

**MINUTES
PURCELLVILLE PLANNING COMMISSION MEETING
THURSDAY, NOVEMBER 17, 2022, 7:00 PM
TOWN HALL COUNCIL CHAMBERS**

Meeting video can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/189890>

COMMISSIONERS PRESENT:

Nan Forbes, Chair/Commissioner
Boo Bennett, Vice Chair/Commissioner
Stanley Milan, Town Council Liaison
Ed Neham, Commissioner *(via remote participation due to medical condition)*
Nedim Ogelman, Commissioner
Carol Luke, Commissioner

COMMISSIONERS ABSENT:

None.

STAFF PRESENT: Director of Planning and Economic Development Don Dooley *(arrived late at 7:04pm)*, Planning Operations Coordinator Jordan Andrews, Town Attorney Sally Hankins *(attending virtually 7:41pm-8:10pm)*

CALL TO ORDER:

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

AGENDA AMENDMENTS:

None.

COMMISSIONER DISCLOSURES:

None.

CITIZEN COMMENTS:

Ron Rise Sr., 401 Rockburn Ct., read a statement into the record concerning Lot 74 of Catoctin Meadows and ESMT-20-05. The statement is attached to these minutes.

Chair Forbes asked a clarifying question, as to whether or not the Planning Commission had a role to play in the adjudication of the Lot 74 matter, or whether the issue was under the purview of the Town Council. Mr. Rise stated that he was presenting the issue to the Planning Commission as an informational item only.

Council Liaison Milan shared that the Town Council has asked the Town Attorney to draft a letter to the county to vacate the process referenced. Mr. Milan expanded that while the county may have not followed all of the proper processes, the Town should also assure it has done its due diligence in review of the matter and similar processes.

APPROVAL OF MINUTES:

a. November 03, 2022 Meeting Minutes

Liaison Milan made a motion that the Planning Commission approve the minutes from the November 03, 2022 meeting and waive reading. The motion was seconded by Commissioner Bennett and carried 6-0.

ACTION ITEMS:

a. Election of Chair and Vice Chair

Commissioner Ogelman nominated Commissioner Nan Forbes for Chair of the Planning Commission. Council member Stan Milan seconded the nomination. The motion carried in favor 5-0-0 with an abstention from Chair Forbes.

Commissioner Ogelman nominated Commissioner Ed Neham for Vice Chair of the Planning Commission. Council Liaison Stan Milan seconded the nomination. The motion carried in favor 6-0-0.

DISCUSSION/INFORMATIONAL ITEM:

a. Status Update on Lot 74 in Catocin Meadows (Sally Hankins/D.Dooley)

Director Dooley stated that there were no materials or current updates, however, Town Council was preparing an update to release to the public. Town Attorney Hankins would also be meeting with Mr. Rise on Friday to discuss the questions and concerns raised.

Chair Forbes asked if Director Dooley agreed with the earlier assertion that the matters concerning Lot 74 of Catocin Meadows was under the purview of the Town Council, rather than the Planning Commission. Mr. Dooley advised that the Town Attorney would need to address the question.

Commissioner Ogelman stated that the Town Attorney typically attends Planning Commission meetings, and inquired as to her attendance. Director Dooley responded that Town Attorney could not attend but would respond to questions raised by Commissioners.

Commissioner Ogelman expressed concern that a re-zoning, boundary line adjustment, or similar could be approved with minimal points of review and disclosure. He further stated that if this was current procedure, it would merit review and amendment.

Council Liaison Milan inquired as to whether Town Attorney Hankins would be able to join the meeting virtually. Director Dooley stepped out of the meeting to contact Ms. Hankins.

Commissioner Ogelman asked Town Attorney Hankins where the Comprehensive Plan indicated a change to the status of Lot 74. Ms. Hankins responded that the endorsement of the interchange in 2013 was incorporated into the Comprehensive Plan, which involved alignment relative to Lot 74.

Commissioner Ogelman responded that Lot 74 was specifically depicted in the Comprehensive Plan as remaining residential, with no indication otherwise. Town Attorney Hankins replied that as the interchange was conceptually approved by Town Council in 2013, it supersedes the Comprehensive Plan, which serves primarily as a guide.

Chair Forbes questioned whether the matter of Lot 74, and issues presented by Mr. Rise, were the responsibility of the Town Council, or the Planning Commission. Ms. Hankins responded that the Town Council would be acting on behalf of the Town in coordination with the county and Catoctin Meadows HOA for any future negotiations.

Chair Forbes asked if the Planning Commission could raise the process to ZoneCo, to ensure that any discovered issues were resolved in the new zoning updates. Town Attorney Hankins suggested that the issue could largely be described as confusion rather than a process problem. Chair Forbes disagreed with the assertion, and shared further interest in addressing similar processes with ZoneCo.

Vice Chair Bennett expressed concern that the apparent contradiction between the 2013 interchange plan and the Comprehensive Plan had gone unnoticed until now.

Chair Forbes asked Director Dooley to follow up with ZoneCo to discuss how the zoning project may be able to better address any potential loopholes associated with the process.

PLANNING STAFF REPORT:

Director Dooley gave an update regarding timelines with ZoneCo, which involved a deliverable of a sample district presented at either the end of December or early January.

Director Dooley shared that the Board of Architectural Review recently approved 3 applications: Enhanced Wellness on Main St., Giant Food color change, and the former bike shop on O st.

Commissioner Neham inquired as to whether or not the ZoneCo schedule has been changed, and if they could give an updated approximation of the timeline by the next Planning Commission meeting. Director Dooley responded that he would request an updated timeline from ZoneCo.

Commissioner Ogelman expressed concerns that ZoneCo would not be held to the agreed upon contract timelines.

COUNCIL REPRESENTATIVE'S REPORT:

Liaison Milan discussed the status of Lot 74 in Catoctin Meadows as it has been presented to Town Council.

Liaison Milan also spoke to attending the recent ribbon cutting for the Silver Line opening, and the potential for business growth to Purcellville. Liaison Milan also cautioned awareness for the type attention the Town may receive from aggressive development projects.

Liaison Milan relayed a recent exchange with Loudoun County Fire Chief Johnson, in which Liaison Milan raised his concerns for the fire safety of "Elysium Axe Bar". Further emails were exchanged in which the occupancy permit showed an occupancy limit of 49 persons. Chief Johnson was going to investigate the matter further.

Lastly, Liaison Milan expressed concerns for ongoing signage issues for both "Ace Hardware" and "BFC" relative to temporary signs and lack of progress on permanent signs.

COMMISSIONER COMMENTS:

Commissioner Ogelman stated his congratulations to Council Liaison Milan and Commissioners Bennett and Luke for their recent election to Mayor, and Town Council, respectively.

NEXT STEPS AND SUMMARY:

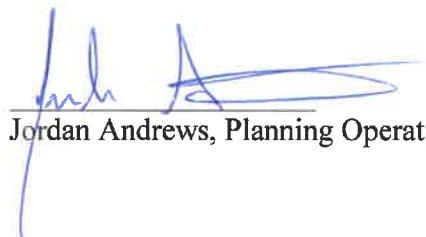
Chair Forbes summarized the meeting in the following: the Town Attorney would be producing a letter with updates relative to the Lot 74 matter; the Planning Commission's role would be limited to what processes could be reviewed and revised with in the ZoneCo zoning ordinance project. Lastly, Director Dooley will contact ZoneCo regarding an updated timeline for the project.

NEXT MEETINGS:

Planning Commission regular meeting of Thursday, December 1, 2022, December 15, 2022 and January 5, 2022.

ADJOURNMENT:

With no further business, Commissioner Luke made a motion to adjourn the meeting at 8:28 PM.


Nan Forbes, Chair
Jordan Andrews, Planning Operations Coordinator

