

**Hamilton Planning Commission
November 11, 2009
Hamilton Town Office**

The meeting was called to order at 7:05 PM by Chairman Robert McCann, followed by Roll Call.

Present: Chairman Robert McCann, Vice Chairman Leslie Carlson, Mr. William Gallant, Mr. Russell Beal, Mr. Dimitri Kesari, Mr. Tom Rollins.
Absent: None.
Also Present: Mr. David Beniamino, Zoning Administrator
Mayor Ray Whitbey

Minutes

Mr. Kesari made a motion to adopt the October 14, 2009 Planning Commission minutes into record. Mr. Carlson made a second on the motion and the vote passed 6-0-0, (Aye: McCann, Carlson, Gallant, Beal, Kesari, Rollins. Nay: None. Absent: None).

Public Comment - none

Old Business

Zoning Text Amendments - Mr. Beniamino discussed two zoning ordinance items that the Town needed to change in order to bring the Town into compliance with the state code. The first item was Vested Rights of Manufactured Housing, which would allow individuals to replace their mobile homes even if the current mobile homes are in non-compliance. All newly constructed mobile homes are HUD compliant; older mobile homes that are brought in would need inspection and approval from the county. Mr. Beniamino noted that there is still an issue as to whether the Town is considered to have a mobile home park or not. All units being replaced within the Town must be the same size as the previous units as the mobile home park is non-conforming and changing the size of a trailer's footprint will cause crowding. Mr. Kesari made a motion to recommend the text amendment change of Article 5, Section 11 to the Town Council. Mr. Beal made a second on the motion and the vote passed 6-0-0, (Aye: McCann, Carlson, Gallant, Beal, Kesari, Rollins. Nay: None. Absent: None).

Mr. Beniamino also recommended the Town delete the words "approaching confiscation" from the requirements of a variance. The applicant for a variance would still have to show a clearly demonstrable hardship. Mr. Beniamino noted that whether the variance is approved or not, everyone should have the ability to apply for a variance. Mr. Kesari made a motion to recommend the removal of the words "approaching confiscation" from Article 11, Section 5.1 of the zoning ordinance. Mr. Gallant made a second on the motion and the vote passed 5-1-0 (Aye: McCann, Carlson, Gallant, Kesari, Rollins. Nay: Beal. Absent: None.)

Comprehensive Plan - There are three big issues/conceptual changes in the Comprehensive Plan.

- 1 - Annexation - Currently the Town is only talking about commercial properties on the east and west ends of town. The Town Council is also talking about bringing in some residential utility customers and the Planning Commission would like clarification on which specific properties the Council wishes to add.
- 2 - Use of the term "historic" - There does not seem to be a desire to create an historic district in the Town. The Town would like to promote preservation, but on an individual level instead of town-wide.
- 3 - The One-Mile Extraterritorial Subdivision Radius - The county had previously recommended that this area be removed from the Town's control and scaled back to only include properties within the JLMA. One option is to keep the boundary and have the Town become a referral agency only and not have any subdivision control. The Town does not always receive warning from the county as it is not currently a referral agency. Mr. Beal stated that he was not comfortable reducing control in case the Town wishes to expand. Mr. Beniamino replied that the

Subdivision Ordinance was basically built for the JLMA and leans more toward urban zoning. Unless the zoning ordinance is changed to allow for rural development, the Town is actually supporting more density and subdividing/rezoning.

The Planning Commission discussed individual chapters of the Comprehensive Plan with minor revisions and updates. Significant changes within the chapters are as follows:

- The Town supports the Hamilton Elementary School at its current site. In the event of the school's closure, however, the Town would support adaptive reuse and would support a community-oriented use of the property. The Town would request that the county turn the property over to Hamilton instead of Parks & Recreation.
- Sections of the Plan have been updated to include the Town's TEA-21 Grant, as well as pedestrian crosswalks.

While the changes to the Comprehensive Plan are mostly complete, it may be another year before the final plan is passed.

Mr. Beniamino stated that after the Comprehensive Plan is completed, the Town Council should meet once a year to review all of the chapters and create a list of priorities for the Town to focus on and goals that they hope to meet throughout the year. The Town has tended to be reactive to problems that come up during the year instead of proactive. Mr. McCann noted that this also gives the Planning Commission additional guidance as to what they need to be looking at and the direction they need to take.

Mr. Beniamino mentioned that Mr. John Mills of Hamilton works for ESRI, a mapping service that works with GIS in Loudoun County. Hopefully, he can get the county to help the Town create new maps that include layers for storm sewers, utility lines, zoning permits, etc. Loudoun County has the resources and has mapped out all of the unincorporated areas, but has not extended its services to the incorporated towns.

The Planning Commission will meet on December 9th to finalize their draft of the Comprehensive Plan before presenting it to the Town Council.

Mr. Kesari made a motion to adjourn at 9:02 PM.



Chairman Robert McCann



Ms. Audrey Reale, Recorder