

**Hamilton Planning Commission
March 24, 2010
Hamilton Town Office**

The meeting was called to order at 7:04 PM. The Pledge of Allegiance was followed by Roll Call.

Present: Chairman Robert McCann, Vice Chairman Les Carlson, Mr. Russ Beal,
Mr. Dimitri Kesari, Mr. William Gallant (7:38 PM)

Absent: Mr. Tom Rollins

Also Present: Mr. David Beniamino, Zoning Administrator
Ms. Maureen Gilmore, Town Attorney

Minutes

Mr. Kesari made a motion to adopt the January 13, 2010 minutes into record. Mr. Carlson made a second on the motion and the vote passed 4-0-2, (Aye: Carlson, Beal, Kesari, McCann. Nay: none. Absent: Rollins, Gallant).

Mr. Kesari made a motion to adopt the March 3, 2010 minutes into record. Mr. Beal made a second on the motion and the vote passed 4-0-2, (Aye: Carlson, Beal, Kesari, McCann. Nay: none. Absent: Rollins, Gallant).

Old Business

Mr. Beniamino provided a copy of the revised Comprehensive Plan to the Commissioners for their review. Mr. Beniamino advised that he also sent a digital copy to the Commissioners and will re-send it in case anyone did not receive it. All changes that have been discussed and decided by the Planning Commission are included in the presented copy. This copy is for the Commissioners to review prior to the April meeting, where there will be a final review before being presented to the Town Council for input.

Mr. Beniamino noted that on Pg 63 paragraph 4 was previously recommended for removal. After discussion with Ms. Gilmore, Mr. Beniamino is asking for consideration to keep the paragraph intact explaining that the use of the word "may" serves as a non-binding option under the Annexation section, allowing fluidity where the use of the word "shall" would have other implications. The Commission agreed to retain Paragraph 4.

Mr. Beniamino stated that a new computer has arrived in the Town Office and he is taking this to the County on Friday for mapping purposes. Maps for the Comprehensive Plan will be developed including an existing zoning map, futures zoning map, commercial core map, proposed annexation area map, Town features map, environmental and transportation features map and an aerial map. These will be completed by April and included in the final Comprehensive Plan.

Ms. Gilmore had some questions, not judgments, in an effort to better understand the proposed changes to the Annexation and Implementation Sections:

Page 22, Policies, item #3 is planned to be removed. Ms. Gilmore inquired if the Commission intended to have no support in the Plan for the elementary school. Mr. Beniamino responded that the elementary school was addressed in a different section, intending that if it was to be abandoned it might be used as a future community center. Mr. Kesari noted that the LCSB doesn't look at the Plan when making decisions and Ms. Gilmore noted that the community had previously expressed interest in retaining small schools in close proximity. Mr. Beal stated that he did not want to close the school but it was probable and the Town should be prepared if it should happen. Mr. McCann noted that the school is outside of Town and located in the JLMA.

Page 22, Policies, item #4 is planned to be removed. Ms. Gilmore asked why this was requested to be removed and Mr. Kesari responded that the Town has enough water for the next 5 years.

Page 28, Action Items, item #8, Ms. Gilmore asked if the Commission did or did not want a greenbelt. Are you giving up on the general concept of a greenbelt? Do you want any vision for a greenbelt in the surrounding area? Mr. Kesari noted that this is a 5 year plan and that zoning will not change in 5 years that this would become applicable. Mr. Beniamino asked what the County's

definition of a greenbelt was and Ms. Gilmore was unsure, stating that it was defined in the County's Plan. Ms. Gilmore is not saying it is good or bad and Mr. Beniamino stated he will look at the County verbiage to check if this might be something that should be reconsidered.

Page 34, Policies, item #1, LCSA should be changed to Loudoun Water. Mr. Kesari stated it could be either organization because technically they are incorporated as Loudoun Water. Ms. Gilmore also changed the verbiage to read "formerly Loudoun County Sanitation Company". Ms. Gilmore recommended that the wording be changed to read "preferred provider" (remove sole provider) because previously there was a lawsuit in Loudoun County over the Stone Leigh development and even though the issue was not before the court, the court made a determination that because the Round Hill/County area plan said that Round Hill was the sole provider of utilities for the area, that the Town could not use the holding out doctrine as a reason not to serve. If Hamilton establishes itself as the sole provider of the plan this could be upheld because it has never been challenged. All agreed to change the wording to reflect "preferred".

Ms. Gilmore noted that there are some inconsistencies for how the word Town was referred in the document and Mr. Beniamino acknowledged that a final edit has not yet been performed.

Mr. Kesari questioned Page 20, and asked if there was a contradiction pertaining to Town growth in the last paragraph. Ms. Gilmore suggested that the information may have referred to the area including outside of Town that is considered Hamilton, stating that this is where the growth has occurred. While the Town population has dropped the population in the total area of Hamilton has grown. Mr. Beniamino stated that this data is used for utility figures.

Mr. Beniamino asked what the process is to move forward. Last time the Planning Commission went to the Town Council for input, then it was sent to the County Staff for input and once it came back to the Town the Public Hearings began. The process will start next month when the final color and completed copy will be presented to the Planning Commission for review and then passed to the Town Council for input. While the County is reviewing the submitted Plan the Commission can start work on the updates to the Zoning Ordinance and the Subdivision Ordinance.

New Business

Mr. Beniamino noted that Councilman Wine has started to review the Zoning Ordinance just to get an idea where to start and what the biggest issues presently are. Mr. Beniamino reviewed some of the concepts he would like to start work on but wanted the Commission to have advanced input and an understanding of how he would like to move forward. Mr. Beniamino stated that the review and changes to the Zoning Ordinance is critical to the future success of Town Planning.

1. Zoning Districts, residential, commercial, industrial, what do you want the Town to look like? You could designate certain areas, possible 5 or 6 different zoning districts, based on the character of the neighborhood.
2. Parking, # of spaces requested, materials, lot size for commercial core/end of town commercial area, payment in lieu of parking, offsite/easement parking.
3. Non conforming structures, typically this indicates that either you want the structure to go away or be brought up to standard. Presently a residential property cannot be converted to commercial without meeting commercial requirements. May want to eliminate random or alternate commercial zoning.
4. Lot coverage, ability to control "McMansions" being built after lots are combined.
5. Role of Zoning Administrator in review process, do you want the Planning Commission to continue to perform administrative work or focus on planning? If the Planning Commission got out of the administrative work the process could be shortened for the applicants because if the request meets code the Zoning Administrator could complete the necessary work and not involve the Commission. If the applicant doesn't like the decision of the Zoning Administrator the appeal process could begin.
6. Animals, what do you want to consider as pets? Other rules related to animals?
7. Sign requirements, consider different requirements for commercial core and end of Town commercial areas. 2 sets of standards for 2 separate districts.

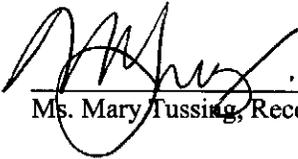
8. Euclidian Zoning vs. Performance Zoning vs. Form Based Code. The Commission unanimously agreed that they wanted Euclidian Zoning.
9. Site Plan review process, a distinction in the Zoning Ordinance, a more detailed explanation.
10. Environmental Options, added at the request of Mr. McCann, solar based criteria, best practices, environmental sensitive paving, etc.

Mr. McCann asked the Commissioners to think about these ideas and to review the current Zoning Ordinances before the April 21 meeting, where the review of the Zoning Ordinance will begin. The May 19 Planning Commission meeting will be a regular meeting to address business before the Commission.

Mr. Kesari made a motion to adjourn at 8:10 PM.



Chairman Robert McCann



Ms. Mary Tussing, Recorder