

**PURCELLVILLE PLANNING COMMISSION MEETING  
THURSDAY, AUGUST 20, 2020, 7:00 P.M.  
TOWN HALL COUNCIL CHAMBERS/VIRTUAL**

The meeting of the Purcellville Planning Commission convened at 7:11 P.M. in Council Chambers with the following in attendance:

**PRESENT VIA REMOTE PARTICIPATION:**

Chip Paciulli, Chairman Planning Commission  
Theresa Stein, Commissioner  
Nan Forbes, Commissioner  
Stanley Milan, Town Council Liaison  
Stosh Kowalski, Commissioner  
Ed Neham, Commissioner

**ABSENT:**

Boo Bennett, Commissioner

**STAFF PRESENT:**

Andrew Conlon, Senior Planner  
David Mekarski, Town Manager  
Sally Hankins, Town Attorney  
Dale Lehnig, Director of Engineering, Planning, Development  
Diana Hays, Town Clerk/Executive Assistant

**CALL TO ORDER:**

Chairman Paciulli called the meeting to order at 7:11 P.M. The Pledge of Allegiance followed.

**AGENDA AMENDMENTS (Planning Commission and Staff):**

Chairman Paciulli inquired whether or not there were any Agenda Amendments. Commissioner Neham stated that he would like to add to the Agenda, a discussion on whether or not the Planning Commission wants to respond to the Mayor's email on the Hatcher Property Development Proposal. Since he did copy us on his email, he feels compelled to say something. He would like to put that on the Agenda. Chairman Paciulli stated that it will be Special Item (a) since he thinks it will be short.

**Motion by Chairman Paciulli, Second by Commissioner Forbes to Amend the Agenda and Add a Discussion on the Hatcher Property Development Proposal to the Agenda.**

**Voice Vote: All Ayes**

**Motion Carried: 6-0**

Commissioner Paciulli stated that his amendment is to say something about Theresa. He wrote this little bit down. He hopes that you all can hear him. He stated that Theresa always brought leadership, strength, and compassion to the Commission. Just to share a few highlights or moments, maybe that is a better word. A quick reading of the 2017 Annual Report reminds me that during that year, she Chaired 19 Regular Meetings and 17 Work Sessions. Most of those Work Sessions were in the second half of the year. That's a total of 86 meetings with some more different Staff members during that one year.

Chairman Paciulli stated that during her term, she was also a member of a group, of the Western Loudoun Town Planning Commissioners. He doesn't know what the official name of it was. This group met, he doesn't remember if it was once a month or how often. It was a group that collaborated with each other to strengthen their individual activities in their towns. Each local town had a person that attended the meeting.

Chairman Paciulli stated and then there is a story that he has to share, and whether it is Planning Commission related or not, it is definitely Theresa related. He stated that Theresa's daughter was taking a photography class at Valley. Her daughter thought it would be a good idea to take a photo of a traffic light in Purcellville from an advantage point directly under the light at night. He later asked Theresa if they were able to pull this off and, of course, they did. He thought that was a lovely experience to hear about.

Chairman Paciulli stated Theresa, thank you for all of the work you have done on the Planning Commission, and for your continued, constructive influence through the Comprehensive Plan. A gift was presented to Commissioner Stein.

Commissioner Forbes stated that she didn't really know Theresa when she came on the Board, but she has provided wonderful guidance and insight, wisdom and experience, and she appreciates all of it. Frankly, she is going to miss her a lot. Thank you very much.

Commissioner Stein stated thank you, Nan. Commissioner Kowalksi stated that he would second that. She is an absolute well of knowledge and experience and has been invaluable to all of us especially going through the Comprehensive Plan process. Chairman Paciulli stated that we would all vote for that.

Chairman Paciulli stated thank you very much, Theresa. Mayor Fraser stated that on behalf of the Town Council, he thanks her. He stated that he is here to administer the oath, but knowing that she is leaving it is a void being created. He is hopeful that we will have the right folks coming in to step in. We know that you will still be in Purcellville. Don't be surprised if we come knocking on your door for advice and counsel. Again, thank you for all of your dedication. He knows this was a hard process with the Planning Commission getting the Comprehensive Plan done. He stated that without your expertise, we were not going to make it happen. Again, thank you very much.

Commissioner Stein stated thank you, guys. This has been quite an experience. She thinks she has grown from it. She learned a different side of the public process. She stated having been on the one side of it, now she can kind of appreciate the other pieces of it. This has been a great experience. She hopes to return someday.

**OATH OF OFFICE – NEW PLANNING COMMISSIONER: (To be issued virtually)**

At this time Mayor Fraser administered the Oath to Nedim Ogelman as follows: “I, Ned Ogelman, do solemnly swear, that I will support the Constitution of the United States of America, and the Constitution of the Commonwealth of Virginia; and that I will faithfully and impartially discharge all of the duties incumbent upon me as Planning Commissioner for the Town of Purcellville, Virginia, according to the best of my ability, so help me God.”

Mayor Fraser stated as follows: “I, Kwasi Fraser, Mayor in the Town of Purcellville, Virginia, do certify that Nedim Ogelman appointed to be a Planning Commissioner for the Town of Purcellville, personally appeared, virtually appeared before me in my Town aforesaid, and took and subscribed the above Oath on the 20<sup>th</sup> day of August, 2020.” Officially, you are now a member of the Planning Commission. Welcome Nedim. Commissioner Ogelman stated thank you. He is excited. Mayor Fraser stated all right, folks. He will part ways with you. Have a good meeting. Take care. The Commissioners thanked Mayor Fraser.

**COMMISSIONER DISCLOSURES:**

Chairman Paciulli stated that no one had any Commissioner Disclosures.

**CITIZEN COMMENTS: (First Opportunity)**

Chairman Paciulli stated that we have added two opportunities for citizens to comment. This is the first opportunity for that. Chairman Paciulli inquired whether or not there were any citizens that wish to make a comment about anything.

Commissioner Nedim Ogelman stated that he is excited to get the opportunity to work with you all. He is looking forward to this Zoning Ordinance process. He knows that you are all super talented and energetic. He is lucky to get to be part of the team.

Commissioner Kowalski inquired right now, is there any legal or Robert’s Rules of Order as to our outgoing Planning Commissioner at the moment. He stated that Nedim was just sworn in and Theresa is here. Does that matter in any manner?

Mr. Ogelman stated that he doesn’t think that you are technically a member until the 1<sup>st</sup> of September. That was his understanding. Ms. Hankins stated that was my understanding also. Ms. Sally Hankins, Town Attorney, stated that Nedim’s status as a member of the Planning Commission takes effect in September.

Chairman Paciulli inquired whether or not there were any citizens that wish to make a comment. This is the first opportunity and there will be another one later on in the Agenda.

Town Manager David Mekarski stated that he wanted to make a quick point of order. He just wanted to mention to the Planning Commission that again, we are doing the minutes remotely. He stated that as some of the callers do not have their cameras on, it is really important for this meeting that when the Planning Commissioners speak that they just introduce themselves, so the

individual that is doing the minutes can get associated with the voice patterns. She will probably have to do this for one or two additional meetings.

**DISCUSSION ITEMS:**

Chairman Paciulli stated okay and that in Item 4, he missed something. He thinks that Ed wanted to add an (a) 1 to the discussion items. Commissioner Neham stated we can do that.

- (a)(1) Commissioner Neham stated that the Mayor Fraser sent an email on August 18<sup>th</sup> Tuesday, that summarized a meeting held with Case Co., which is the Company that belongs to Chapman, and the Town, and he guesses a representative from the County, talked about a proposal that they are interested in doing which was apparently in part, building Multi-Family Units at the end of Hatcher close to the bike trail.

Commissioner Neham stated that because the Planning Commission was copied on this email, he felt it was important for us to at least consider whether or not we wanted to make a formal response to the Mayor or not on his email. He doesn't know if the Commission has anything you wanted to say about this prospect. He put together a small paper. He did send it out this afternoon. He doesn't know how many of you have received it. In that paper, he highlighted five items that he thought were of concern to him. In the paper, he also included a map, and the Comprehensive Plan, a Zoning Map showing that section that is under consideration. He stated also, a couple of excerpts from the Comprehensive Plan and the Zoning Ordinance itself. He inquired by a show of hands, is there anyone who did not receive this document?

Commissioner Stein stated that for some reason she was not able to open it. Commissioner Neham stated that he doesn't know what to do for her. He really wants to hear from the Commission what, if anything, they have to say about this. He stated that perhaps we can go around the room and see if they have any comment that they would like to make. Chairman Paciulli inquired what does Staff think of responding. Is it appropriate? He doesn't know if that is the correct word. Is it a good thing to do, or let's just move on? That is directed at anybody on Staff.

Mr. Conlon stated that these properties are actually listed on the list of "Vulnerable" Properties. We will be addressing them, or we may be addressing them. He stated that Ed's email just adds a lot of additional information in that regard.

Commissioner Stein stated that the Mayor's email was informational. She doesn't know that we need to formally respond to it, because we will do that as one of our regular Planning Commission duties. She stated that for her, she thinks that we are kind of putting the cart before the horse. She doesn't know that it warrants a formal response. She is not sure that was the purpose. Commissioner Stein stated that we will do that when we go through the properties as Andy pointed out.

Commissioner Neham stated that he doesn't know if there is any particular time associated with this or not. He stated thought that if the Commission wanted to, it was an opportunity for the Commission to weigh-in on this particular item. We can't make a ruling because there is no

request for an amendment to the Comprehensive Plan or the Zoning Ordinance. He thought that if we want to, we could respond to the Mayor if we chose. Again, he doesn't know what the time schedule is.

Chairman Paciulli stated that he personally appreciates it that he sent it to us, but he doesn't know that there was any formal response that was necessary. Chairman Paciulli stated not to call Stan out, but Stan, because you are on the Town Council, do you have an opinion?

Council member Milan stated that he took the email that the Mayor sent out as informational. It highlights what we were discussing at the previous Planning Commission meeting of looking at the priorities. This property, this incident, it's up to the top of the priority list for us to look at it first, because there is some possible movement towards making this a reality. There are a lot of complex and complicated issues with this property, meaning that it's a historical area. It's going to be in a small area with high density if he were to go forward with this, with 40 to 70 apartments in a quarter of a mile area on two narrow streets. He stated and one with no egress to and from that area. In his mind, it would be in our best benefit to look at this closely right away, because there may be other development or pre-development areas that may pursue the same venue.

Council member Milan stated that a formal response to this may not be necessary at the moment, but in response to the Mayor he indicated to him that we are looking at this for potential issues to resolve based on the Comp Plan and our zoning, because this is a complicated piece of property with this affordable housing proposal, which is different from what they stated before. If it were to go forward, then the Town will take the expense of making a thorough way for O Street. He doesn't believe the Town is willing to foot that part of the bill. We have to look at this really closely and soon. Thank you.

Commissioner Forbes stated that if she can weigh-in, she would like to piggyback on what Mr. Ogelman just said and what others have said. She thinks that there is a Virginia Statute. She knows she pulled it in early May. She hasn't had an opportunity to pull it again. She doesn't have it in front of her. There are a series of criteria in the Virginia Code that talk about when a person becomes somehow vested in their existing zoning. She stated that without the details because she doesn't have it in her brain, the essence of it is there has to be some serious, substantial action that is taken with regard to the development of property before anybody can be vested in the zoning.

Commissioner Forbes stated that we each need to get a copy of that. She can circulate it. She is sure that Sally is well familiar with it and can probably circulate it to us as well. As we go through this list of "Vulnerable" Property, it would be very helpful if we could have some sort of an idea of where they are in that process, vis-a-vie that Code section. That would be one of the principle things we need to guide us in terms of deciding how fast we need to move in terms of making zoning changes that conform with the Comprehensive Plan in order to protect those "Vulnerable" Properties that now have inconsistent zoning.

Commissioner Kowalski stated one question. In the Mayor's email under Number 3, "Hatcher Avenue," he states: "Case Co. that they believe that these can be built by right on Hatcher Avenue." The key phrase there is "they believe." He wanted to ask Staff what their opinion is.

Would this be “by right” construction or not? He is not putting you on the spot if you haven’t looked at it yet. He just brought it out there because he noticed it.

Commissioner Neham stated that he looked at the C-4 and the what the zoning use is, and one of them is “Dwelling Apartments.” It is a Permitted Use. That’s what this is. It’s right there.

Chairman Paciulli stated let Staff answer it. Mr. Conlon stated and even prior to development, as we’ve begun to look at this, it appears that demolition would be a by right. These buildings could be demolished with nothing more than a Zoning Permit.

Commissioner Stein stated that she has a question as to what Stan was referring to is a significant governmental act. You have to get a Demolition Permit she would believe. Is a Demolition Permit considered a significant governmental act?

Ms. Hankins stated that she would like to encourage the Planning Commission to move away from the conversation of what properties may or may not be vested in certain development rights. The only one that she is aware of is the Vineyard Square Site Plan and the Vineyard Square Development. She thinks that she put in the list of vulnerable properties that that Site Plan expires mid-February of 2021, in about six months. That is the only one that she is aware of. She does think that the apartments on Hatcher are most likely a by right use. She has not looked at it. She knows that in C-4, she thinks that she recalls that is the case. That would be a by right use and the buildings can be also demolished. She stated that vested rights in that case would not be a factor because you are looking at just operating under the Ordinance. She hasn’t looked at it. She doesn’t want that to be an official opinion. She hasn’t evaluated it. That’s her sense.

Ms. Hankins stated that she thinks for tonight, opining about who might be vested and who is not vested is probably not in the Town’s best interest at this meeting. Chairman Paciulli stated that when the Town does look at that, he read something in the Building Ordinance today. He didn’t study it. It said something along the lines that the (*inaudible*) enter onto had to be a certain classification. Is Hatcher or that other street that classification? He stated that is neither here nor there. He inquired of Commissioner Neham whether or not he was okay moving on. Commissioner Neham stated yes.

**(a). Discuss and Adopt a Methodology to Address Zoning Ordinance Update based on “Vulnerable” Properties**

Chairman Paciulli stated that we are going to move on to 8(a), Discuss and Adopt a Methodology to Address Zoning Ordinance Update based on “Vulnerable” Properties. Is there a suggestion possibly from Staff as to how to structure that conversation?

Mr. Conlon stated that the Commission received two versions of the redevelopment in a manner that is inconsistent with the Town Plan. The first attachment that came with your agenda was Sally’s original version. He stated that as came out in the email today, we’ve gone and added to that with material submitted by Dale, Ed, and myself. He stated that with that longer list, he suggests that we use that. It’s now organized in the same order as the Comprehensive Plan, each of the Focus Areas. We could just simply start at the top and move through.

Commissioner Neham stated starting off with the agenda item, the first item is suppose to be Discussion and Adoption of the Methodology at approaching this problem. How we were going to do it. The next item was going to be dealing with the "Vulnerable" Properties. He submitted a paper a week or so ago, and that should be part of the package on the methodology for doing this. He can't find his copy. Basically, it starts with what we are going to do, which is to identify the "Vulnerable" properties, prioritize them, and then start from the top of the priority list and start working the Zoning Ordinance modifications, if any are necessary, to bring that property/ that area of concern in line with what the Comprehensive Plan says. A certain amount of that work would be done by the Staff. He was thinking that we would assign a shepherd of the Planning Commission for that item, to just kind of watch over the work that was being done mostly by the Staff. He put a flowchart, or diagram in the paper showing how that would work. He is asking does anybody have any comment on that paper.

Council member Milan inquired is that Version 2.1 you are referring to? Commissioner Neham stated yes, it is.

Commissioner Forbes stated that she has the document that Ed is referring to, which is the "Approach to Updating our Zoning Ordinance." She would like to get a little more information, perhaps from Staff, with regard to Item 4. The idea is that we would individually pick different focus points, and work with a Senior Planner who would provide the assessment to which extent the Zoning Ordinance needs to change to comply with the Comprehensive Plan, and recommendations as to the zoning type and some of the details. She is curious, perhaps to hear from Staff, with regard to how long it would take Staff, once we do our priority list to actually go through and help us identify what aspects of the Zoning Ordinance needs to change to comply? How big a job is that? How long would it take?

Mr. Conlon stated that each item may not take terribly long. We do have, at this point, four pages of items of possible properties to consider or other zoning issues. It is quite a long list at this point. The Commission may want to reduce and add to, and then, of course, prioritize.

Commissioner Forbes stated when you say, "Not that long., are we talking a couple of weeks?"

Ms. Hankins stated that the Staff will be working with a Consultant to do this part of our job. That person that we use would have design experience and be able to illustrate the concepts that are being written. If we can't answer that with any certainty, but she would guess that each area, her recommendation is that we not focus on a single property, but encompass an area around properties that are vulnerable, and look at areas as a whole. Each area, she would expect it to take four weeks to get a design and regulations in place that we could then bring back to the Planning Commission for review. That is a guess on her part. She stated four to six, but four might be possible.

Chairman Paciulli inquired how does this fit or help with the process? That's not open-ended. Are there are some concerns that you could ask that Staff can respond to and see if it is necessary to take those steps? He stated Nedim as a citizen, and/or Ed as a Commissioner.

Ms. Hankins stated that she doesn't understand the question. Are you asking is there work that other people could be doing simultaneously so as to shorten the time? Chairman Paciulli stated no. He was asking if we needed to take the steps that they laid out in their handout.

Ms. Hankins stated oh, she doesn't know about that. She will leave that to the Planning Commission.

Commissioner Neham stated that he thought that we would be taking those steps which is why he produced that paper. Now, it is up for discussion as to whether or not the Planning Commission agrees or disagrees with that. And if there is any disagreement, what changes you would like to make.

Commissioner Forbes stated that she has an additional question. It occurs to her that there may be more than one area that has priority at the same time. That's why she is trying to figure out a timeline, and how long it would take to do the work. Ms. Hankins agreed. Commissioner Forbes stated for example, let's assume we identify a vulnerable property on the East End of Town, Vineyard Square and Hatcher Avenue. (*inaudible*) that has pretty serious implications if they are not moved on quickly. It occurs to her that we may want to modify Ed's proposal ever so slightly to have two or three of the areas worked on simultaneously. Ms. Hankins stated yes that she agrees with Commissioner Forbes. She had thought the same thing. She doesn't know what the limit will be as to how many we can tackle simultaneously. She thinks that two or three seems reasonable. We would just need to find a firm to work with that has the kind of depth that they can put more than one person on the project. It doesn't necessarily make the project more expensive over the whole length of the project, but it might increase the cost. If you are looking to spread the cost out evenly over time it may not accomplish that.

Commissioner Neham stated that it was not our intent to have these done in a series, but have them done as many as can be done in parallel as staff can allow. It could conceivably have two or even three of these areas being worked on simultaneously. It may be in different stages of their process as they go through, but all would be getting some attention during this period of time. Ms. Hankins stated that's correct.

Commissioner Forbes inquired what is the timeline on identifying who the person is that you will hire to assist Staff. Once we identify what we think are the hotspots, how rapidly will it be before they actually can start the evaluation? Ms. Hankins stated that it could conceivably be a couple of weeks. We would limit the project cost to \$50,000.00, which would enable us to get a series of written quotes which is a faster process than the advertisement. It does lower the competition. That's the trade-off. It is a faster process. Since we are eager to get going, that might be the best way to go. Commissioner Forbes stated that the funds have already been allocated to this. There won't be a delay she is assuming, in getting that approved.

Mr. Mekarski stated yes, the funds have been allocated the prior Fiscal Year and they have been carried over. We have \$40,000.00 that was carried over. We can make a line item adjustment on some other areas of the Budget, especially in travel and training. He stated because of COVID a lot of conferences have been cancelled. We can shift monies from that allocation to this effort.

Mr. Nedim Ogelman stated that as Ed was saying, when we were thinking about this, we were thinking about things happening in parallel, not in a series. He stated but things going at a pace that they can get accomplished and not waiting for the whole process to end before rolling it out to the Town Council. We thought of that as a lesson learned from the Comp Plan Process. And another of the lessons learned from his perspective from that Comp Plan Process was that in any of this, if there isn't some redundancy built into that process and there are like these single points of delay or failure, it doesn't necessarily help to have the Consultant. He stated that for the Comprehensive Plan, a Consultant was hired, but that Consultant was a single point of delay or failure in the process. The rest of the folks couldn't sort of line edit things. You had to go back to the Consultant to move forward with the process.

Mr. Ogelman stated from his perspective in that process, he wouldn't just be relying on the Staff or the Consultants. He would be trying to go through, think about Uses, and understand those concepts to be able to have a discussion with the Staff. He would hope that there is a good amount of thought put in to making sure that if we are spending Town monies to hire Consultants that we are doing so efficiently. They have specific purposes that we are relying on them for. Also, as a citizen, he thinks part of the job of the Planning Commission is to assess values. That's not necessarily the job of the technical experts on Staff or as Consultants. We need to be able to decide if the Uses and designs, and scale, and densities, and effects on traffic are what the people of the Town want, not just what's doable, or what looks technically feasible. Chairman Paciulli stated if I could ask a question of Nedim, we are going to look at specific areas. And whether we decide to break into a couple of groups of two, and then to a bigger group, and then once there is kind of a consensus, core meeting with Staff. We would bring those details to the Commission. At some point, whatever the logical point is, this Consultant would be consulted. He assumes we wouldn't want to spend money initially with him to review something that we haven't brought to the Commission. There has to be a logical point in there somewhere. Is that what you are describing?

Mr. Ogelman stated yes, that's what makes sense to him. The Consultant should come in clear across the board when we need the Consultant on specific, targeted things. Instead of handing a process over to the Consultants, not knowing what's coming back or when it's coming back, and then sort of reacting to what they are doing in a whole way. He believes through this whole process from his vantage point, it would be better to do this in distinct kind of segmented parts. Learn lessons from it. He stated be able to put things through the legislative process as we develop them instead of like rolling things out in a too big to fail kind of way at the end.

Chairman Paciulli stated just as a comment, he somewhat agrees with him. He doesn't want to just take on just one area, but two or three at the same time, whether it is the Commission in different groups or whatever. Does Sally or David or anybody there have a comment from a Staff point of view?

Mr. Mekarski stated that he thinks that future Commissioner Ogelman's comments are well-taken. Essentially, the approach that we have been discussing, myself as Town Manager, and our Town Attorney, and our Senior Planner, it's sort of a comprehensive incrementalism approaching updating the Zoning Ordinance on an incremental basis but in priority focused areas. And then working with the Commission to get that policy guidance and affirmation that it is consistent with the Comprehensive Plan, and having the Commission make revisions to

whatever the Consultant offers, and shipping that component right to the Town Council for adoption. We can build the Zoning Ordinance incrementally and consistent with your Focus Areas as defined in the Comprehensive Plan and the priorities that you are setting tonight. He thinks that Sally can add to it because we had a long discussion on this.

Ms. Hankins stated that we seem to have some alignment about the approach. She was just going to say, that from her point of view, the Zoning Ordinance is to implement the Plan. So, we aren't starting entirely from scratch. We have an Adopted Plan. And for each area that we identify as high in importance, we would reference the Plan and see what the Plan says in terms of the vision for that area. And then attempt to implement that vision through regulation. She is not married to this next part, but the way that she would envision it is, if you could tell us what the priority areas are, we would take that priority area, we study it. We would go to the Consultant and ask the Consultant to draw, get a visual depiction of what that area should look like based on what the Plan says. Once the drawing has been formed, we could come to the Planning Commission with that drawing and say, "When you read the Plan, is this the vision that you read also? Does this illustration depict your vision?" If the answer to that is "yes," then we can regulate through words on the page; the scale, the setbacks, the height, the form, the fenestration, the doors, the sidewalks, the roads. We can put regulations around the image. She thinks that if we can agree on the image first, it helps develop those regulations more easily. We would come back at certain points. We would say if your priority is this area, then thank you. We are going to draw that area. The drawing could happen one to two meetings away. We would come back with a drawing. You would say, "Yes, this meets the image. No, it doesn't meet the image." We would tweak it. We would go back. Once we get a drawing, then we can regulate to the drawing, and we can just keep repeating that process. That is kind of what she envisioned.

Chairman Paciulli stated if he could just ask a question real quick here. That process, what he has briefly understood from Ed and Nedim, and is clearly in his mind, is that groups of this Planning Commission should take on certain areas. He doesn't want somebody to read that area that we have identified and come up with some solutions. He thinks that we want some input first. It's okay if the Consultant proposes different solutions. But it seems like as a group, which we are going to do in a few minutes here, is to identify the most important areas and then as a group, we will identify who here and get started on it next week. He stated that he went down the road, or part of going down the road of no Consultant. It was necessary, but definitely not the right thing. We need a Consultant. But the short cut, in diversity and thinking between members on the Commission as well as possibly the Consultant, might minimize that by starting to try to focus on an area first with some input and then let him do what you just suggested.

Commissioner Forbes stated that she was thinking along the same lines you are. Before the Consultant comes back with their drawing or vision, it occurred to her that the Planning Commission would want to provide some input even if it is in a general form as to what our vision is for that area. And then have them create a drawing to conform to it. She understands that the Comprehensive Plan is the foundation for that. It seems to her that we could add a higher level of detail before it goes to a Consultant.

Mr. Mekarski stated that those comments are complete in keeping with the approach. He thinks that we are in sync.

Commissioner Kowalski stated that first he was going to let Ed know that he was muted. His only question will be, he likes Nan's suggestion and that's a good idea. His only concern is how much would that back and forth slow down the process.

Chairman Paciulli stated that he was hoping that at least initially, and maybe this was too high of a goal, it wouldn't. He guesses that they are going to come in and interview us or talk to us and ask us questions. When anybody sits down with him to talk about an area, he is going to give you his thoughts right there, right then, and they are going to be on paper. It just felt like that would match up timewise with getting a Consultant on line and getting the whole process started.

Commissioner Kowalski stated as long as it is in sync with us that's fine. He had a vision or the possibility of the Consultants ready to go with an idea and they have to wait two weeks until we have another Planning Commission meeting or something. That's the only thing he would be worried about.

Chairman Paciulli stated that's a good point. And if we go that way, he would assume that Staff could keep us aware of what their timing is. He inquired of Sally and David how long does that little bid process that you were going to do take. Two weeks? Or is it really three or four?

Ms. Hankins stated that she thinks with diligence we could get it done in a couple of weeks. She was going to suggest if speed is a concern, we could do both ways. We could pick the highest priority area, and because the Planning Commission hasn't studied it yet, hand it off to a Consultant and see how well they do reading the Plan for that area and coming back with a vision. And then at the same time, say that process with the Consultant is going to take two to three weeks for one area, then those same two to three weeks, could be used by the Planning Commission to develop the comments they want to make on the next priority area that they would like the Consultant to work on so that there's always movement. You use the same three weeks the Consultant is using to design Area 1 to give comments on Area 2. Then we give the Area 2 comments to the Consultant who spends the next two weeks drawing those out while you are getting comments together on Area 3. That way, we are always working up and parallel. It only requires that first area to be given to the Consultant without comment, but all the other areas would be given to the Consultant with comment.

Chairman Paciulli stated and no matter whether it's more what Ed and Nedim proposed, he thinks that maybe we are talking quite similarly, it would start now, both ways. Ms. Hankins stated right. We would start as soon as we have our priority list from the Planning Commission. Chairman Paciulli stated which is another topic.

Commissioner Neham inquired whether or not Mr. Conlon was still there. Mr. Conlon stated yes, he is. Commissioner Neham stated that you are probably going to be the guy that will be handling a big part of this work. How are you thinking about your ability to respond to stuff like this on the timeline that we are talking about?

Mr. Conlon stated that he would think that Staff will make this happen. Commissioner Neham inquired do we have to ask that question privately. Chairman Paciulli stated don't put him on the spot. Commissioner Neham stated that what he is fishing for is how much staff time we have to put on this regardless of who it is. He is thinking of Andy first. But then there is also Sally and

David who are planners and who are also busy on other things as well. Is this going to be the most important job, 10% Staff, or something else?

Ms. Hankins stated that this will have to be a collaborative approach. This is probably going to be 70% Consultant management which is less time consuming, and 30% actual staff original work. She thinks that between the three of us we can make it happen.

Chairman Paciulli stated that each time he had a conversation with Staff; they have all been "Let's move. Let's get it going. This is going to happen." Do we need some further discussion about methodology?

**Commissioner Forbes stated that she would be willing to make a Motion that we Adopt the Document that was Attached to our Agenda Entitled, "An Approach to Updating the Zoning Ordinance, Version 2.1." as our Plan for Going Forward.**

Commissioner Neham stated can he put that on hold for just a second to bring up another concern that he had which was, (*inaudible*) about how you would actually manage this thing or keep it on track. The method that we were proposing was each Commissioner would take ownership, or possession, responsibility, of some kind for the next area that comes up. Everybody would have at least one project that they would be watching over. It's not quite clear that the thing that we laid out is going to be adequate enough. What exactly are the Commissioners going to be doing during this process? He was thinking that we would sign on to keep track of the schedule for their particular piece. That they would be available to consult with the Staff on problems that come up in performance, whether we have a schedule delay or not, or whether we need additional resources of some kind and how quickly we can address that. The Commissioners would be kind of responsible for making sure that everybody got together so that we could present it to the full Commission, and making sure that everybody got together for the ultimate Public Hearing that the Commission will have to have before forwarding it on to the Council. The staff would be doing a lot of the work.

Commissioner Stein stated that she just needs to be clear. She stated that what Sally was talking about was sort of a round robin. We would send off the first one. Then while the Consultant is working on that, then the Planning Commission would be working on the next priority. That doesn't seem to be in keeping with what Ed is proposing. It almost sounded like what Sally is talking about is the entire Commission would be looking at Priority Number 1. Move that to the Consultant. Start working on Priority Number 2. Then send that off. She stated that Priority Number 1 would be more reciprocal, but it was the Commission doing it as a whole. Is she missing something? She doesn't know.

Commissioner Neham stated that it could be a semantic language issue here. He is not sure what Sally meant when she said "The Commission," whether she meant a Commissioner or the entire Commission. In his view, any single Commissioner is going to be shepherding this thing until it is time for the entire Commission to look at it. The entire Commission will look at the results that the Consultant and Staff produce. If this is what we think we want to have done, then the Commission would talk about that and agree or not agree, whatever the case may be. And then the work would get done on the actual Ordinance itself. He doesn't know if that is sufficient or not. Since each Commissioner has a project, and each Commissioner would be shepherding this

project through the system, any Commissioner would be working with Staff. It would come to the Commission when it is ready to be seen.

Chairman Paciulli inquired of Commissioner Stein whether or not that is good enough.

Ms. Hankins stated that she wanted to say that when she said "Commission," she was thinking of the whole body. She stated certainly that idea of a champion for an area that works also. Conveniently, there are seven Focus Areas. There are seven Planning Commissioners. Her suspicion is that each of the "Vulnerable" properties would probably fall into a Focus Area. That may not be true. If it's true, it just kind of gels nicely. She does think that we can do the round robin with the champion, and that champion would be part of the Staff team effectively as the Staff and the Consultant communicate back and forth on that product. She guesses that Plan Commissioner would be involved in those conversations. And then we would get the product to the Planning Commission as a whole for comment.

Chairman Paciulli inquired are we talking one Commissioner per area. Ms. Hankins stated that she will leave that to the Planning Commission. She thinks that was the proposal though. Council member Milan stated yes.

Chairman Paciulli stated he has five or six questions about how to approach this. How do you think is a better way to approach it than the way he is thinking? Why is that not something that you really want more than just one person doing?

Council member Milan stated that he thinks that what Sally is saying is that each member would be like a perfect manager for whatever section that was being viewed. That member would follow that section until completion. He would be able to bring questions to the Commission if he had any issues with the process. He would be working with Staff to make sure things stayed on track. There would be some accountability for that person to report back to the Commission on its progress and any issues that they would have. He thinks that is what Ed is saying as well. That someone needs to champion it, project manage it until completion. And then once that section is completed, the body of the Commission would get to hear what the project manager would present. This is what he found for this project. These are the things we had to do. This is where we are now. We present it to the body to say, "Okay. We see other issues that may have been overlooked that need to be tightened up." That person would follow that project all the way through and no one would be left out in the process or lost.

Mr. Mckarski stated yes, we concur with that description. Mr. Ogelman stated that he thinks that Council member Milan is exactly right about that project manager part. He also thinks another thing that champion would do in addition, but he likes the idea of the champion liaising with Staff and if there's a Consultant, with that Consultant as well. He also thinks that that champion would do exactly what you are describing, Chip. He or she would go back to all of the other Planning Commissioners if there was a need and say, "Hey, we discussed this today." And that Commissioner could do that one-on-one, or just give a read out or something and say, "This is going to be an issue that we are going to want to discuss at the next meeting." Things like that. He stated exactly as Stan was saying, it adds a level of Planning Commission accountability to each component of the process. The Planning Commission as a whole has a responsibility for those components to bring them to completion.

Chairman Paciulli stated that what he will do, if this is the route that we take, he will take one of the Zoning Districts, or it will be assigned to him, whatever. He will read through it. He will write down all the things that he thinks should be changed, and/or be the same. Is that the only step that needs to be taken by the Commissioner?

Mr. Ogelman stated no, he doesn't think so at all. You would take that as a starting point, but then you would also discuss that with the staff and provide the value and goal. You would know that part of the Comprehensive Plan (*inaudible*) and you would be watching and making sure that what Staff and the Consultant, the whole process is adhering as closely as possible to what the Comprehensive Plan intended for that part. You would be sharing that also with the other Planning Commissioners as this part proceeded. You would also have this project manager role. It would be a significant effort. It would have all of those components to it.

Chairman Paciulli stated so if he was assigned one of the problem areas, and he went through it and he had a list of changes and/or changes in wording, or maybe he would use a copy of that Zoning District as a markup. He doesn't know how he would approach it yet. He does that. And then he ships it off. And everybody else is working on the same kind of thing in a different District. Can he start working on Stream Ordinances and Tree Ordinances, plantings. He stated not trying to bog down the critical areas, but if he is going to be sitting here with his hands under his legs, then there is an Ordinance to be written.

Council member Milan stated that you wouldn't be doing this process in a vacuum. You would still be sharing your concerns with the rest of the Commissioners. You wouldn't be totally responsible without the confidence with others. He stated because some of the things may have a dependency. You are working in an area that has a dependency in another area. You say, "No, I know this is in Area 3. So, let me talk to the Project Managers in Area 3. I am working on this here." So, it is going to affect you. You will still be collaborating on the total Comp Plan and zoning. You wouldn't be doing this in a vacuum alone. That's his understanding of the Project Management Project that he worked on for large company issues, where you've had the systems integrators communicating with the software developers, and the software developers are going to have some software that may not work with the hardware. So you have to be constantly communicating with each other as a Commission to say, "Hey, I'm doing this tweak on this software package. How is it going to affect the hardware? How is it going to work together? How are the users going to be affected?" That's his concept experience understanding Project Management. It's the same thing we would be doing here.

Mr. Mekarski stated that he thinks the Council member's perspective is well-taken. And Mr. Paciulli stated that your comments get to some of the nuts and bolts of the Zoning Ordinance that will take a considerable amount of time. That's just from creating a strip Euclidean zoning Ordinance to a Hybrid Euclidean Form Base Ordinance looking at the design regulations, criteria, and the Parking Lot Standards, and the Lighting Standards, and the provisions about nonconformity and how they either evolve or be discouraged, the Sign Regulations. Those will take a considerable amount of time. That is not even to say that the seven other topical areas that are in the Zoning Ordinance that we have to address, but our globally covering those Focus Areas, Environmental Protection, Fiscal Impact Analysis, the Affordable Housing issue, and all the other elements. He doesn't have the list in front of him but your seven topical areas. Let's

start with the Focus Areas and the priority land uses, and then let's work a very similar mechanism with the seven topical areas and also those major components of the Zoning Ordinance that will take a considerable amount of time.

Ms. Hankins stated that she just wanted to add to that. You are not going to be sitting on your hands at any point she doesn't think because even if you are a champion of one Focus Area, the whole Planning Commission has to review pretty much at every meeting she thinks, as a whole the product from those seven Focus Areas. It has to come to the whole Planning Commission for review, input, amendments, and then finally agreement. Every meeting will be full until we finish the focus areas and then we can move on to some other subject matters.

Commissioner Forbes stated that she just wanted to emphasize something that Chip said about 30 minutes ago. She thinks there is a step that Chip articulated that is in between identifying the priorities and then doing the Staff analysis and figuring out the championing of the Plan. She stated that before it goes off to the person that is going to do the championing, it seems to her that the Planning Commission needs to look at that particular area and speak about it and develop some general schemes and ideas about what the Planning Commission has in mind to what those changes will be to conform with the Comprehensive Plan. The Planning Commission will have to weigh-in at the beginning, as well as at later points.

Mr. Ogelman stated that he thinks what Nan just said is really important. There's like a cycle in this. And it starts with having some consensus on what the Comprehensive Plan really implies about that area. He also thinks that to what Chip was saying about stream and buffer things, he thinks that those issues are actually going to come up. Each one of these Focus Areas, especially the difficult ones we are talking about, each of us is pulling at the thread for that area. There are going to be things in them. He stated for example, in Hirst East, stream and buffer things are going to come up because there's that stream there. He stated that he and Ed talked about this. Our Town is not fully Euclidean now. Because it is an old Town. It was developed this way. That's why you have like a C-4 District. The C-4 District is already really a Mixed Use District. He stated that he thinks what people enjoy about the character of it has to do with things like scale, style, and things like that. If you look through the Uses for any one of these areas, any one of our areas has institutional public uses, no neighborhood scale commercial uses, some large commercial uses, some residential uses, there are a lot of different things already. So, we are not really purely Euclidean anyway. He stated that using these Focus Districts as the areas to work on, rather than going through a type of District, is going to bring up a lot of these things very early on, he thinks. We also need to remember there are lots of places where the public input was that they like things to stay the way they are. There are setback parameters, other things like that that saying you like things to stay the way they are, have implications for that that will take some of the work off of our hands.

Chairman Paciulli stated that he just wants to move things along a little bit. Do we need to have a discussion any further? Is there a Motion that can be made?

Commissioner Forbes stated that she made a Motion. It was deferred. There is a Motion on the floor. Chairman Paciulli stated you are right. Commissioner Forbes inquired of Chairman Paciulli whether or not he wanted her to repeat the Motion, or if we know it. Chairman Paciulli asked Commissioner Forbes to please repeat the Motion.

**Motion by Commissioner Forbes, Second by Council member Milan that we Adopt the Version 2.1 “Approach to Updating the Zoning Ordinance,” that was in our Packets Created by Ed Neham and Nedim Ogelman.**

**Roll Call: Commissioner Stein, Yes; Commissioner Kowalski, Yes; Chairman Paciulli, Yes; Commissioner Neham, Yes; Commissioner Forbes, Yes. Council member Milan, Yes.  
(Ayes 6-0-1 absent) Motion Carried.**

**b. Identify “Vulnerable” Properties:**

Mr. Conlon stated that he would direct you to that email that went out today, the four page listing of “Vulnerable” properties.

Chairman Paciulli inquired of the Commissioners whether or not there is any discussion or question about them.

Commissioner Kowalski stated just a point. There may well be discussion about them. If there isn't, he was going to suggest that we maybe move since it is an agenda item to accept that list, unless anybody wants to add anything to it or edit anything on it. That may make it simpler than going through and discussing it point by point if everybody has already read it and agrees. Chairman Paciulli inquired whether there was a Second to that. Commissioner Kowalski stated that he doesn't think that is necessary. Just go on. Chairman Paciulli inquired of Staff whether or not they did the right action there. Ms. Hankins stated yes.

**c. Prioritize “Vulnerable” Properties:**

Chairman Paciulli stated that we are going on to Item (c) now, Prioritize “Vulnerable” Properties. Any comments, input? Commissioner Neham inquired whether or not it helps for Andy to guide this discussion. Did you spend the most time with this list of anyone?

Mr. Conlon stated yes. He stated that in his email today, he said we have made no attempt to prioritize. They are simply in the order that they appear in the Comprehensive Plan. He would envision the Commission looking over the list and then prioritizing.

Chairman Paciulli inquired of Mr. Conlon whether or not he had any feeling about the list after he put it together like whether you thought the Focus Areas might be the easiest and the wisest thing to do, or do you think that there are other things that caught your eye that might be better to deal with in a priority way?

Mr. Conlon stated that the listings are primarily by Focus Area. There were a few loose pieces at the end. He stated those being, outside of the Focus Area but outside of Town, but Town owned, and then problematic areas with the Zoning Ordinance. It seemed to him that the Focus Area was the direction the Commission was going. That would be a fine way to approach it at this point.

Commissioner Forbes stated that she thinks it would be helpful if we could articulate what our goals are, and what the criteria are that we're going to use to identify priorities. She thinks that

we touched on it early or at least one way of doing it. She thinks that we were told by counsel that we shouldn't do it that way. She is concerned that we will identify why we think something is more critical than something else. Where are the goals in terms of the priorities? Is it because something is on the verge of being developed? Is it because something is more sensitive to the Town, because if it is developed, regardless of whether something is in the pipeline that we think it is more important because of its location, or its visibility? What are the criteria? It may be that we need legal advice with regard to whether or not we are permitted to speak to some things that we might think are a criteria, but they are inappropriate to consider as criteria.

Chairman Paciulli stated all good points. In a goal of trying to keep moving forward, that kind of a discussion and/or prioritizing would delay two weeks at least, until the next Commission meeting. It seems like that there is work that we can do in between now and then. He thought Nan's points were good. The thought that was coming into his mind is there Staff thinking on the prioritizing? Maybe that's a vulnerable question.

Ms. Hankins stated that she has not attempted to prioritize them. After this meeting, we could gather together. In her mind it is probably some combination of imminence and egregiousness she guesses for lack of a better word. She stated how soon it is likely to occur, and how consequential it would be if it did occur. Perhaps a certain focus area has just a greater number of "vulnerable" properties than some other focus area. She guesses quantity, quality, and imminence would be the three criteria that you might consider.

Commissioner Forbes inquired do we have all the data to decide that, or does Staff need to give us more information before we can analyze it. Ms. Hankins stated that she thinks that all the information we have is in this handout. We don't have more than this.

Chairman Paciulli stated that there's a written description there. Commissioner Kowalski stated that it might be easier as we start, rather than put the highest priority maybe winnow out the lowest priorities first. He stated for example, Downtown North where the properties on 21<sup>st</sup> Street and the Dillon Family Property, it is noted that no one is aware of any expressed interest to develop that area. So, while it could be considered a critical area, he would submit it wouldn't be at the top of our list. Maybe the same with Hirst East if no one is looking to actively do anything on that point, maybe that can be shoved off to later in the process. He stated especially since we are looking at extending it out an extremely long time. He is sure there is going to be plenty of discussion for Downtown South and East Main and that sort of thing in determining the priority there. Maybe we can knock out the ones that are the least priority first.

Ms. Hankins stated that she thinks that is a good point. She stated for example, you raised Downtown North. Let's say whichever Commissioner is the champion of Downtown North, even though Downtown North may not be a first in priority, she doesn't think there is any reason to delay getting in touch with maybe the people who live and operate businesses there. She stated for example, the property is owned by Cardinal Concrete. She would hate to interpret their silence as anything in particular, without first talking with them to see if they do have plans. She stated that if there is anything on the horizon that we should be aware of so that we can find that out. Those conversations would be great conversations to have between the champion for that area and the people who own the property.

Commissioner Kowalksi stated that he totally agrees. He suggested that it is based on the information that we have at the time. He would suggest that if we are going to do that, that then changes the order of execution from this and the next step wouldn't be the Planning Commission prioritizing it. It would be gathering information before we prioritize.

Commissioner Neham stated that he agrees with that approach as well. In looking at the list, Hirst East looks like his first choice for bottom of the list.

Chairman Paciulli inquired so, it is the sense that we should pick one area and work on it between now and the next time, and then Staff will be pulling their things together. What is the step forward so we can?

Commissioner Neham stated that the step forward is if you want to take the time, go through the list and find one or two that we feel the most sensitive about and get going on those. Put them at the front of the line and be ready to go, rather than wait another two or three weeks until our next meeting to go through this list and do it all over again.

Commissioner Kowalski stated but he also thinks based on what Sally said, that we should assign out the sections tonight too. It may be based on information gathered that next week we have to reprioritize based on the intelligence that comes back to us.

Mr. Ogelman stated that he apologizes for interfering with your meeting like this. You can just tell him to shut up and he will. He thinks that what Stosh was just saying, it feels to him like maybe assigning places to people, taking the two weeks to come up with strengths, weaknesses, opportunities and threats that you see for that area and then prioritizing them, that could be a good use of time. He stated that if there are seven Planning Commissioners and seven Districts, you don't really need to prioritize them before you get more information like Nan was talking about at this meeting. He stated just a thought from a citizen.

Chairman Paciulli stated so we should just go through the list and have people sign up for each one and report back next week. Mr. Ogelman stated that seems like a good use of time. Everybody needs a little background. We have now identified what the seven are. There could be things that are like what Sally was talking about where something egregious or some sort of threats. There also could be some compelling reason to come up with something quickly because not doing so would eliminate some opportunity. When he is looking through the discussion, there are some buildings that are being highlighted that are like monumental, or distinct, or unique. He is curious about if four of those Districts, if those should be the standard, or those should be recognized for being exceptional.

Chairman Paciulli inquired of Commissioner Kowalski if that sort of sits with what he was saying. Commissioner Kowalski stated yes, he thinks so. Chairman Paciulli inquired of Commissioner Forbes if that works with her way of thinking. Commissioner Forbes stated that she is open to whatever you all think. Council member Milan stated that he is looking at these different areas and based on what we were discussing earlier, with what the Mayor had sent out in his email, and some of the areas where we noted that they are congested for traffic and potential development is prominent, we need to put these in some kind of order now, one through seven, and hand them out to people and have them look at it. He stated right now, he is seeing

some areas Downtown North, Downtown South, the Hirst East Focus Area, and the West End where they talk about Area 2 and 3 which have already been discussed earlier this year, and they are sitting with no zoning or nothing done to it. We need to bring that to the forefront because that may come up again in the Town Council meeting where the owners of that property want to see some action. We can take the time now to put them in some order. What he is seeing here is listed as "Identified," but nothing saying the priority of importance to where we need to address it in the Comp Plan and the zoning arena.

Chairman Paciulli inquired does that move things along quicker, or is it we are really going to get to the same place at our next meeting if we do it either way? He hasn't read every word on this document. He scanned it. He hasn't prioritized it himself.

Ms. Hankins stated that she just wanted to chime in to say that if we could finalize the prioritization at the next meeting, we will spend the next two weeks getting the Consultant onboard. If you gave us a priority item tonight, we don't really have a Consultant to hand it off too right now. She doesn't know that we lose any time if we can finalize the list at the next meeting.

Council member Milan stated that's a month from now. Ms. Hankins stated two weeks. Council member Milan stated two weeks from now to meet again to prioritize it. He stated that's two weeks past. Then we get you a Priority List. Then you said it will take two weeks to get a Consultant. That's a month.

Ms. Hankins stated no. She is saying that we will be getting the Consultant at the same time as you are studying each area, so that at the next meeting everyone can agree what the Priority List is.

Council member Milan stated that what he is saying is we can agree on the Priority List tonight. And two weeks from now until the time we meet again, you will have the Consultant and we have already identified the Priority List. Ms. Hankins stated okay. Council member Milan stated and then two weeks from there, the Consultant will have it and have something to massage. It will be a month past and we are making progress. It will be a month later that they start. It could be two weeks from now you have something to hand off to them. The discussion at the next meeting could be to fine-tune what we have already decided on now. That's what he is thinking.

Commissioner Neham stated that he is kind of okay with whichever way the wind blows. He was thinking that at the very least we could prioritize the seven Focus Areas. Chairman Paciulli inquired tonight. Commissioner Neham stated yes, tonight. He stated only seven things. He stated that he already voted for Hirst West to be Number 7. Chairman Paciulli inquired do we want to generate a list.

Commissioner Forbes stated yes. Let's generate a list. Let's generate a list. Ms. Hankins stated that we had a nomination for Hirst West to be at the bottom. Commissioner Forbes stated that she can second that.

Commissioner Neham stated that we talked a little bit about the Hatcher possible Development. It was suggested that would be very important for us to deal with. He can make Downtown South Number 1. All we have to do is find the ones in between.

Commissioner Stein stated the East End, Number 7; the East End is Transition X there is already a set of things that can be done there. She thinks that since X is such a pretty narrow list of things that are permitted in that District, perhaps that could be Number 7, lower on the list.

Chairman Paciulli stated that is logical. Those folks, those property owners, they came to every single meeting. Commissioner Stein stated that they can only do what is listed in Transition X. Chairman Paciulli stated so they have to go through the rezoning process.

Council member Milan inquired where do you want to put that. Chairman Paciulli stated second to the last. Council member Milan stated that's okay.

Commissioner Forbes inquired of Commissioner Stein explain to her again, why it is of less risk when it is empty land and they are hopping up and down to pave that over.

Commissioner Stein stated to look at the List of Uses. The Zoning is Transition X period. You look at the Uses in Transition X in the Zoning Ordinance. They are pretty limited. Those are the Uses that they get.

Commissioner Forbes inquired what are those Uses. Commissioner Stein stated Agriculture. She would have to pull up the Zoning Ordinance.

Mr. Conlon stated that the people are hopping up and down to pave it over like you said, but they legally can't do it at this time.

Commissioner Forbes stated that in order to do it they have to do what? Commissioner Stein stated that they would have to either 1: Rezone it. It is incumbent upon them to rezone it. Commissioner Forbes stated that she thinks she understands. Thank you.

Chairman Paciulli stated that property is second to the last. He stated that East Main, there are questions going on about it. It should be up there somewhere.

Mr. Conlon stated that East Main includes a property that has received BAR approval for the exterior facade. The development is on hold right now due to issues regarding Site Planning of entrances, parking, and other frontage improvements. That's one pressing property right now.

Council member Milan inquired of Mr. Conlon whether or not they are making progress to get these things addressed or is it just lingering. Mr. Conlon stated that it is not moving forward at this point. The property owner is not interested in making any improvements at this point. Council member Milan stated so it is not pressing to move forward. Mr. Conlon stated though it is a prominent, visible property with zoning violations. Council member Milan inquired there are zoning violations. Mr. Conlon stated yes.

Commissioner Forbes stated that she understands that property in the West End has been recently sold. She thinks if the West End were redeveloped, that could be a huge issue. That's also true with Hirst East. It's a lot of land. How much pressure is there and interest in those properties in terms of developing? She stated that those visually could make an enormous difference to the Town as opposed to an area that may already have stuff on it that may not be up for grabs right now.

Ms. Hankins stated that she thinks that is a very good point. She would put West End in the top two. She doesn't know how imminent development is there. She thinks because of its Gateway status that it merits attention more quickly than later.

Chairman Paciulli stated all right, Number 2. Let's go. Commissioner Forbes inquired so West End is Number 2. Ms. Hankins stated yes. And then East Main, she thinks Andy was talking about that. She would put East Main as third or fourth, and then Hirst East as third or fourth. Those two to her, seem like they are vying for the next two spots. Council member Milan stated this is Area 3, yes, Hirst East. Ms. Hankins stated yes, Hirst East, at least at a high level, the zoning for Hirst East seems to be pretty consistent with the Comprehensive Plan. There is not a lot of gap there right now that we can see, except for Area 3 which is developed. She doesn't know that it is intended to be redeveloped.

Commissioner Stein inquired shouldn't that be on the bottom 3. Ms. Hankins stated that it could be. The only thing about it that kind of keeps it higher than the bottom is it does have vacant land that is going to be developed. Council member Milan stated and it does have the potential to affect the neighboring community. Ms. Hankins stated yes. It can develop "by right" is what she is trying to say. She stated that a "By Right Development" is consistent with the Plan language. We understand development to be fairly imminent in that focus area. That's what bumps it up from the bottom in her opinion. Council member Milan stated yes. It needs to be watched.

Commissioner Forbes inquired so you are saying that Hirst East should be third and East Main should be fourth. Ms. Hankins stated that she could live with either that or switch them around. Hirst East and East Main to her are third and fourth. She doesn't know which order.

Commissioner Stein stated that she thinks that she would go with East Main as three, and Hirst East as Number 4. Ms. Hankins stated that is what she ended up with also.

Chairman Paciulli stated all right, next. Mr. Mekarski stated that he just wanted to mention to the Planning Commission that Hirst East was one of the three primary sites that were presented to the Council for the next police headquarters. He stated taking one of the triangle pieces of the Stupar property.

Ms. Hankins stated that she thinks that she would put down as Number 5, Downtown North, and that completes the list.

Council member Milan inquired where is Area 2 and 3. Ms. Hankins stated that Hirst East encompasses all of those.

Commissioner Stein stated that she has Downtown South as Number 1. Number 2 is West End. Number 3 is East Main. Number 4 is Hirst East. Number 5 is Downtown North. Number 6 is East End. Number 7 is Hirst West.

Commissioner Stein stated that truthfully outside the Focus Areas in Town, she doesn't know if all of those get clumped together or are singled out. Ms. Hankins inquired whether there are any of those on this handout. She didn't notice. Council Milan stated yes, Area 8 and 9. There has been discussion for Aberdeen for the Nutrient Credits, the reservoir and all that stuff. That's imminent too. Commissioner Stein stated that we do not have any control over the zoning. Ms. Hankins stated so 8 is a group. Commissioner Stein stated that she thinks that Number 8 is so diverse. Her personal feeling is that they shouldn't be looked at as a whole, Number 8. It should be broken down. Ms. Hankins stated yes, property by property. Commissioner Stein stated right.

Ms. Hankins inquired 8(a) what Focus Area is that. Oh, it's just outside the East Main Focus Area. Mr. Conlon stated that is correct. It is outside. Ms. Hankins inquired can we combine it into the East Main Focus Area, even though it is outside. Commissioner Neham (*inaudible*).

Ms. Hankins stated no, no, no. Just informally as part of this process. Commissioner Stein stated that she thinks that is a good idea. Ms. Hankins stated yes. In priority order Number 3, East Main, we will include 8(a). We own Makerspace so we control that. We own Pullen House so we control that. So, they are not at risk. She stated that 8(d), "Residue at end Swarthmore Lots," she doesn't know what that is.

Mr. Conlon stated that came from Dale's list. Ms. Hankins stated that (d) and (e) she doesn't know. She stated 8(a) is a pretty big piece of property that is prominent. If we can put that into East Main that would be helpful. Commissioner Stein stated that 8(d) and (e) is Town owned so it doesn't really matter. Ms. Hankins stated that's right. Commissioner Stein stated that may not make the priority list. Ms. Hankins stated that 8(a) was the only one out of eight that she thought warranted attention at this stage. Dale Lehnig stated that 8(c) section is Purcellville Gateway. Ms. Hankins stated the last residential part of Purcellville Gateway. Ms. Lehnig stated yes. Ms. Hankins stated that is already Site Plan approved though. Ms. Lehnig stated that it is not. Ms. Hankins stated but it is already on a Zoning Concept Plan and approved, right? Ms. Lehnig stated yes. It is part of the CDP for Gateway. Ms. Hankins stated that it is part of the approved Concept Development Plan for the Purcellville Gateway Shopping Center. She thinks that one is okay.

Council member Milan stated so it doesn't need to be included. Watched maybe? Ms. Hankins stated she is right, isn't she, Dale. There is an approved Concept Plan with those residential lots in the Purcellville Gateway Shopping Center. Ms. Lehnig stated that she doesn't remember if it is approved or not. She will have to look into that. Ms. Hankins stated that she thinks it was. She knows they came in to redo it. They abandoned the redo of that.

Mr. Mekarski stated that it is a Plan of Record. There are nine lots there. Ms. Hankins stated at any rate, whatever happens there, if they are going to do something other than what is on the approved Plan, they will have to come back in anyway. We have a safety net on that one.

Chairman Paciulli stated that they have been back in twice. Ms. Hankins stated right. Chairman Paciulli stated and they were turned down both times on that. Ms. Hankins stated that we will

hear from them again if there is something afoot there. Chairman Paciulli stated we have the list of priority properties. Is that okay, Sally? Ms. Hankins stated yes. She thinks that was good work. We just need to get the Commissioners assigned to their area, and we will get to work on getting you a Consultant, or getting us a Consultant. The first one is Downtown South. We will spend the next two weeks getting a Consultant. If you want to spend the next two weeks identifying what you would like the Consultant to know about Downtown South that you think would assist them in their job of sketching that area out, we could get those ideas from you at the next meeting and then hand them off.

Chairman Paciulli stated Andy, just to make sure that he has his notes correct, can you just send out a typed list of what we just decided. Mr. Conlon stated yes, he can. Chairman Paciulli stated thank you. It was agreed that he could move past "Prioritize "Vulnerable" Properties."

**d. Assign Work Associated with "Vulnerable" Properties:**

Chairman Paciulli stated next is Assign Work Associated with "Vulnerable" Properties. Council member Milan stated that he would like to volunteer for the area Downtown South. Chairman Paciulli stated okay. Commissioner Kowalski stated that he will take whatever is leftover he doesn't care. He does care, but he will be glad to work on whatever is left over. Chairman Paciulli inquired of Commissioner Forbes whether she had a choice. Commissioner Forbes stated that she needs a second. She hasn't had time to think it through. Commissioner Kowalski stated to Commissioner Forbes that if she is concerned about the timing she has available, she may want to go with one of the ones at the bottom of the list. Commissioner Forbes stated that it seems like a cop out. Commissioner Kowalski stated just trying to help you out.

Commissioner Kowalski stated that since he has an interest in the history of it he thinks the Downtown North and the Dillon House. He stated that if anyone else wants some assistance he is willing to do that too. Commissioner Stein stated that she will take one on behalf of Nedim. She stated East Main. Mr. Ogelman stated that he is okay with Theresa picking one for him. Chairman Paciulli stated East Main. Mr. Ogelman stated right on. Chairman Paciulli stated Ed Neham. Commissioner Neham stated he doesn't know. Ms. Hankins inquired of Commissioner Neham if he would consider West End. Commissioner Neham stated that is what he was looking at, yes. Commissioner Stein stated that you did all this work doing this stuff and you haven't thought about any of these areas. Commissioner Neham stated of course not. He stated West End would be good. Commissioner Forbes stated that she will take East End Transition X. Chairman Paciulli stated that he will do Hirst East. Council member Milan stated that Boo has Hirst West. Commissioner Forbes inquired whether or not somebody could read the list so she can make sure that she has it.

Commissioner Stein stated that Milan has Downtown South. Ed has West End. Nedim has East Main and Number 8(a). Chip has Hirst East. Stosh has Downtown North. Nan has East End and Boo has Hirst West.

Chairman Paciulli stated great. He stated very brief, can Staff just say a few things about what would be a good goal for us to do for each one? Ms. Hankins stated for your area, she would take a look at the boundary of it. Get familiar with the properties. If you need any assistance with GIS Mapping through Loudoun County we can help you with that. Get to know which properties are

developed or in your opinion need redevelopment, or which are vacant. She would read through the Plan for that section. Look and see what the current zoning is. She would look at it from two perspectives. She would look at it from a form perspective, like what do you think it should look like, regardless of what the Land Use is. Then she would look at it from a Land Use perspective, what uses should go inside that form. Is there anything we really don't want to see there? Is there anything that we really do want to see there? She would come back with those ideas.

Chairman Paciulli stated that's great. Thank you. Commissioner Forbes inquired may we call Staff to get guidance and material with regard to these. Ms. Hankins stated yes, absolutely. She stated that Andy will be your first point of contact. He can bring David and Sally in as needed.

Chairman Paciulli stated did we just cover 8(d) and (e). Council member Milan stated that we already did that. He stated that we would like to assign dates to these things. We would like to get priority Number 1 done quicker. Priority Number 7 doesn't have to go so fast. Do we have any times that we want to try for? We don't have to get everything done in a week. What do you guys think about that? He stated that he thinks we should just do it. Council member Milan stated yes. Commissioner Neham stated some people have jobs. Commissioner Forbes stated that she has a trial in about three weeks that she is over the moon about, and then a few other things that will take her into October. She will lighten up after the first of the year. She stated within the next six to eight weeks she will be able to do more. Council member Milan stated by then we will have the Consultant.

Ms. Hankins stated that the only thing she would ask is since the first priority is Downtown South, if every Commissioner could come to the next meeting with their opinions, if any, on Downtown South so that we can compile that at the next meeting and get started on that one. At the same time, you can also start your own, individual Focus Area. At the next meeting she is hoping that we can finish the notes that we want to give the Consultant for Downtown South and get that kicked off.

Chairman Paciulli inquired whether or not we did 8(e). Council member Milan stated that we did that in the beginning. Ms. Hankins stated that we did that.

**COUNCIL REPRESENTATIVES REPORT: (Matters of concern to the Planning Commission)**

Council member Milan stated that we had a presentation from the Aqua Water Company that presented the Plan to purchase the Wastewater Treatment Plant. We also had a presentation for the location for the police department site. Nothing has been determined yet. There are some questions out on leasing versus purchasing of the property, which would be best. He sent out an email asking about the tax revenue that we would generate from leasing versus purchasing. Would that money be coming back if we were to lease it with the proprietary owner of the property be paying taxes on that?

Mr. Mekarski inquired is that on the police facility. Council member Milan stated yes. Mr. Mekarski stated that the proprietary owner would be paying taxes. We, as part of the triple net lease, pay the lease, plus common area maintenance, and taxes as part of our negotiated cost per square foot. Council member Milan stated okay. That's all he has on the Town Council Meeting.

**CITIZENS COMMENTS: (Second Opportunity)**

Chairman Paciulli inquired whether or not there were any citizens that wanted to make any comments. There were no citizen comments.

**CHAIRMAN'S COMMENTS:**

Council member Milan stated that he would like to make a comment. He wanted to reemphasize that we have a large burden as the Planning Commission. We are embarking on a process that will define how this Town looks and feels for the next 15, 20 years. It's going to take some diligent work. Attention to detail and a lot of discussion back and forth. Some heated. Some may not be. We have to look at it as our mark, our legacy for the Town. What are we going to leave for the future people that live here? The decisions that we make now are going to linger for the next 10, 15 years. So, we have to keep that in mind that we are setting the pace and we are setting the legacy for the Town of Purcellville. He welcomes the challenge. He is looking forward to working with everybody to get this done as quickly and as smoothly as possible. So we can look back and say, "Job well-done." When we walk through the Town we will see our mark on what we have created and developed, to beautify this Town to bring more people to it. We are the last safe haven for any community to maintain the small Town American persona. Hopefully, we keep that in mind when we go forward with our areas of responsibility.

Chairman Paciulli stated thank you for that comment. He wrote this down before you started to speak. He thinks, and he hopes today's meeting actually went well and it was productive. He inquired of Mr. Conlon whether or not there is any timeline for the Comp Plan copies.

Mr. Conlon stated the short answer is no. The Consultant got back to him and said that she has been traveling and hasn't been able to finish up the work for us at this point. Chairman Paciulli stated okay.

**PLANNING COMMISSIONERS' COMMENTS:**

Commissioner Forbes stated that she didn't have any comments. Commissioner Kowalski stated that he didn't have any comments. Commissioner Neham stated with regard to the Comp Plan, copy 7.5 which exists is probably close enough for the work that we need to do for the next couple of weeks. There are probably a few sections that have been rewritten in the Comp Plan since the last time the Commissioners saw it. He doesn't think that it will affect us for the work that we are doing.

Commissioner Neham expressed deep thanks to Theresa for doing all that she did and lighting the light for us on the Planning Commission and keeping it going. Thank you. When can I expect you by to pick up your parting gift? Commissioner Stein stated probably Saturday. Commissioner Neham stated that's great.

Commissioner Stein stated thank you everybody. It's been quite a ride. She hopes you guys enjoy the ride into the future.

Commissioner Forbes inquired the 7.5 Comp Plan Version is there a way that somebody on Staff could print a copy for her so she could come and pick it up. Mr. Conlon stated yes, we could do that. He could meet her. Chairman Paciulli stated me too. Mr. Conlon stated yes. Chairman Paciulli stated that he understands that the pages are not real critical to what we are doing right now. Commissioner Forbes stated that if somebody shoots her an email or calls her and lets her know when it's there, she will figure out a way to get it. Somebody could put it at the front desk and she could just jazz in and get it. Mr. Conlon stated we will do that. Commissioner Forbes stated that would be hugely helpful. Thank you. Chairman Paciulli stated same here. Commissioner Forbes stated maybe Part 2 of that. She inquired the existing Zoning Ordinance, or Zoning Map can that also be copied and made available to her. Mr. Conlon stated yes. Commissioner Forbes stated thank you.

Commissioner Neham stated that the agenda says "Approval of Minutes." Chairman Paciulli stated it depends which agenda you have. Commissioner Neham inquired whether he had the wrong one. Chairman Paciulli stated no, he does apparently. Is there a Motion to approve the Minutes from the last meeting? Commissioner Neham stated that he didn't get the Minutes. Mr. Conlon stated no, those Minutes have not been provided. Commissioner Forbes stated that she didn't get any Minutes. Chairman Paciulli stated so he screwed that one up. He stated thank you all.

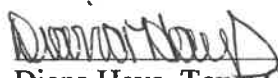
**ADJOURNMENT:**

**Motion by Commissioner Stein, Second by Commissioner Forbes that we Adjourn the August 20<sup>th</sup>, 2020 Planning Commission Meeting at 9:12 P.M.**

**Voice Vote:           All Ayes**  
**Motion Carried:     6-0-1 absent**

Respectfully submitted by Faith Stine.

  
\_\_\_\_\_  
Chip Paciulli, Chairman

  
\_\_\_\_\_  
Diana Hays, Town Clerk