

Haymarket Town Council Meeting of May 2, 2005  
15016 Washington Street~Haymarket, VA 20169  
Mayor David P. Taylor

Meeting called to order at 7:05 pm

Mayor David Taylor absent

Vice Mayor Stutz is the temporary Chair of the meeting, mayor will be late due to prior engagement.

Citizens' Time

No one spoke

Announcements

Designer Fitness 6.1Mile Run for proceeds to go to the cancer center. They are looking for the town council's support and the community's support.

Counsel reminds that the Town has input on all development within 1 mile of the Town's boundary.

Minutes

Tobias motions to approve the minutes of April 4 and April 25, 2005; Jarboe

seconds;

Ayes: 6

Nays: 0

Absent: (Taylor, but has not vote)

Abstain: 0

Treasurer's Report

Treasurers explains that we are running less on expenditures than budgeted and higher on income than budgeted. Tuesday May 10, 7:00 pm for a budget work-session.

Haymarket Properties to be deferred to continuation meeting.

Weir motions to approve the site plans for JBIII located at 15100 Washington Street for their 2-level commercial building conditioned that the utilities will be relocated underground

Ayes: 3 (Sikorsky, Garcia, Weir)

Nays: 2 (Jarboe, Tobias)

Short Break.....

Mayor enters meeting

Weir Motions to enter into executive session pursuant to section 2.2-2711 A1, A3, A7 named town employees, disposition of town owned property and legal

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advise. Haymarket Station Application, Acquisition of real property, Jarboe seconds;

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

Weir motions certification of executive session that the only items discussed were listed in the motion to enter into executive session;

By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Taylor-Yes, Garcia-Yes, Weir-Yes, Jarboe-Yes

#### Construction Permit Applications

Weir motions to defer the construction application permits to the continuation meeting of 05-16-2005, Jarboe seconds;

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

\*\*Review fees paid by Haymarket Station and forward a breakdown of the fees paid upon submission of the application by Centex Homes

\*\*Continuation meeting set for May 16, 2005

#### Sherwood Forest

Guy Gravett speaks on behalf of applicant. He is making changes to the distance between the homes. Applicant will waive its time limits with council's review of the original application. Mayor announces that he proposes a joint hearing with the Planning commission in order to hear this application in a timely manner. Application is set for the June 6, 2005. \*\*New plan to be sent to Zigler & Payne.

Weir motions the following with regard to Sherwood Forest, Stutz seconds;

At its regular meeting on the 4<sup>th</sup> day of April, 2005, the Town Council for the Town of Haymarket, Virginia considered the application of Sherwood Forest Associates, L.C. for site related issues pertaining to the Sherwood Forest final site plan application so that such application will comply with the Ordinances of the Town and all other development requirements. The Council asked for public comment on such application and heard the statements of the applicant's attorney, Geary Rogers, and the representative of the applicant.

At its regular meeting on May 2, 2005, a motion was duly made and seconded, passed by roll call vote by majority of a quorum of Council, that the application is deemed not mature as submitted and is remanded to the applicant on the following grounds:

1. The application is not mature as the applicant has failed to pay all applicable fees.

Notwithstanding the foregoing, the final site plan application would be denied on the following grounds if such had been mature:

2. Failure to dedicate land, not exceeding ten percent of total land subdivided, for parks, bicycle paths or similar public and/or semipublic uses in accordance with Section 38-11.

3. Failure to comply with Section 58-101(b)(3) as the minimum setbacks from building wall to property line is less than ten feet and less than twenty feet in the aggregate between adjoining structures on lots 1 through 19 and 21 through 28, inclusive.

4. Failure to comply with Section 58-102 as the building heights are not delineated or limited.

5. Failure to comply with Section 58-506 as no preliminary site plan has been filed, reviewed or acted upon.

6. Failure to comply with Section 58-506(3)(1)(2) as the number of stories for each structure has not been delineated on the prints.

7. Failure to comply with Section 58-506(3)(1)(3) as the gross floor area for each floor is not delineated on the prints.

8. Failure to comply with Section 58-506(o) as the street numbers for the lots are not delineated on the prints.

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The Council finds that each of the foregoing grounds could be deemed severable if the application was mature. To the extent this Resolution may be inconsistent with any provision of the Council's resolution or action of April 4, 2005, the provisions of this resolution shall control.

Voting aye: Stutz, Sikorsky, Jarboe, Garcia and Weir

Voting nay: None

Abstaining: Tobias

Absent: None

Ayes: 5

Nays: 0

Abstain: Tobias

Absent: 0

Tobias motions to approve the 2004 Virginia Fire Programs Fund Disbursement Agreement, Stutz seconds

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

Tobias motions to approve the 2003 Virginia Fire Programs Fund Disbursement Agreement, Stutz seconds

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

Weir motions to continue this meeting to May 16, 2005 at 7:00pm, Sikorsky seconds;

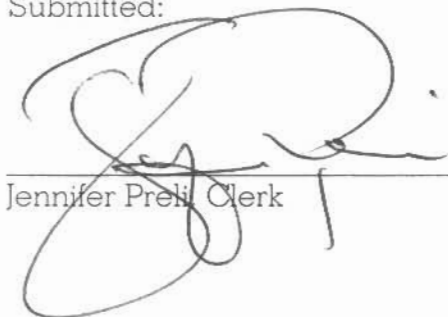
Ayes 6

Nays: 0

Abstain: 0

Absent: 0

Submitted:



Jennifer Preli, Clerk

Approved



David P. Taylor, Mayor