM
To: Only Town Council; Planning Commission
Subject: FW: Statement for Tonight's Hearing

Importance: High

FYI

Diana Hays, CMC
Town Clerk/Executive Assistant
540-751-2334

From: Daniel Shaughnessy - Personal
Sent: Tuesday, March 9, 2021 5:11 PM
To: Hays, Diana <dhays@purcellvilleva.gov>
Subject: Statement for Tonight's Hearing
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Diana,

I'd appreciate your providing the following message to the Town Council and Planning Commission at tonight's Joint Hearing and including it in the Record.

Thanks!

Dan Shaughnessy

To the Town Council and Planning Commission:

As a 19 year resident of Purcellville and as someone who has appreciated the time and effort that was devoted to the Comprehensive Plan, I urge you to approve Ordinance 21-02-01. The amendments, ZTA21-01, 02, 03, and 04, are exactly what is needed to preserve and protect the "small town" approach envisioned in the Comprehensive Plan and supported by so many Purcellville residents. The amendments are clearly and professionally drafted, and the options for a Special Use Permit allows for exceptions, if approved. Approving this Ordinance is an example of the good governance that is expected of the Council and the Commission.

Daniel Shaughnessy
407 Dresden Ct.
Purcellville