

**BERRYVILLE TOWN COUNCIL
MEETING AGENDA
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Main Meeting Room**

**Regular Meeting
October 13, 2015
7:30 p.m.**

<u>Item</u>		<u>Attachment</u>
1. Call To Order		
2. Pledge of Allegiance		
3. Public Hearings	No hearings scheduled	
4. Approval of Minutes	September 8, 2015 Regular Meeting	1↓
5. Citizens' Forum		
6. Report of Wilson Kirby, Mayor	Snow Emergency Routes	2↓
7. Report of Christy Dunkle, Asst. Town Manager for Community Development	Planning Department Monthly Report	3
	Acceptance of streets into secondary maintenance system	4↓
8. Report of Keith Dalton, Town Manager		
9. Report of H. Allen Kitselman, III - Berryville Area Development Authority Liaison		
10. Report of Harry Lee Arnold, Jr. – Chair, Budget and Finance Committee		

<u>Item</u>	<u>Attachment</u>
11. Report of H. Allen Kitselman, III – Chair, Community Improvements Committee	
12. Report of Douglas A. Shaffer - Planning Commission Liaison	
13. Report of Mary L. C. Daniel - Chair, Police and Security Committee	
Approval of Committee Meeting Minutes – September 9, 2015	5↓
Police Chief’s Monthly Report	6
14. Report of Wilson Kirby – Chair, Streets and Utilities Committee	
Approval of Committee Meeting Minutes – September 11, 2015	7↓
Public Utilities Director’s Report	8
Public Works Director’s Report	9
15. Report of Harry Lee Arnold, Jr – Chair, Personnel Committee	
Approval of Committee Meeting Minutes – October 2, 2015	10↓
Appointment of representative and alternate to Northern Shenandoah Valley Regional Commission Board	11↓
16. Other	
17. Closed Session	
No Closed Session Scheduled	
18. Adjourn	

↓ Denotes an item on where a motion for action is included in the packet

Attachment 1

MINUTES
BERRYVILLE TOWN COUNCIL
Berryville-Clarke County Government Center
Regular Meeting
September 8, 2015
7:30 p.m.

Present:

Town Council: Wilson Kirby, Mayor; Harry Lee Arnold, Jr., Recorder; Allen Kitselman; Doug Shaffer; Mary Daniel; David Tollett

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner; Neal White, Chief of Police; Ann Phillips, Town Clerk

Press: Val Van Meter, Winchester Star

1. Call to Order

Mayor Kirby called the meeting to order at 7:31 p.m.

2. Pledge of Allegiance

3. Public Hearing - (No public hearing was scheduled.)

4. Approval of Minutes of the August 11, 2015 Regular Meeting

Upon motion by Recorder Arnold, seconded by Council member Daniel, the minutes of the August 11, 2015 meeting were approved by the following vote:

Wilson Kirby - Aye

Harry Lee Arnold, Jr. - Aye

Mary Daniel - Aye

Allen Kitselman - Aye

Douglas Shaffer - Aye

David Tollett – Abstain

5. Citizens' Forum

Mayor Kirby said that no one had signed up to speak and asked if anyone in the audience wished to speak.

6. Report of Wilson Kirby, Mayor

A. The Mayor asked Mr. Dalton to speak about the Deed of Easement between the County School Board of Clarke County and the Town of Berryville. Mr. Dalton said the Town has been working closely with the Clarke County Public Schools to secure a Safe Routes to School Grant. He said Ms. Dunkle and Randy Trenary have worked hard on this long process. Mr. Dalton said the bid documents have been sent to VDOT for comment. He said that the existing sidewalk on Swan Avenue, which is too near the travel lanes, is being removed and a new one will be constructed on school property thereby dictating the need for an easement. Mr. Dalton said the easement language is modeled on provisions included in the Deed of Easement that was recorded for the path constructed as part of the high school project, and has been reviewed by the Town's legal counsel.

Council member Daniel moved that the Council of the Town of Berryville authorize Mayor Kirby to execute the attached Deed of Easement, on behalf of the Town, between the Town of Berryville and the Clarke County School Board. Council member Kitselman seconded the motion which carried as follows:

Wilson Kirby - Aye
Harry Lee Arnold, Jr. - Aye
Mary Daniel - Aye
Allen Kitselman - Aye
Douglas Shaffer - Aye
David Tollett - Aye

15-1598

BOOK 593 PAGE 498

Prepared by: Mandi Montgomery Smith (VSB Number 68668)

Tax Map Reference Number: 14A4-A-31

Actual Value and Consideration: \$1.00

Existence of title insurance is unknown to the preparer.

DEED OF EASEMENT

THIS DEED OF EASEMENT is made this 24th day of August, 2015, by and between the COUNTY SCHOOL BOARD OF CLARKE COUNTY, a body corporate and politic (Grantor), and THE TOWN OF BERRYVILLE, VIRGINIA, a body corporate and politic (Grantee), whose address is 101 Chalmers Court, Suite A, Berryville, Virginia 22611.

WITNESSETH:

WHEREAS, Grantor is the sole owner of certain real property (the "Property") in the Town of Berryville, Virginia, shown on a plat by Michael Artz, L.S., dated June 18, 2015, entitled "PLAT OF A NEW PUBLIC ACCESS EASEMENT, TOWN OF BERRYVILLE, CLARKE COUNTY, VIRGINIA," ("Plat"), a copy of which is attached hereto; and being a portion of the property acquired by Grantor from Laura Ramsburg by deed dated December 23, 1944 and recorded in Deed Book 31, Page 129 in the Office of the Clerk of the Circuit Court of Clarke County.

WHEREAS, the Grantee is replacing and extending a portion of the sidewalk on the Property; and

WHEREAS, the Grantor desires to grant and convey to the Town of Berryville temporary access for construction and the easement shown on the Plat.

NOW, THEREFORE, for and in consideration of the premises and the sum of one dollar (\$ 1.00) cash in hand paid, receipt of which is hereby acknowledged, the Grantor does hereby grant and convey unto the Grantee, its successors and assigns, a non-exclusive sidewalk easement ("Sidewalk Easement") as hereinafter set forth in the location shown on the Plat described above, which is made a part hereof and to be recorded herewith;

The Sidewalk Easement granted herein is for the purpose of constructing, maintaining, adding to, altering, or replacing present or future public sidewalks for the use of the public on, through, and across the said property of Grantor, said Sidewalk Easement being more particularly bounded and described on the Plat, noted therein "New 1.4751 Acre Public Access Easement,"

The sidewalk shall be constructed in the Sidewalk Easement by the Grantee.

The Sidewalk Easement is subject to the following conditions:

a. All sidewalk facilities which are installed in the Sidewalk Easement, after construction/installation is completed, shall be and remain the property of the Grantor and its successors and assigns, which shall be solely responsible for maintaining the sidewalk.

b. During the construction of the sidewalk, and after construction is complete if Grantor fails to maintain the sidewalk as provided in (a) above, Grantee and its agents shall have full and free use of the said Sidewalk Easement for the purpose of constructing, maintaining, and repairing the sidewalk, and shall have all rights and privileges reasonably necessary to the exercise of the rights granted herein, including the right of access to and from the Sidewalk Easement and the right to use adjoining land of Grantor where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual construction or maintenance, and then only to the minimum extent necessary for such construction and maintenance, and further, this right shall not be construed to allow the Grantee to erect any building or structure of a permanent nature on such adjoining land. Whenever the enjoyment of its rights hereunder require Grantee or its agents to move heavy equipment onto the site or to disturb the surface of the ground, it shall be the obligation of Grantee and/or its agents to attempt coordination of all such work in advance with Grantor. Notwithstanding anything herein to the contrary, except in the case of emergency repairs, (1) Grantee and Grantee's agents shall exercise all rights hereunder at such times and in such manners that the exercise of any right does not interrupt, disrupt or otherwise interfere with instruction or other activities on Grantor's property and (2) Grantor's agents shall have the right immediately to stop the exercise of any such right should Grantor's agents determine, in their sole discretion, that Grantee's activities are causing or reasonably are anticipated to cause such interruption, disruption or interference, provided Grantee is afforded an alternative time to exercise the right and is not unreasonably delayed in doing so.

c. If Grantor fails to maintain the sidewalk as provided in (a) above, Grantee shall, after providing sufficient notice to Grantor, have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or near the Sidewalk Easement being conveyed, deemed by it to interfere with the proper, safe and efficient construction, use, and maintenance of the sidewalk; provided, however, that Grantee at its own expense shall restore the area outside of the Sidewalk Easement as nearly as possible to its original condition. Such restoration shall include the backfilling of trenches, the replacement of shrubbery, the reseeded or resodding of lawns. Grantor will pay the cost of such maintenance performed by the Town within 30 days of receiving an invoice for the work.

d. Grantor reserves the right to make use of the Sidewalk Easement herein granted which is not inconsistent with the rights herein conveyed or interfere with the use of said Sidewalk Easement by Grantee for the purposes named.

e. Grantor declares that the agreements and covenants stated in this Deed are not covenants personal to Grantee, but are covenants real, running with the land.

f. Grantor covenants that it is seized of the Property and has the right to convey the easement and the rights and privileges herein conveyed to Grantee, and that it has been made

aware of its right to receive just compensation for the easement herein conveyed, and that the considerations aforementioned and paid or provided to it shall be in lieu of any claims to compensation for the easement.

This conveyance is made expressly subject to the easements, conditions, restrictions and reservations contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the Property herein conveyed, which have not expired by a limitation of time contained therein or otherwise become ineffective.

WITNESS the following signatures and seals:

COUNTY SCHOOL BOARD
CLARKE COUNTY, VIRGINIA

BY: [Signature] (SEAL)
Chuyen Kochinsky

TITLE: Chair of the Board

STATE OF Virginia

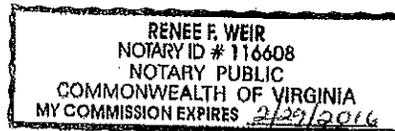
COUNTY/CITY OF Clarke

The foregoing instrument was acknowledged before me this 24th day of August, 2015, by Chuyen Kochinsky, Chair of the Board.

[Signature]
Notary Public

My Commission expires February 29, 2016

Notary Registration No.: 116608



ACCEPTED PER VIRGINIA CODE § 15.2-1803:

TOWN OF BERRYVILLE, VIRGINIA

BY: Wilson L. Kirby (SEAL)
[name]

TITLE: MAYOR WILSON KIRBY

STATE OF Virginia

COUNTY/CITY OF Clarke

The foregoing instrument was acknowledged before me this 14th day of September, 2015, by Wilson L. Kirby, Mayor of the Town of Berryville, a body corporate and politic, on its behalf.

Ann W. Phillips
Notary Public

My Commission expires July 31, 2019

Notary Registration No.: 7623873



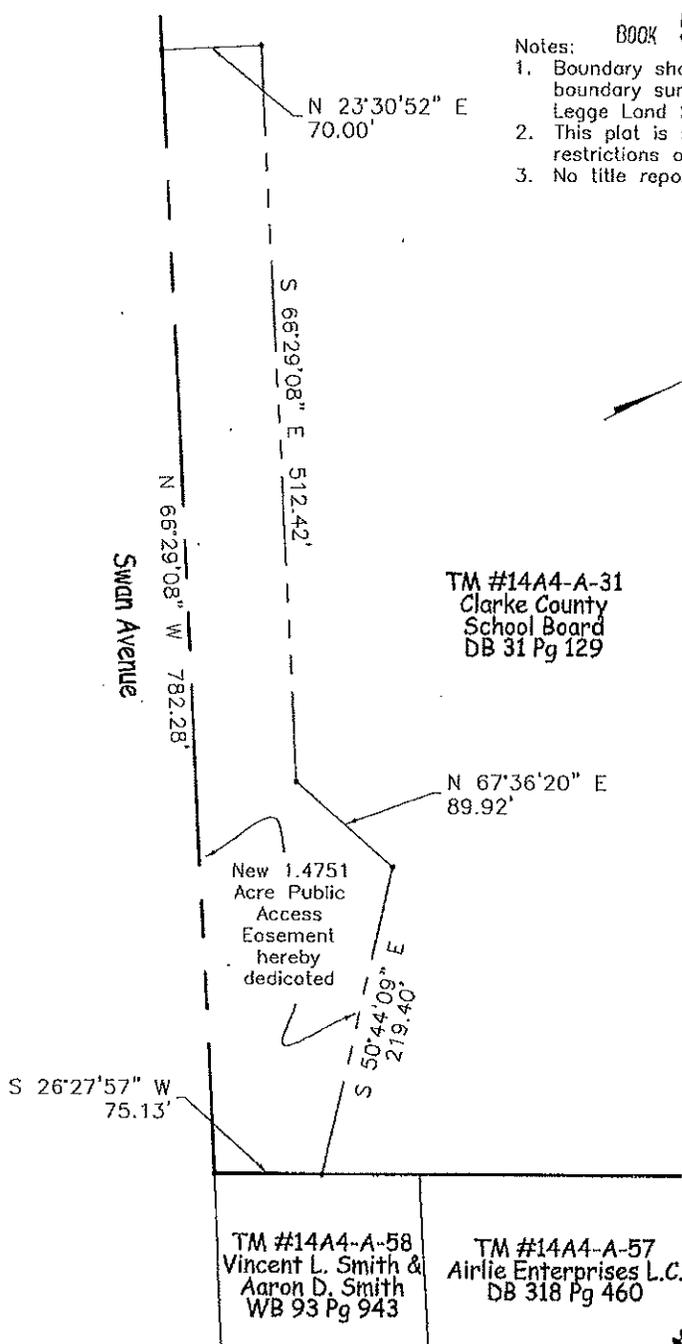
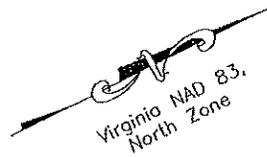
Ann W. Phillips
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7623873
My Commission Expires

APPROVED AS TO FORM:

[Signature], Attorney for Town of Berryville

9/14/15
Date

- Notes: **BOOK 593 PAGE 502**
1. Boundary shown hereon was taken from boundary survey provided by Marsh & Legge Land Surveyors.
 2. This plot is subject to easements and restrictions of record.
 3. No title report furnished.



TM #14A4-A-31
Clarke County
School Board
DB 31 Pg 129

N 67°36'20" E
89.92'

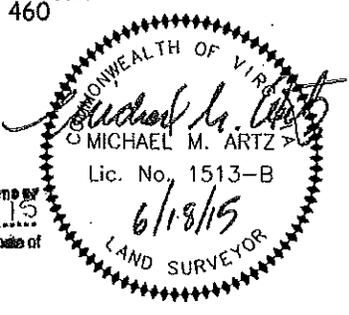
New 1.4751
Acre Public
Access
Easement
hereby
dedicated

S 50°44'09" E
219.40'

S 26°27'57" W
75.13'

TM #14A4-A-58
Vincent L. Smith &
Aaron D. Smith
WB 93 Pg 943

TM #14A4-A-57
Airlie Enterprises L.C.
DB 318 Pg 460



Clarke Co., 80T.
This instrument of writing was produced to me by
the 18 day of September, 2015
at 235 St. M., and with certificate of
acknowledgment thereto attached was
submitted to record.

Walter Batta, Clerk

PREPARED BY:
PENNONI ASSOCIATES INC.

Pennoni 117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493

**Plat of New
Public Access Easement**
Town of Berryville, Clarke County, Virginia
Scale: 1" = 100' Date: June 18, 2015
Present Owner:
Clarke County School Board
TM #14A4-A-31 Deed Book 31, Page 129



OFFICIAL RECEIPT
COUNTY OF CLARKE CIRCUIT COURT
DEED RECEIPT

DATE: 09/18/15 TIME: 14:41:38 ACCOUNT: 043CLR15-1598 RECEIPT: 15000003244
CASHIER: HVB REG: CD14 TYPE: DE PAYMENT: FULL PAYMENT
INSTRUMENT : 15-1598 BOOK: 593 PAGE: 498 RECORDED: 09/18/15 AT 02:35
GRANTOR: COUNTY SCHOOL BOARD OF CLARKE COUNTY EX: N LOC: CO
GRANTEE: TOWN OF BERRYVILLE VA EX: N PCT: 100%

AND ADDRESS : , .
RECEIVED OF : TOWN OF BERRYVILLE
CHECK: \$22.00

DESCRIPTION 1: TOWN OF BERRYVILLE PAGES: 0 OP: 0
2: NAMES: 0
CONSIDERATION: .00 A/VAL: .00 MAP: 14A-A-31
PIN:

301 DEEDS	14.50	145	VSLF	1.50
106 TECHNOLOGY TRST FND	5.00	035	VOF FEE	1.00

TENDERED : 22.00
AMOUNT PAID: 22.00
CHANGE AMT : .00

CLERK OF COURT: HELEN V. BUTTS

PAYOR'S COPY
RECEIPT COPY 1 OF 2

+ + + + + + + + + +

B. Mayor Kirby noted that Berryville Main Street will sponsor a Yard Sale day this coming Saturday, September 12.

7. Report of Christy Dunkle, Asst. Town Manager for Community Development

A. Ms. Dunkle reported that the Community Improvements Committee met on August 12 and discussed wayfinding and Tourist Oriented Directional signage. Regarding Wayfinding Signs, she said the agenda packet contained documents provided by Frazier Associates concerning how to get through the process with VDOT as well as a scope of work and costs. She noted the costs do not include the fabrication of the signs. Ms. Dunkle said she would be happy to continue the process if Council wishes her to.

In answer to Council member Kitselman's question about the sign budget, Ms. Dunkle said the budget is \$10,000 per year and it does not accrue if not used in a particular budget year.

Mr. Dalton said the big issue is branding so that as new signs are added periodically, they will be the same as the previous signs. He said the Public Parking signs are a priority. Ms. Dunkle said she agreed with Mr. Dalton that choosing the design and agreeing on branding is the first priority.

A discussion of concepts and color schemes followed. Ms. Dunkle noted that the \$10,000 now in the budget would get the Town through the first stage of Frazier's plan.

Council member Kitselman moved that the Council of the Town of Berryville investigate, in reference to the Frazier package, how best to spend the allotted \$10,000. Council member Shaffer seconded the motion which carried as follows:

- Wilson Kirby - Aye
- Harry Lee Arnold, Jr. - Aye
- Mary Daniel - Aye
- Allen Kitselman - Aye
- Douglas Shaffer - Aye
- David Tollett - Aye

Council member Shaffer asked about the scope and costs of the project during year two. Council member Kitselman said the Council may need to look at hard costs in the budget.

B. Regarding Tourist Oriented Directional (TOD) Signage, Ms. Dunkle said she is participating on a committee reviewing signage for the newly certified visitor center which met with Jason Newcomb who represents VDOT's signage contractor, Virginia Logos. She said according to Jason Newcomb, preliminary cost estimates should be available by the October Council meeting. She added that Mr. Newcomb indicated that we may be able to have more cost effective, less expensive signage options when reviewed and installed together. Ms. Dunkle said she will continue to update the Council on this matter.

C. Ms. Dunkle reviewed the Service Project Completion Report for the AmeriCorps National Civilian Community Corps (NCCC) River I group which participated in activities in and around Berryville in June and July. She said the eight member team worked over 2100 hours in the area completing \$52,000 worth of assistance which included work cleaning up Town Run, weeding at the Barns and Rose Hill Park, and tending saplings at the Wastewater Treatment Plant.

8. Report of Keith Dalton, Town Manager

A. Mr. Dalton said that Snow Emergency Routes had been discussed in February, and VDOT has reviewed the proposed routes. He said the streets recommended for designation as snow emergency routes are Buckmarsh Street, Hermitage Blvd., Lincoln Avenue, and Tyson Drive between Hermitage and Lincoln. Mr. Dalton explained that the latter two streets were included as they provide access to Johnson Williams Middle School which is a designated emergency shelter. He asked the Town Council to review the snow emergency route information and place the topic on the agenda for the next meeting. He also suggested the topic could be advertised for public comment. Mayor Kirby asked how residents would be notified if the routes were approved at the October meeting. Mr. Dalton said the Town newsletter included in water bills could be used. Council member Daniel said she would prefer residents be notified prior to the meeting, and the Council agreed by consensus.

B. Mr. Dalton asked Chief White to address Halloween. Chief White suggested that trick-or-treating be held on October 31, 2015, from 6:00 until 8:30 pm as it has been in prior years. **Council member Daniel moved that trick-or-treating in the Town of Berryville be held during the hours of 6:00 -8:30 p.m. on October 31, 2015. Council member Kitselman seconded the motion which carried as follows:**

Wilson Kirby - Aye
Harry Lee Arnold, Jr. - Aye
Mary Daniel - Aye
Allen Kitselman - Aye
Douglas Shaffer - Aye
David Tollett - Aye

9. Report of H. Allen Kitselman, III – Berryville Area Development Authority Liaison

Council member Kitselman said the Berryville Area Plan review has just been finished. He noted the Authority has set a public hearing on September 29 at 5:00 pm, prior to the Planning Commission's public hearing.

10. Report of Harry Lee Arnold, Jr., - Chair, Budget and Finance Committee

Recorder Arnold had nothing to report.

11. Report of H. Allen Kitselman, III - Chair, Community Improvements Committee

Upon motion of Mayor Kirby, seconded by Council member Kitselman, the minutes of the Community Improvements Committee meeting of August 12, 2015, were unanimously approved.

12. Report of Douglas A. Shaffer – Planning Commission Liaison

Council member Shaffer said the Planning Commission has set a public hearing for September 29 at 7:30 pm following the BADA's public hearing.

13. Report of Mary L. C. Daniel – Chair Police and Security Committee

Council member Daniel verified with Chief White that the Police and Security Committee would meet the next morning, September 9, at 9:00 am.

14. Report of Wilson Kirby – Chair, Streets and Utilities Committee

Upon motion of Council member Shaffer, seconded by Mayor Kirby, the Streets and Utility Committee meeting minutes of August 11 and September 1, 2015, were approved unanimously.

Mayor Kirby asked Mr. Dalton to review the work being done on Chalmers Court. Mr. Dalton explained there had been some changes to priorities, and said Liberty and Walnut Streets are now scheduled for paving. He said that sidewalk work is also planned on Liberty prior to paving. Mr. Dalton said the work on Chalmers Court is a needed repair, uses trenchless technology and was reviewed by an engineer. The need for repairs has shifted some priorities to the spring of 2016 including work on Academy and Smith Streets and Battletown Drive, and he added the public works crews are working hard to stay on schedule.

15. Report of Harry Lee Arnold, Jr. – Chair, Personnel Committee

Recorder Arnold said he had nothing to report.

16. Adjourn

There being no other business, upon motion of Council member Daniel, seconded by Council member Tollett, the meeting was adjourned at 8:17 p.m.

Wilson Kirby, Mayor

Harry Lee Arnold, Jr., Recorder

Attachment 2

October 13, 2015

At its September 8, 2015 meeting, the Town Council directed staff to move forward with ordinance refinement on this matter and to provide a time for public input on the proposal at the next Town Council meeting.

Notice of the Town Council's request for public input was provided in a newsletter (attached to each water/sewer bill). The Town has received comments from citizens residing at 101 Lincoln Avenue.

Staff has provided two versions of the ordinance for the Town Council to consider. The first version (A) declares North and South Buckmarsh Streets, Hermitage Boulevard, Lincoln Avenue, and Tyson Drive between Hermitage Boulevard and Lincoln Avenue as Snow Emergency Routes. The second version (B) declares North Buckmarsh Street, Hermitage Boulevard, and Tyson Drive between Hermitage Boulevard and Lincoln Avenue as Snow Emergency Routes.

Version A was drafted to address concerns for the whole of Buckmarsh Street and access to JWMS from Hermitage and Main.

Version B removes South Buckmarsh Street and Lincoln Avenue from the declaration. No parking restrictions will remain on South Buckmarsh after the road section is re-stripped. As such, no vehicles should be parked on that street section. If a vehicle is parked on that street section, then the no parking posting will permit the town to address the matter. When Lincoln Avenue was included in the original ordinance, staff had concluded that every home on the street had off-street parking. While that is true, the Hens (of 101 Lincoln) have addressed concerns about access to their off-street parking area from Lincoln. If the Town Council shares that concern, then the declaration could exclude Lincoln Avenue and the Town could see how things work with the Hermitage Boulevard and Tyson Drive serving as Snow Emergency Routes.

The estimated cost of signage for the snow emergency routes would be:

Version A - \$6,000

Version B – \$4,400

Please find attached the following:

- Emails – Hern to Dalton 10/8/15 4:12 p.m., Dalton to Hern 10/8/15 4:42 p.m., and Hern to Dalton 10/8/15 7:32 p.m.
- Draft Ordinance A – Would establish the following streets as Snow Emergency Routes: North and South Buckmarsh Streets, Hermitage Boulevard, Lincoln Avenue, and Tyson Drive between Hermitage Boulevard and Lincoln Avenue
- Draft Ordinance B – Would establish the following streets as Snow Emergency Routes: North Buckmarsh Street, Hermitage Boulevard, and Tyson Drive between Hermitage Boulevard and Lincoln Avenue
- Motion and Ordinance

Recommendation: Approval of Version B of the proposed amendment to Sections 15-19, 15-20, and 15-21 of the Berryville Code.

December 8, 2014

The Town Council has heard comment from staff regarding the safety and efficiency of snow removal operations on certain streets in town. As a result the Town Council asked staff to examine the snow emergency ordinance and make recommendations regarding the establishment of snow emergency routes.

Staff reviewed the matter and developed recommended changes to the Berryville Code. The Town Council directed the Streets and Utilities Committee to review the proposal. The Streets and Utilities Committee has reviewed the attached proposal and had asked staff to forward it the Town Council and Legal Counsel.

The proposed changes provide for the declaration and expiration of a snow emergency in Section 15-19. These changes not only clarify the process, they also provide the Town Manager the authority to declare and/or extend a snow emergency as he deems necessary.

The proposed changes also establish snow emergency routes. Those route are:

Buckmarsh Street – This is a U.S. Highway with a considerable amount of traffic. Presently, only one section of North Buckmarsh has on-street parking but it lane markings are changed on South Buckmarsh then parking may be allowed there as well. Note – South Buckmarsh would not have to be included if on-street parking remained prohibited.

Hermitage Blvd.- This collector road serves an important role in moving traffic in Berryville.

Mosby Blvd. – This collector road serves an important role in moving traffic in Berryville. The community's only supermarket is located on this street. Note – this may be able to be removed from this list if the Town Council determines to restrict on-street parking on Mosby Blvd.

Jackson Drive – This street provides a link between Hermitage Blvd. and Mosby Blvd.

Lincoln Avenue and Tyson Drive between Hermitage Blvd. and Lincoln Avenue- Johnson Williams Middle School, which is accessed from Lincoln Avenue, serves as a community emergency shelter and as a VDH inoculation site. The section of Tyson under consideration connects Hermitage Blvd. to Lincoln Avenue.

The proposed changes empower any police officer to enforce snow emergency provisions.

Lastly, the proposed changes would increase the maximum fine for violations of this section from \$25 to \$50.

If The Town Council is comfortable with this ordinance, then staff asks that, after review by legal counsel, this ordinance be submitted to the Virginia Department of Transportation for approval. Once the Virginia Department of Transportation has approved the ordinance it would be placed on the Town Council agenda for adoption.

Keith Dalton

From: Hern, Victoria (Vicky) [REDACTED]
Sent: Thursday, October 08, 2015 4:12 PM
To: Keith Dalton
Cc: [REDACTED]
Subject: Emergency Route Public Comment for the 10/13/2015 meeting

Hello,

I am writing to you regarding the Public Comment request re: the Snow emergency routes in Berryville and the meeting scheduled for October 13, 2015.

My husband and I are going to be out of the Country on the 13th, so we cannot attend the meeting in person. Hopefully an email can be considered as part of the Public Comments.

We live at 101 Lincoln Avenue and do not have a driveway or parking space at the street-facing side of our property. We, and our neighbor Ashley located adjacent & North of us at (99? Lincoln Ave??), do not have parking spaces or driveways that are on Lincoln Avenue. We have to drive up the Elementary School's Access Road that goes between both of our houses in order to park in front of my garage (for me) and in front of her chimney/the side of her house (for Ashley).

Making Lincoln Avenue a Snow Emergency Route would be a very big problem for us. It would be a big burden and you would be trapping our cars where we could not be able to get them out. Additionally, we do not see what value it would serve to make Lincoln Avenue an Emergency Route since the schools are all closed during snow and ice storms, anyway, so there's no need to keep the roads clear for buses that are not even going to be there.

The problem we face is that the Town never plows ice or snow from the Elementary School's Access Road. Occasionally they do, but up to 3 business days may pass before they do it. What has happened for us in the past is that we get snowed-in and are unable to dig our cars out of the snow. The Access Road is a good 20-100 feet long before it reaches where we and our neighbor are able to safely park our cars during snow storms, which is a significant distance to shovel out snow.

If the Town would plow some of the access road so that we can get our cars out of there, and in a timely fashion, then it would not be an issue for us to park there instead of directly on the street at Lincoln Avenue during severe winter weather. But as it stands now, we need to park on Lincoln Avenue during snow and ice storms because we would have nowhere else to park our cars so that we can safely get out and travel on to our jobs.

In conclusion, since the Town of Berryville has no local radio, tv, or news, how would residents even be made aware of when the Snow Emergency Route plan gets put into effect?

Thank you for your time.

Sincerely,
Victoria & Richard Hern
101 Lincoln Avenue
Berryville, VA 22611

Keith Dalton

From: Keith Dalton
Sent: Thursday, October 08, 2015 4:41 PM
To: 'Hern, Victoria (Vicky)'
Cc: Rick Boor; Neal White; Ann Phillips
Subject: RE: Emergency Route Public Comment for the 10/13/2015 meeting

Mrs. Hern:

Thank you for contacting me. I had a very nice conversation with Mr. Hern this afternoon and look forward to meeting both of you at some point.

I will pass your comments on the Town Council.

I would like to take a few minutes to briefly address a few points.

- Johnson-Williams Middle School is considered vital (in this instance), not just because it is a school, but because it also serves as an emergency shelter and as an emergency inoculation facility.
- The Town does not plow the access road to the Primary School because it is neither a town street nor town property.
- The proposed ordinance would provide that the snow emergency would go into effect when 2" of snow have fallen and would remain in effect for 24 hours.

When I spoke with Mr. Hern, I assured him that I would look at this matter further before I report to the Town Council. Accordingly, I visited the area this afternoon and will present some options to the Council to consider in this matter.

Again, thank you for contacting me.

Take care,

Keith

Keith R. Dalton, Town Manager
Town of Berryville, Virginia
101 Chalmers Court, Suite A
Berryville, VA 22611

V 540.955.1099
F 540.955.4524

Keith Dalton

From: Richard Hern [REDACTED]
Sent: Thursday, October 08, 2015 7:32 PM
To: Keith Dalton; Ann Phillips; Hern, Victoria (Vicky); Richard Hern
Subject: Emergency Route Public Comment for the 10/13/2015 meeting
Attachments: Lincoln_Ave_001.jpg; Lincoln_Ave_002.jpg

Further to my Wife's email earlier today. Please find enclosed photographs of the outside of 101 Lincoln Avenue.

The idea of parking on the grass verge (*see attached Lincoln_Ave_001*) is not possible as there is not enough space for the present car we own.

Not shown are concrete steps that are extended under the grass which could pose a danger to a car should we be successful in parking there in the future with a small vehicle.

Unfortunately parking in the front would prove pointless as when the snow plows are clearing the road, the snow would be dumped over the car making it difficult to drive away. This would cost our family money in lost wages. We both work near Dulles and are required to be present after 8am Monday to Friday.

One solution is for us to park on the side of the property (*see attached Lincoln_Ave_002*) behind the one way sign.

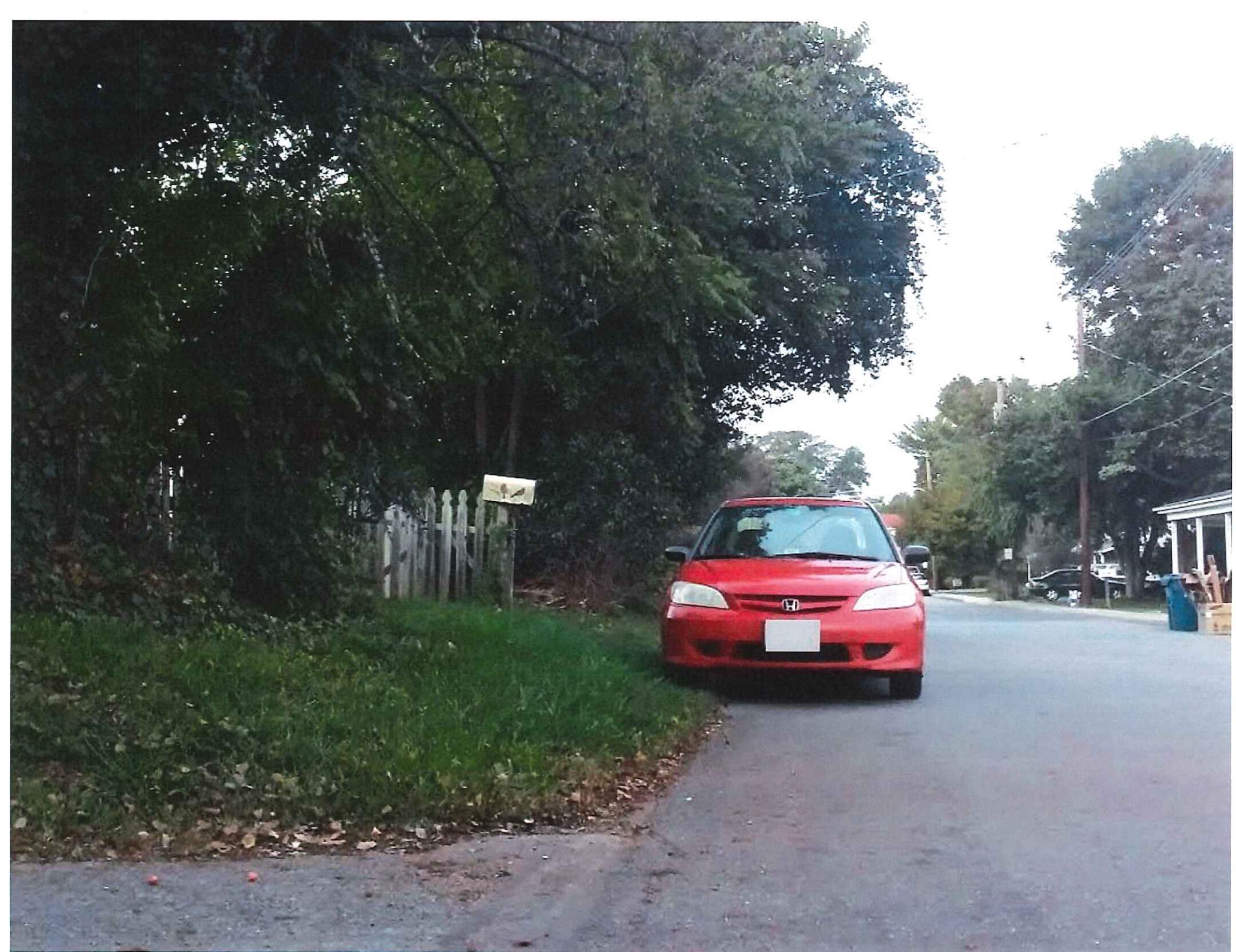
Unfortunately this would also prove to be negative as history shows that the snow plow will tend to this road last of all. Stopping the family from being at work on time resulting in loss of wages.

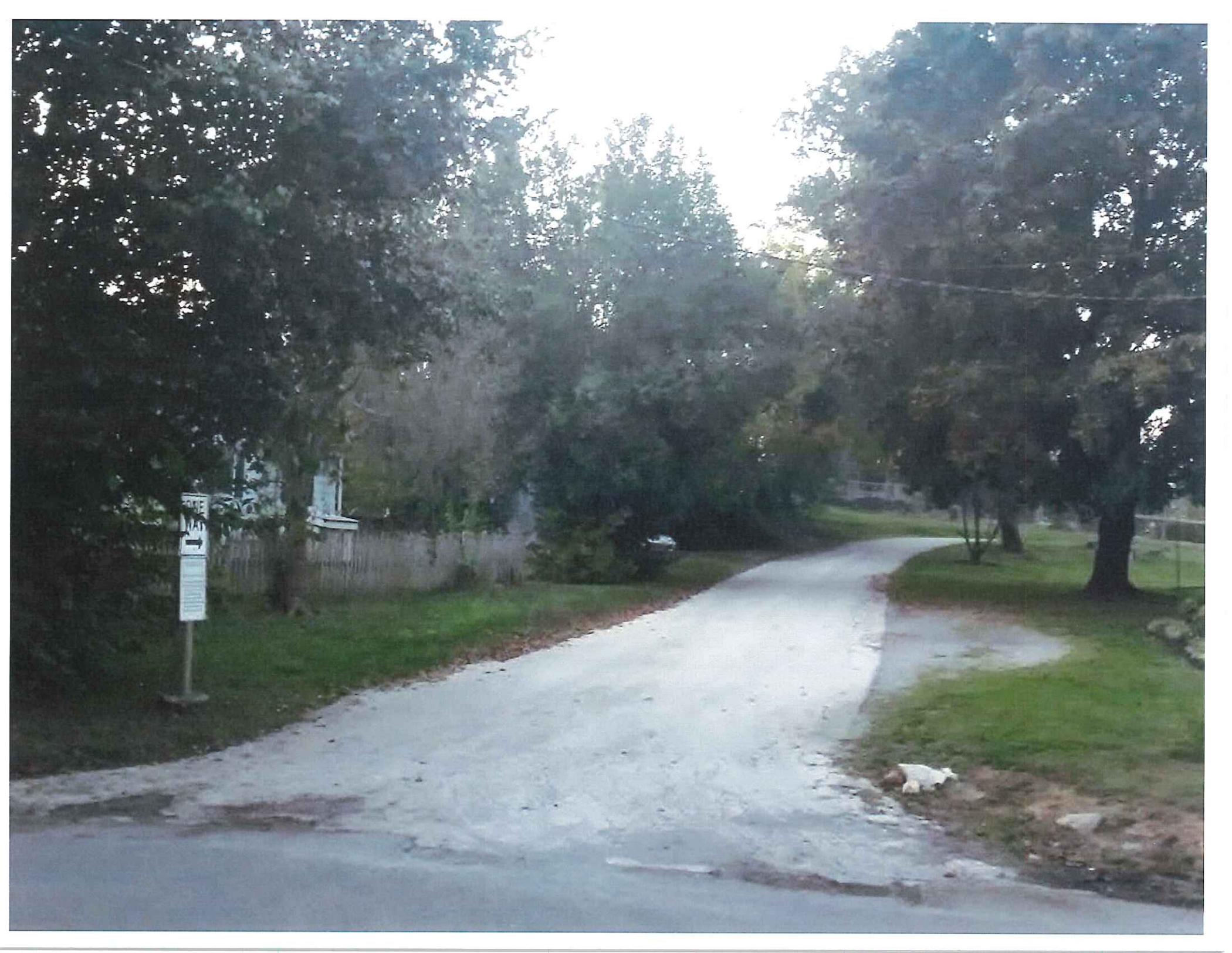
Could the town provide an alternative area for us to park? Or is there a way to apply for a local Government grant to pay towards a driveway?

I look forward with great interest to reading the minutes of this meeting and any other comments made.

Yours faithfully,

Richard Hern





A

Sec. 15-19. - Declaration and duration of snow emergency; operation of motor vehicles during snow emergency.

(a) Whenever ice begins to form or snow of a depth of two (2) inches or more lays lies on the streets within the town **a snow emergency shall deemed to be in effect**, it shall be unlawful for any person to operate a motor vehicle which is not equipped with effective tire chains or effective snow tread tires on any of the streets within the town.

(b) The provisions of subsection (a) above notwithstanding, the Town Manager may declare a snow emergency in advance of a predicted weather event or as he deems necessary during a weather event.

(c) A snow emergency shall remain in effect for twenty-four hours from the time of the last snow or formation of ice, unless sooner lifted by the Town Manager; Snow emergency procedures pursuant to subsection (a) above shall remain in effect for a period of time not to exceed twenty-four (24) hours from the time of the last snow or formation of ice; provided that the snow emergency period may be extended by the Town Manager as conditions warrant.

(c) During the period a snow emergency is in effect pursuant to subsections (a) and (b) above, it shall be unlawful for any person to park or abandon a vehicle in the traffic lanes or travelway of any street within the town, or to obstruct or impede traffic or snow removal operations on any street within the town.

(d) Upon information that a vehicle is parked, stalled, stuck or abandoned in the traffic lanes or travelways of any street within the town or otherwise obstructs or impedes snow removal operations by the town, during the time a snow emergency is in effect pursuant to subsections (a) and (b) above, the chief of police may authorize immediate removal and storage of any such vehicle.

(e) The cost of removing and storing any vehicles towed or otherwise removed pursuant to subsection (d) above shall be charged to the owner and shall be due and payable prior to the release of any such vehicle to the owner.

(f) Any person convicted of any violation of any provision of this section shall be fined not more than twenty five (\$25.00) for each offense.

(Ord. of 12-10-96)

Sec. 15-20. Snow Emergency Routes

The following streets within the Town are hereby designated as snow emergency routes and shall be posted at intervals of not less than one thousand, five hundred (1,500) feet as specified in the Virginia Manual on Uniform Traffic Control Devices for Streets and Highways:

North and South Buckmarsh Streets

Hermitage Boulevard

Mosby Boulevard

Jackson Drive

Lincoln Avenue

Tyson Drive between Hermitage Boulevard and Lincoln Avenue

Sec. 15-21. Operation **and Location** of Motor Vehicles During Snow Emergency

(a) **During the period a snow emergency is in effect pursuant to Section 15-19 of this Code,** it shall be unlawful for any person to operate a motor vehicle which is not equipped with effective tire chains or effective snow tread tires on any of the streets within the town.

(b) During the period a snow emergency is in effect pursuant to ~~subsections (a) and (b) above~~ **Section 15-19 of this Code,** it shall be unlawful for any person to park or abandon a vehicle in the traffic lanes or travelway of any street within the town, or to obstruct or impede traffic or snow removal operations on any street within the town.

(c) **During the period a snow emergency is in effect pursuant to Section 15-19 of this Code,** **it shall be unlawful for any person to park a motor vehicle on any designated snow emergency route.**

(d) Upon information that a vehicle is parked, stalled, stuck or abandoned in the traffic lanes or travelways of any street within the town or otherwise obstructs or impedes snow removal operations by the town **or parked on any snow emergency route in violation of subsection c above,** during the time a snow emergency is in effect pursuant to **Section 15-19 of this Code** ~~subsections (a) and (b) above,~~ the chief of a police **officer** may authorize immediate removal and storage of any such vehicle.

(e) The cost of removing and storing any vehicles towed or otherwise removed pursuant to subsection (d) above shall be charged to the owner and shall be due and payable prior to the release of any such vehicle to the owner.

(f) Any person convicted of any violation of any provision of this section shall be fined not more than **fifty** ~~twenty-five~~ (**\$50**~~25~~.00) for each offense.

B

Sec. 15-19. - Declaration and duration of snow emergency; operation of motor vehicles during snow emergency.

(a) Whenever ice begins to form or snow of a depth of two (2) inches or more lays lies on the streets within the town **a snow emergency shall deemed to be in effect**, it shall be unlawful for any person to operate a motor vehicle which is not equipped with effective tire chains or effective snow tread tires on any of the streets within the town.

~~**(b) The provisions of subsection (a) above notwithstanding, the Town Manager may declare a snow emergency in advance of a predicted weather event or as he deems necessary during a weather event.**~~

~~**(eb) A snow emergency shall remain in effect for twenty-four hours from the time of the last snow or formation of ice, unless sooner lifted by the Town Manager; Snow emergency procedures pursuant to subsection (a) above shall remain in effect for a period of time not to exceed twenty-four (24) hours from the time of the last snow or formation of ice; provided that the snow emergency period may be extended by the Town Manager as conditions warrant.**~~

(c) During the period a snow emergency is in effect pursuant to subsections (a) and (b) above, it shall be unlawful for any person to park or abandon a vehicle in the traffic lanes or travelway of any street within the town, or to obstruct or impede traffic or snow removal operations on any street within the town.

(d) Upon information that a vehicle is parked, stalled, stuck or abandoned in the traffic lanes or travelways of any street within the town or otherwise obstructs or impedes snow removal operations by the town, during the time a snow emergency is in effect pursuant to subsections (a) and (b) above, the chief of police may authorize immediate removal and storage of any such vehicle.

(e) The cost of removing and storing any vehicles towed or otherwise removed pursuant to subsection (d) above shall be charged to the owner and shall be due and payable prior to the release of any such vehicle to the owner.

(f) Any person convicted of any violation of any provision of this section shall be fined not more than twenty-five (\$25.00) for each offense.

(Ord. of 12-10-96)

Sec. 15-20. Snow Emergency Routes

The following streets within the Town are hereby designated as snow emergency routes and shall be posted at intervals of not less than one thousand, five hundred (1,500) feet as specified in the Virginia Manual on Uniform Traffic Control Devices for Streets and Highways:

North and **South** Buckmarsh Streets

Hermitage Boulevard

Mosby Boulevard

Jackson Drive

Lincoln Avenue

Tyson Drive between Hermitage Boulevard and Lincoln Avenue

Sec. 15-21. Operation and Location of Motor Vehicles During Snow Emergency

(a) During the period a snow emergency is in effect pursuant to Section 15-19 of this Code, it shall be unlawful for any person to operate a motor vehicle which is not equipped with effective tire chains or effective snow tread tires on any of the streets within the town.

(b) During the period a snow emergency is in effect pursuant to subsections (a) and (b) above Section 15-19 of this Code, it shall be unlawful for any person to park or abandon a vehicle in the traffic lanes or travelway of any street within the town, or to obstruct or impede traffic or snow removal operations on any street within the town.

(c) During the period a snow emergency is in effect pursuant to Section 15-19 of this Code, it shall be unlawful for any person to park a motor vehicle on any designated snow emergency route.

(d) Upon information that a vehicle is parked, stalled, stuck or abandoned in the traffic lanes or travelways of any street within the town or otherwise obstructs or impedes snow removal operations by the town or parked on any snow emergency route in violation of subsection c above, during the time a snow emergency is in effect pursuant to Section 15-19 of this Code subsections (a) and (b) above, the chief of a police officer may authorize immediate removal and storage of any such vehicle.

(e) The cost of removing and storing any vehicles towed or otherwise removed pursuant to subsection (d) above shall be charged to the owner and shall be due and payable prior to the release of any such vehicle to the owner.

(f) Any person convicted of any violation of any provision of this section shall be fined not more than fifty ~~twenty-five~~ (\$50~~25~~.00) for each offense.

TOWN COUNCIL

MOTION FOR APPROVAL OF AN ORDINANCE AMENDING
BERRYVILLE CODE SECTIONS 15-19, 15-20, AND 15-21

Date: October 13, 2015

Motion By:

Second By:

I hereby move that the Council of the Town of Berryville adopt the attached Ordinance amending Berryville Code Sections 15-19, 15-20, and 15-21 establishing snow emergency declaration and snow emergency routes.

VOTE:

Aye:

Nay:

Absent:

Abstain:

ATTEST:

Harry Lee Arnold, Jr., Recorder

AN ORDINANCE DATED OCTOBER 13, 2015
AMENDING SECTIONS 15-19, 15-20, AND 15-21 OF THE CODE OF THE TOWN OF
BERRYVILLE, CONCERNING SNOW EMERGENCY DECLARATION AND ROUTES

BE IT ORDAINED, by the Council of the Town Of Berryville, that Sections 15-19, 15-20, and 15-21 of the Code of the Town of Berryville is amended as attached.

VOTE:

Aye –

Nay –

Absent –

SIGNED: _____
Wilson L. Kirby, Mayor

Attest: _____ Date: _____
Harry L. Arnold, Jr., Recorder

Attachment 3

Planning and Community Development

Action Items

Set Public Hearing – Text Amendment to the Berryville Area Plan

Set Public Hearing – Text Amendment to the Berryville Zoning Ordinance Section 615.4

Set Public Hearing – Text Amendment to Article VII, Section 703.6(b)viii of the Berryville Zoning Ordinance

October 13, 2015

Planning Commission

The Planning Commission held a meeting on Tuesday, September 29, 2015. They held a public hearing concerning a text amendment to Section 614.5 of the Berryville Zoning Ordinance relating to the number of multifamily senior units in the OPR zoning district. A full staff report follows this report. Their next meeting is scheduled for Tuesday, October 27, 2015 at 7:30pm.

Berryville Area Development Authority

The BADA held a meeting on Tuesday, September 29, 2015. Per Town Council's request, they held a public hearing on a proposed Berryville Area Plan amendment which would modify the current Plan to allow an additional 60 multifamily units to the OPR zoning district.

Architectural Review Board

The Architectural Review Board held a meeting on October 7, 2015 and discussed the following item:

Linda Miller, Agent, Washington Square Apartments, is requesting a Certificate of Appropriateness in order to replace a freestanding sign for Washington Square Apartments located at 102 East Main Street identified as Tax Map Parcel number 14A2-((A))-76, zoned C General Commercial.

Approved as presented.

Susan Godfrey was elected Vice Chair. Rachael Worsley attended her first meeting of the ARB. Their next meeting is scheduled for Wednesday, November 4, 2015 at 12:30pm

Board of Zoning Appeals

The BZA did not hold a meeting since the last Council meeting.

BERRYVILLE TOWN COUNCIL

Set Public Hearing – Berryville Area Plan Amendment

October 13, 2015

Marlyn Development Corporation (Francis Nance, Vice President – Development, Agent) is requesting an amendment to the Berryville Area Plan, Chapter 5, Page 14, increasing the number of Older Person Residential multifamily units from 120 to 180 units and reducing the number of Older Person Residential single-family detached and a variety of unit types from 180 to 120 units as identified in Sub-Area 6A of Annexation Area B.

The Berryville Area Development Authority held a public hearing on the above matter at a meeting held on September 29, 2015. They received public comment and continued the discussion to a special meeting held on Monday, October 5 at 2:00pm. At that time, the Authority voted to recommend that Council not amend the current Berryville Area Plan as the draft of the Plan released for public comment includes a different approach to addressing housing needs in Sub-Area 6A.

Topics addressed at the September 29, 2015 public hearing include the following:

- Benefits of the proposed 120-unit facility including tax revenues, transportation available for residents;
- John H. Enders Fire and Rescue Company Chief Rohde indicated that previous fire and rescue concerns have been addressed;
- Cathie Galvin (representing the Shenandoah Area Agency on Aging) spoke to service concerns to their system;
- Mr. Garrett discussed exclusionary zoning practices;
- Mr. Patz discussed the market study area from eastern Loudoun County to eastern Frederick County;
- Alton and Bonnie Echols (owners of the property) voice support for the project;
- Ms. Rich Bouffault referenced the process by which a Plan Amendment to the Area Plan is delegated;
- Sharon Strickland (representing Battlefield Estates Civic Association) referenced a meeting at the Mary Hardesty House in June where attendees voiced unanimous support for the facility.

Recommendation

Set a public hearing for the November 10, 2015 meeting.

Phasing of the site development in Sub-Area 6 shall be coordinated with the development of the balance of the planning precinct. Incremental and compact growth is encouraged with higher intensity development on selected tracts where superior site design and public improvements are incorporated into site development schemes. Therefore, site plans for development in the applicable Business-B zoning district, should only be approved upon the submittal of superior development proposals which address phasing, transportation issues, stormwater management, quality site design, and other applicable site design issues previously addressed above.

SUB-AREA 6A

Sub-Area 6A contains approximately 18 acres and is situated between sub-area 6 on the west and north, sub-area 7 to the east, and sub-area 5 to the south. The western boundary lies on the northerly extension of Stuart Court. To the west are single family homes along Mosby Boulevard. The eastern boundary lies approximately 750 feet west of Route 340 on the west side of the Food Lion grocery store property. To the north are vacant portions of sub-areas 6 & 7. On the south is Mosby Boulevard, Route 1035, with single family homes beyond. The sub-area is not used for agriculture, is currently vacant, and has two separate owners.

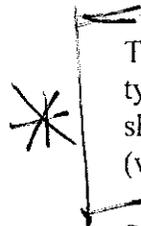
This property is very visible from Mosby Boulevard and the adjacent residential areas. With Mosby Boulevard to the south, single family residences to the south and west, the Food Lion grocery store and future commercial uses to the east, and vacant land to the north designated for Business uses, successful development of this sub-area must meet several diverse challenges. These challenges include ensuring future development has an attractive appearance with buffering, setbacks, and landscaping. Future land development must be particularly sympathetic to existing residences.

Sub-Area 6A has moderately sloping relief and is within the Picket Pond drainage area as well as draining to route 7 By-pass on the north. Stormwater requirements must be considered in determining the nature and placement of future land uses. Development must be carefully planned, with clustering of physical structures and thoughtful scaling and siting of uses relative to future uses proposed for sub-areas 6 and 7. The sub-area's Poplimento and Timberville soils are generally unsuitable for urban development activities. The Timberville soils are common to the sensitive drainage areas of the property. Public water and sewer serve the sub-area.

Access to sub-area 6A must be coordinated with any proposed future development patterns in the adjoining sub-areas. The volume and nature of the traffic generated by development of this sub-area that traveling east on Mosby Boulevard past sub-areas 5 and 7 must be evaluated based on the impact on the intersection of Mosby Boulevard and Route 340. Traffic traveling west on Mosby Boulevard, past sub-areas 3 and 4, must take into consideration the residential character of these sub-areas.

The Medium Density Residential for Older Persons land use designation is applied to sub-area 6A to establish the framework for a specialized residential land use that should be planned in conjunction with sub-areas 6 & 7. The Medium Density Residential for Older Persons use policy is established to provide a location for the fastest growing demographic segment of the housing market adjacent to an area that contains commercial and office uses that could directly serve senior residents. Such activities shall be developed in a medium intensity manner, such that they serve as transitional uses between residential uses to the south and west and higher intensity commercial uses to the east. The proximity of sub-area 6A to the existing Food Lion grocery store and other future commercial uses makes it uniquely suited to housing for senior citizens.

Other relevant planning issues for sub-area 6A, include provision of quality landscaping, screening and buffering to alleviate potential concerns from residential uses to the south and west. The design and scale of the proposed uses should have a residential character that extends the small town design features and respects the architectural themes in the Berryville Area. A consistent design program should be established for all proposed buildings within the development. Site design requirements should include the siting and massing of buildings to enhance the views of the site from Mosby Boulevard and adjacent residential areas. Site planning should also include extensive landscaping to screen the views of the buildings from these same vantages.



The proposed Older Persons Residential Zoning district for this sub-area allows a variety of unit types ranging from small lot single family detached to multi-family. The density for this sub-area should be established by the site plan and/or subdivision of the property within the 300 unit limit (with not more than 120 multi-family units) set for Older Person Residential uses.

Site Plan and other future land use decisions in sub-area 6A should only approve development proposals that present a workable transportation solution, with public streets, which is in compliance with provisions for safe and adequate ingress/egress measures into the sub-area, as well as, adequate public street linkages within the overall planning precinct. The private sector should design and construct public roads in the planning precinct necessary to carry the ultimate traffic loadings for the projected older person development. In addition, transportation plans should provide for bikeways as well as internal pedestrian movements via sidewalks and paths.

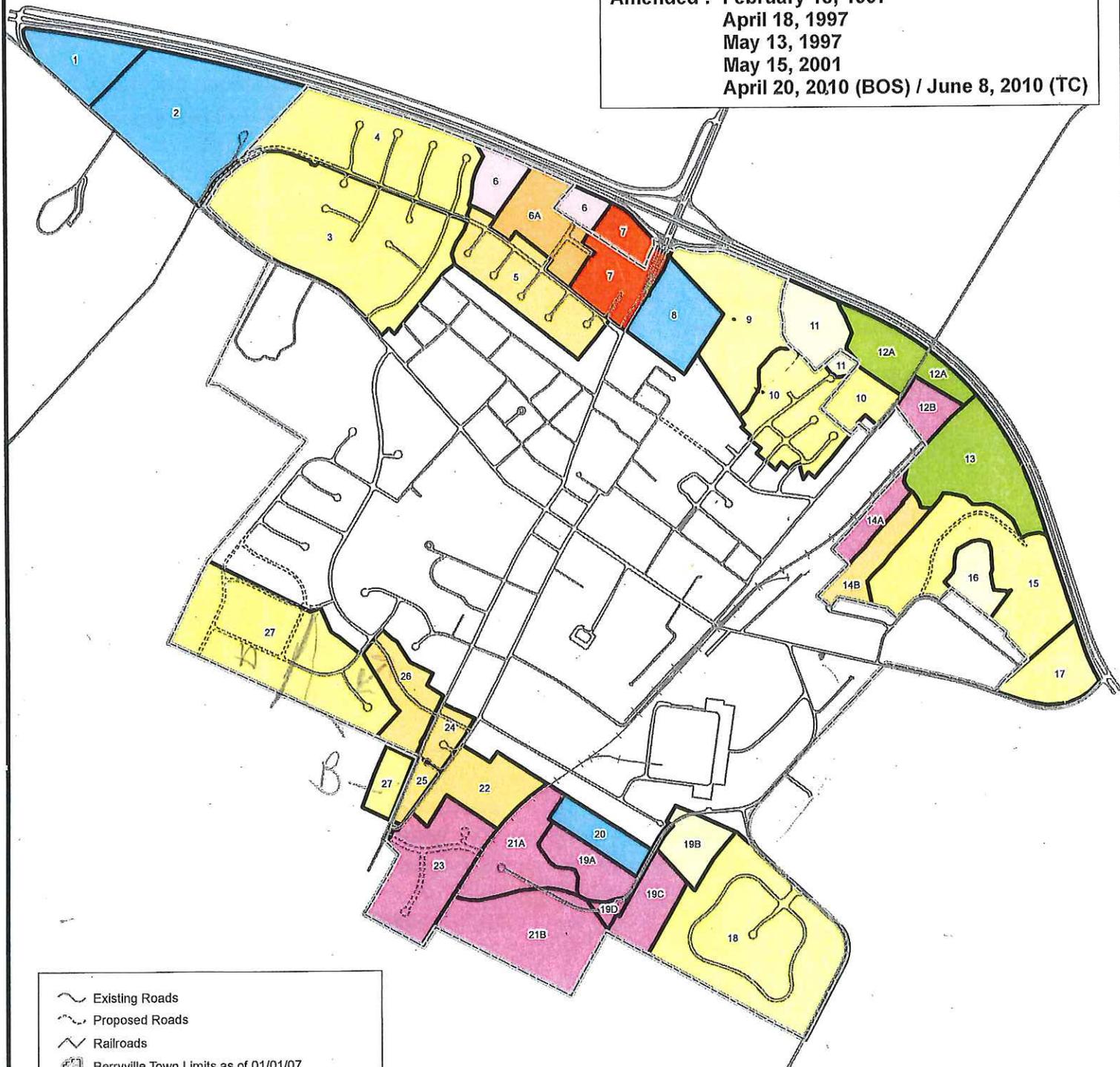
Phasing of the site development in sub-area 6A shall be coordinated with the development of the balance of the planning precinct. Incremental and compact growth is encouraged with higher intensity development on selected tracts where superior site design and public improvements are incorporated into site development schemes. Therefore, site plans should only be approved upon the submittal of superior development proposals which address phasing, transportation issues, stormwater management, quality site design, and other applicable site design issues previously addressed above.



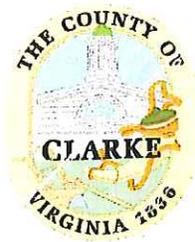
1 inch = 1,700 feet

Berryville Area Plan Land Uses

Adopted : April 21, 1992
 Amended : February 18, 1997
 April 18, 1997
 May 13, 1997
 May 15, 2001
 April 20, 2010 (BOS) / June 8, 2010 (TC)



- Existing Roads
- Proposed Roads
- Railroads
- Berryville Town Limits as of 01/01/07
- Low Density Residential (2 units/acre)
- Medium-Low Density Residential (4 units/acre)
- Medium Density Older Persons Residential
- Highway-Visitor Commercial
- Business/Office
- Light Industrial/Research
- Institutional/Public
- Environmental Conservation
- Historical/Cultural Preservation



BERRYVILLE TOWN COUNCIL

Set Public Hearing – Text Amendment to Article VI, Section 614.5 of the Berryville Zoning Ordinance

October 13, 2015

Marlyn Development Corporation (Francis Nance, Vice President – Development, Agent) is requesting a text amendment to Section 614.5 of the Berryville Zoning Ordinance in order to increase the number of permitted multifamily units in the Older Person Residential (OPR) Zoning District from 120 to 180 multifamily units, thereby decreasing the number of single family detached, two-family detached, and single-family attached units to 120. TA-01-15

The Berryville Planning Commission held a public hearing at their regular meeting on Tuesday, September 29, 2015. After receiving public comment the Planning Commission voted to recommend that Council be put on hold until the Berryville Area Plan update has been completed prior to making any modifications to the Berryville Zoning Ordinance.

Many of those who spoke at the BADA addressed the Planning Commission. Items discussed include:

- Mr. Painter and Mr. Nance identified benefits of the proposed 120-unit facility including tax revenues, transportation available for residents;
- John H. Enders Fire and Rescue Company Chief Rohde indicated that previous fire and rescue concerns, including have been addressed;
- Mr. Garrett discussed social principles of his church;
- Mr. Patz discussed the market study area from eastern Loudoun County to eastern Frederick County and identified this area as the market area for the Mary Hardesty House project;
- Sharon Strickland (representing Battlefield Estates Civic Association) referenced a meeting at the Mary Hardesty House in June where attendees voiced unanimous support for the facility.

Recommendation

Set a public hearing for the November 10, 2015 meeting.

Section 614 Older Person Residential (OPR) District

SECTION 614 - OLDER PERSON RESIDENTIAL (OPR)

614.1 PURPOSE AND INTENT

The Older Person Residential (OPR) District is created to provide for residential, office, and service uses for people over 55 years old at locations compatible with the Comprehensive Plan's goals for residential development in the Town of Berryville and within the precincts of the Berryville Area Plan. Maximum densities are established in this district to allow the various types of uses at a scale compatible with the general character of the Town and the nature of the uses. This district may be applied to development with the intent of preserving natural features and vegetation, promoting excellence in site planning and landscape design, and encouraging development with compatible scale, materials and architectural character. Development in the OPR District shall be sensitive to land physiography, provision of adequate public infrastructure, and development of high-quality transportation improvements while achieving optimal siting of dwellings, services, recreation areas, community facilities, and open space.

614.2 PERMITTED USES

- (a) Accessory structures less than one hundred fifty (150) square feet in size
- (b) Community buildings and association facilities, public and private, including recreation areas and other common area improvements associated with residential developments
- (c) Housing for Older Persons, Low Density: Single-Family Detached, Two-Family Detached (Duplex), Single-Family Attached (Triples and Quadplex - 3 to 4 attached residential units)
- (d) Public utilities
- (e) Recreation facilities (indoor or outdoor), including parks, playgrounds, golf courses, swimming pools, tennis courts, etc.

614.3 SPECIAL PERMIT USES

- (a) Day care centers
- (b) Government and other public buildings (including police, fire, library, museum, and postal facilities)
- (c) Housing for Older Persons, Medium Density: Single-Family Attached (Townhouses - 5 to 8 attached residential uses), Multi-family (including personal service uses of less than 500 square feet)
- (d) (Deleted 2010)
- (e) Medical care facilities, licensed
- (f) Places of worship
- (g) Schools, public and private, including nurseries, playgrounds, and related uses

614.4 AGE REQUIREMENT

An age restriction enforcement plan shall be submitted with each subdivision or site plan application so as to ensure that all occupants of dwelling units conform to the age restrictions established for Housing for Older Persons. Such enforcement plans shall include:

- (a) the covenants, management regulations, or other similar legal instruments with enforcement by the property owner, homeowners association, or other private entity;

Section 614 Older Person Residential (OPR) District

- (b) the identity of the private entity which shall be held responsible for any violation of the age restrictions for Housing for Older Persons;
- (c) a provision for an annual report to the Town of Berryville as to age status of the occupants of each unit; and
- (d) a provision which states that no person under nineteen (19) years of age shall reside in any unit for more than ninety (90) days in any calendar year.

614.5 MAXIMUM DENSITY

A Master Plan shall be submitted with a request for OPR zoning showing a general arrangement of uses and density for the subject property and all adjacent areas intended for OPR uses. The Master Plan shall show that the public service needs are no greater for the OPR uses than the public service needs for the uses planned for that sub-area. The number of average daily vehicle trips generated, the amount of sewage generated, the amount of water used, and demand on emergency services will be no greater with the proposed number of older person residential units and service uses than that generated by the maximum density of uses allowed by a property's land use designation. However, not more than three hundred (300) Older Person Residential units (including not more than ~~one hundred twenty (120)~~ **one hundred eighty (180)** multifamily units) shall be allowed in Annexation Area B as shown on approved subdivision plats or site plans.

614.6 MINIMUM DISTRICT SIZE

Minimum district size: three (3) acres

614.7 MAXIMUM BUILDING HEIGHT

Maximum building height: forty (40) feet

614.8 REGULATIONS FOR SINGLE FAMILY DETACHED DWELLINGS

- (a) Minimum lot size: 7,500 square feet
- (b) Minimum lot width: 60 feet
- (c) Minimum yard requirements
 - (1) Front Yard: 20 feet
 - (2) Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings
 - (3) Rear yard: 40 feet
- (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
- (e) Parking Requirements
The number of required off-street parking spaces shall be a total of 2 per unit.

Section 614 Older Person Residential (OPR) District

- 614.9** REGULATIONS FOR TWO FAMILY DETACHED (DUPLEX) DWELLINGS
- (a) Minimum lot size: 10,000 square feet for total duplex structure
4,500 square feet each separate unit within a duplex
 - (b) Minimum lot width: 75 feet per duplex structure
35 feet for each unit of a duplex.
 - (c) Minimum yard requirements
 - Front yard: 20 feet
 - Side yard: 10 feet, except for corner lots, the side yard facing the side street shall be 20 feet or more for both main and accessory buildings.
 - Rear yard: 40 feet
 - (d) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines
 - (e) Where a lot is to be subdivided into individual lots for the sale of single-family attached units, lot lines shall conform with party wall centerlines.
 - (f) Maximum lot coverage: 35 percent
 - (g) Open Space Requirements
 - 1. An open space plan shall be submitted with a subdivision application.
 - 2. At least 10% of the net site area shall be open space dedicated to common usage and ownership.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements
 - (h) Parking Requirements
The number of required off-street parking spaces shall be a total of 2 per unit.

- 614.10** REQUIREMENTS FOR SINGLE FAMILY ATTACHED DWELLINGS (TRIPLEX & QUADPLEX AND TOWNHOUSES, 5 TO 8 UNITS PER STRUCTURE)
- (a) Minimum lot area per dwelling
 - Interior lot: 2,000 square feet
 - Corner lot: 2,400 square feet
 - Condominium: Not regulated
 - (b) Minimum lot width
 - Interior lot: 20 feet
 - Corner lot: 35 feet
 - Condominiums: subject to site plan review and applicable performance zoning criteria
 - (c) Minimum yard requirements
 - Front yard: 15 feet
 - Side yard: 15 feet
 - Rear yard: 30 feet
 - (d) No side yard requirement shall be applied where dwellings share a party wall.
 - (e) Accessory structures of less than 150 square feet: 5 feet from side and rear lot lines.
 - (f) Where a lot is to be divided into individual lots for the sale of single family attached dwelling units:
 - 1. Lot lines shall conform with party wall centerlines.

Section 614 Older Person Residential (OPR) District

2. Privacy yard, having a minimum of two hundred (200) square feet, shall be provided on each lot.
 3. Privacy yards shall include screening, fencing, patio paving and/or special landscaping treatment.
- (g) Open Space Requirements
1. An open space plan shall be submitted with a site plan application.
 2. 25% of the net site area shall be open space dedicated to common usage and ownership.
 3. At least 20% of the required open space (5% of the net site area) shall be designed and developed as recreational and active community open space.
 4. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (h) Site Plan Requirements
1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 2. Site plans shall include provisions for:
 - A. Adequate public facilities, development phasing.
 - B. Storm water management facilities to address the ultimate development coverage within the district, lighting and signing.
 - C. Building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - D. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - E. All uses shall be subject to final site plan approval.
- (i) Parking and parking access
1. The number of required off-street parking spaces shall be a total of 1.5 per unit and shall be located not more than one hundred (100) feet from the individual dwelling served.
 2. Parking bays shall be no closer than twelve (12) feet to any adjoining property line.
 3. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
- (j) Driveways
1. Attached dwelling units shall have access to a private driveway with a minimum width of twenty-three (23) feet. The paved street shall be constructed according to Virginia Department of Transportation standards.
 2. No attached dwelling unit may be accessed directly from a public street unless approved by a special use permit.
 3. No private driveway shall be located within twelve (12) feet of any property line.
- (k) Setback, yards, buffering, separation and grouping of units

Section 614 Older Person Residential (OPR) District

1. Where adjacent properties are zoned to a district other than the OPR District, all single family attached dwellings shall be set back at least forty (40) feet from the common property line(s).
 2. Where single family attached dwellings are adjacent to a private drive, parking area, and/or walkway intended for the common use of the development's occupants, there shall be a minimum building setback of 15 feet from that drive, area, and/or walk.
 3. Adjacent groupings of single family attached dwellings with their accompanying lots shall be separated from one another by a minimum of fifteen (15) feet. This separation shall allow an unobstructed fire lane on all sides of the structure.
 4. No more than four attached dwellings shall be included in any one physically contiguous grouping.
- (l) Maintenance of improvements, covenants and required improvements
1. All common improvements (including open space, recreational facilities, private streets, walkways, parking areas, and other community facilities) shall be maintained by and be the sole responsibility of the property owner until such time as the owner conveys such common area to a nonprofit (homeowner's) entity consisting of at least all of the individual owners of the dwelling units in the development.
 2. Deed restrictions and covenants shall be included with the conveyance to include, among other things, that assessments, charges and costs of maintenance of such common areas shall constitute a pro-rate share lien upon the individual dwelling lots, such lien inferior only to taxes and recorded trusts. Covenants shall specify the means by which the nonprofit entity shall govern and manage itself and maintain building exteriors, landscaping, lighting, recreation areas, walkways, parking areas, snow removal, and travel ways.
 3. All deed restrictions, covenants, nonprofit (homeowner's) entity incorporation documents, and information related to conveyance programs shall be submitted with the plat and plans, and reviewed by the Berryville Town Attorney.
- (m) General Regulations
1. All refuse shall be contained in completely enclosed and screened facilities.
 2. On-site lighting, signing, and mailboxes shall be of compatible scale, materials, and colors to the primary structures.
- (n) Condominiums
1. Any condominium development under the Condominium Laws of Virginia shall be subject to the following provisions:
 - A. Minimum lot size and yard and open space requirements of the district shall be met as if lot lines existed.
 - B. A site plan shall be required and subject to review by the Berryville Area Development Authority. The site plan shall govern the location of all structures and improvements.
 - C. Setbacks, density and other district provisions shall be met.

Section 614 Older Person Residential (OPR) District

614.11 REGULATIONS FOR MULTI-FAMILY AND NON-RESIDENTIAL USES:

- (a) Maximum Floor Area Ratio (FAR): .60 of net developable area
- (b) Minimum lot area: 20,000 square feet
- (c) Minimum lot width: 100 feet
- (d) Minimum yard requirements
 - Front yard: 25 feet
 - Side yard: 25 feet
 - Rear yard: 25 feet
- (e) Where a lot is contiguous to a property located in any residential district, a public right of way with limited access or a railroad right of way, all buildings shall have minimum setback of forty (40) feet from common property lines.
- (f) Open Space
 - 1. A landscape and buffer plan shall be submitted with any application for site plan approval.
 - 2. At least twenty-five percent (25%) of the gross site area shall be landscaped open space.
 - 3. Refer to Section 615.2 regarding critical environmental area and open space requirements.
- (g) Site Plan Requirements
 - 1. A site plan, which shall govern all development, shall be submitted for approval per Section 6.
 - 2. Site plans shall include provisions for:
 - A. adequate public facilities, development phasing, stormwater management facilities to address the ultimate development coverage within the district, lighting and signing, building placement and lot configuration, screening, buffering, and landscaping, and other special site features and land use considerations deemed necessary to serve the district.
 - 3. Any site plan application which is not in strict conformance with a pre-existing approved master plan for the district shall require an amendment to that master plan and preliminary plat, if necessary, prior to site plan approval of the specific use.
 - 4. All uses shall be subject to final site plan approval.
- (h) Parking Access and Private Drives
 - 1. A minimum of one parking space per unit shall be provided and shall be located not more than one hundred (100) feet from the individual dwelling served.
 - 2. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.
 - 3. Parking bays and private drives shall be no closer than twelve (12) feet to any adjoining property line.
- (i) Buffering and Landscaping
 - 1. Where a parcel is contiguous to a residential zoning district or public right of way with limited access, a landscaped buffer strip fifteen (15) feet in width shall be provided.

Section 614 Older Person Residential (OPR) District

2. Landscape materials and their placement shall be subject to final site plan approval. With the approval of the administrative body, walls, fences, or wider buffer strips may be used in lieu of landscaping.
- (j) Storage of Materials and Refuse
1. All refuse containers shall be screened by a solid wall or fence.
 2. Any establishment involved with the storage of any fuel for sale, for on-site use, or for any other purposes, shall be permitted only if the fuel is stored underground, except where otherwise permitted under provisions granted and stipulations required by the administrative body.
 3. All storage shall be conducted within the principal structure, which is to be completely enclosed.
 4. There shall be no outdoor storage and/or display of goods, with the exception of retail display such as plant materials associated with nurseries.
- (k) Uses, Facilities, and Improvements
1. All business services (and storage) shall be conducted within the principal structure which is to be completely enclosed.
 2. Signing, mailboxes, site lighting and architectural materials shall be provided and installed by the property's owner-developer and shall be consistent and compatible with the scale and character of the development.
 3. Private driveways, street lighting, sidewalks, curbing and gutters, and parking bays shall be constructed to standards specified by the administrative authority or its agent.

BERRYVILLE TOWN COUNCIL

Set Public Hearing – Text Amendment to Article VII

October 13, 2015

The Berryville Planning Commission is initiating a text amendment to Article VII, Section 703.6(b)viii in order to require review by the Berryville Architectural Review Board of demolition, building relocation and structures erected behind the rear building line of the main residential building if visible from the right of way of properties located in the local historic district. TA 02-15

The Berryville Architectural Review Board is tasked with reviewing applications for Certificates of Appropriateness in the local historic district. They determine the historic, architectural and cultural significance of structures in the district and determine the appropriateness of proposed structures, additions, signage, etc.

While previous reviews for structures in the rear of properties visible from the right-of-way have occurred, the ordinance exempts accessory structures that lie entirely behind the rear building line of the principal structure. The proposed amendment would modify that exemption and require accessory structures in this location that are visible from the right-of-way be reviewed and a Certificate of Appropriateness issued prior to construction activities occurring for these structures.

A draft of the proposed amendment is identified on page 7-5 in the above-referenced section.

Recommendation

Set a public hearing for the November 10, 2015 meeting.

ARTICLE VII- HISTORIC DISTRICT REGULATIONS

SECTION 701 – PURPOSE; DESIGNATION; USES

701.1 PURPOSE

The purpose of this article is to promote the general welfare of the citizens of Berryville, maintain and enhance the unique architecture and overall character of the Town, and enhance educational, cultural and economic opportunities through:

- (a) The designation of historic or architecturally significant structures, places, and areas of historical interest;
- (b) The protection of such structures, places and areas as significant in the history of the state and town, commemorative of the events, circumstances and architectures associated with them, serving as tangible reminders of the Town's settlement and development history;
- (c) Promotion of the economy, commerce and industry of the Town, specifically with regard to property values and tourist trade, through the protection of such structures, places and areas, and the development and maintenance of appropriate and architecturally compatible settings.

701.2 HISTORIC DISTRICT OR LANDMARK DESIGNATION

- (a) The Town Council may adopt an ordinance setting forth any historic landmarks within the Town as established by the Virginia Department of Historic Resources, and any other structures within the Town having an important historic, architectural or cultural interest.
- (b) The Town Council may also amend the existing Zoning Ordinance of the Town of Berryville and set forth in such ordinance:
 - i. Any historic areas in the Town as defined by Section 15.1-430(b), Code of Virginia, 1950, as amended, and
 - ii. A delineation of one or more historic districts which:
 - (1) are adjacent to such landmarks and structures, or
 - (2) encompass such historic areas, or which
 - (3) encompass parcels of land contiguous to arterial streets or highways as designated pursuant to Title 33.1 of the Code of Virginia, 1950, as amended, including Section 33.1-41.1 of that Title. Such arterial streets or highways shall be found by the Governing Body to be significant routes of tourist access either to the Town, to designated historic landmarks, structures or districts in the Town or to any designated historic landmarks, structures or districts in Clarke County.
- (c) The Zoning Administrator shall maintain an inventory of each historic district which shall indicate any historic landmarks in the district, together with all properties.
- (d) A structure, group of structures, site or district may also be designated as a historic landmark or district if it:

Section 701 Historic District Regulations

- i. has significant character, interest or value as part of the Town's development or heritage; or
 - ii. portrays the environment in an era of history characterized by a distinctive architectural style; or
 - iii. is the work of a designer whose individual work has significantly influenced the development of Berryville; or
 - iv. contains elements of design, detail, materials or craftsmanship which represent a significant innovation; or
 - v. by being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historic, cultural or architectural motif; or
 - vi. owing to its unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood or Town.
- (e) Any property once included shall not be removed from the provisions of this Article except by rezoning by the Town Council in accordance with provisions of the State Code.
- (f) Such amendment of the Zoning Ordinance and the establishment of such districts shall be in accordance with the provisions of Article 8 (Section 15.1-486, et seq. of the Code of Virginia), and the Berryville Planning Commission, after public hearing, may recommend historic districts and/or tourism corridors for adoption. The Town Council may adopt such recommended historic districts and/or tourism corridors to be designated on the Town of Berryville Official Zoning Map.

701.3 PERMITTED USES

The historic district zones will be overlay zones. The uses permitted in the underlying zoning districts are not changed by this Ordinance. A Certificate of Appropriateness is required for actions as provided for below.

SECTION 702 – CREATION OF THE ARCHITECTURAL REVIEW BOARD

For the purpose of making effective the provisions of this Article, there is hereby created a board to be known as the Berryville Architectural Review Board (hereinafter referred to as the "Board" or "Architectural Review Board").

SECTION 703 – MEMBERSHIP, MEETINGS AND DUTIES OF THE BOARD

703.1 COMPOSITION

The Board shall consist of five (5) members who are citizens of or owners of property within the Town of Berryville, with some knowledge of and interest in historic preservation. Two (2) members shall be property owners within a local historic district in the Town of Berryville. It is strongly encouraged that one (1) member be a registered architect, and that at least two (2) members have professional training in architecture, architectural history, archaeology, American studies, history, planning or in some related field.

703.2 APPOINTMENT AND TERMS

The Board members shall be appointed by the Town Council for four-year terms of office beginning at the date of appointment; provided, that one (1) member of the Board first appointed shall be for one (1) year, one (1) shall be for two (2) years, one (1) shall be for three (3) years, and two (2) shall be appointed for four (4) years. Vacancies occurring during the term of a member shall be filled for the unexpired term only and shall be filled within sixty (60) days. Members who miss more than two (2) meetings per year may be subject to dismissal. The members of the Board shall serve as such without compensation, except for justifiable out-of-pocket expenses.

703.3 ORGANIZATION

The Board shall elect from its membership a chairman and a vice-chairman who shall be elected in January of each year. The chairman shall preside over all meetings of the Board and shall have the same right to vote and speak as other members. The vice-chairman shall, in the absence or disability of the chairman, perform the duties of the chairman. In the absence or disability of the chairman and the vice-chairman, the Board shall by majority vote of those present choose one of its members to act as chairman pro tempore. The Board shall elect a secretary (this person may or may not be a member of the Board) who shall keep a record of all resolutions, proceedings and actions of the Board.

703.4 PROCEDURE FOR MEETINGS

- (a) Three members of the Board shall constitute a quorum for the performance of its duties. The Board shall adopt rules for the performance of its duties, which shall provide for the time and place for the holding of regular meetings. Regular meetings shall be convened only if there is pending business to be transacted; however, the Board shall meet at least four (4) times per year. The rules shall also provide for the calling of special meetings by the chairman or at least two (2) members of the Board.
- (b) All meetings of the Board shall be open to the public. All actions by the Board must be taken at a public meeting.

Section 703 Membership, Meetings and Duties of the Board

- (c) The Board shall keep a summary record of its resolutions, proceedings and actions. The concurring affirmative vote of a majority of the members present and voting shall be necessary for the adoption of any resolution, motion or other action of the Board. The Board in the exercise of its powers and performance of its duties shall act only by formal resolution which shall set forth the reasons for its decision. The vote of each member participating shall be recorded by the secretary.
- (d) The Board members shall act in compliance with all applicable conflict of interest laws, including exempting themselves from voting on any action in which their financial interests are directly involved.

703.5 STAFF ASSISTANCE

- (a) Upon request of the Board – and with the approval from the Town Manager – staff members or departments of the Town government shall furnish to the Board such information and render such service as may be required by the Board.
- (b) The Board may, from time to time, seek the advice of persons knowledgeable in the fields of architecture, landscape architecture, historic preservation or other relevant professions.

703.6 DUTIES OF THE BERRYVILLE ARCHITECTURAL REVIEW BOARD

- (a) The Board shall recommend to the Planning Commission which shall in turn recommend to the Town Council any changes, deletions, or additions to the boundaries of any historic districts; the creation of additional districts; determine the historic, architectural and cultural significance of the structures; and determine the appropriateness of proposed structures and signs.
 - (b) The Board will review all applications for a Certificate of Appropriateness for the following, using the guidelines set forth in Section 705.1 below:
 - i. All new construction lying within the boundaries of a historic district, which creates a new structure of over one hundred fifty (150) square feet which is visible from a public right of way.
 - ii. Additions to existing contributing residential and non-residential structures within the boundaries of a historic district and visible from a public right-of-way. **(11/00)**
 - iii. Erection of all new signs within the boundaries of a historic district.
 - iv. Relocation of all contributing structures of over one hundred fifty (150) square feet which are visible from a public right-of-way, and are currently within the boundaries of a historic district.
 - v. Demolition of all contributing structures of over one hundred fifty (150) square feet which are visible from a public right-of-way, and are within the boundaries of a historic district.
- Exceptions** – The following are excepted from the requirements of this Article:
- vi. Construction of single-family detached residences and accessory structures in residential zoning districts of Annexation Area B.
 - vii. Additions or unenclosed and unroofed rear yard decks, porches, and stoops to residential structures. On corner lots, the addition is reviewable if it faces one of the streets. **(11/00)**

Section 703 Membership, Meetings and Duties of the Board

- viii. Demolition, relocation, or erection of structures accessory to residences, where the accessory structure lies entirely behind the rear building line of the main residential building **if not visible from a public right of way. On corner lots, the accessory building must lie behind the main residence when calculated from either street.**
- ix. Erection of identification and home occupation signs for individual residences.

703.7 WAIVER OF REQUIREMENTS

The Board or the Zoning Administrator may waive any requirement of this Article, if the applicant demonstrates that strict adherence to this Article would create a substantial hardship for the applicant due to unique circumstances, or that the requirements are unreasonable given the applicant's unique circumstances. No such waiver shall be granted where the waiver would be detrimental to the intent of this Article, the Berryville Zoning Ordinance, the Berryville Comprehensive Plan and/or its Berryville Area Plan component.

SECTION 704 – ANNEXATION AREA B

704.1 BERRYVILLE DEVELOPMENT AUTHORITY TO ACT ON NEW STRUCTURES AND ACCOMPANYING NEW SIGNS IN ANNEXATION AREA "B".

For the area designated as Annexation Area "B" in the Clarke County, Town of Berryville Agreement Defining Annexation Rights dated December 29, 1988, the Berryville Area Development Authority ("BADA") is designated as the administrative body of the Town Council, granted the authority to carry out the duties of the Berryville Architectural Review Board, regarding the erection of new structures and accompanying new signs only. The BADA shall review only those proposals for property in Annexation Area B which is the subject of the application and for which no final certificate of occupancy has been granted. For such proposals located within a historic district, the BADA is authorized to exercise all related duties of the Architectural Review Board as described in this Ordinance, including issuance of a Certificate of Appropriateness. The Architectural Review Board shall serve as the administrative body in all other circumstances.

SECTION 705 CERTIFICATE OF APPROPRIATENESS

705.1 CRITERIA TO BE CONSIDERED FOR CERTIFICATE OF APPROPRIATENESS

Before a Certificate of Appropriateness is issued by the Board for structures as noted in Section 703.6.b, the Board, in addition to other pertinent factors related to the purpose of this Article, shall consider:

- (a) The historical and architectural value and significance of the structure, and its relationship with the land and area of the historic district in which it is located or proposed to be located.
- (b) The appropriateness of the exterior architectural features of a structure, given its site and location, and its compatibility with the exterior architectural features of other structures or places in the historic district and environs.
- (c) The general exterior design, arrangement and materials used or to be used in the structure and the type of windows, exterior doors, lights, architectural details, signs, and/or parking visible from a public right-of-way, and their compatibility with the other factors to be considered by the Board under this Section.
- (d) Concerning requests for demolition, the general level of expense likely to be incurred in the continued maintenance of an existing building, and the extent of any hardship likely to be caused by such expense.
- (e) The Board may also adopt additional guidelines providing further criteria for review of proposed projects.
- (f) In reviewing these factors, the Board shall consider whether a proposed design or demolition request would have a positive or neutral effect on the unique character of Berryville, or would harm and lessen the unique character of the Town.

705.2 APPROVALS OR DISAPPROVALS

- (a) Upon evaluation of plans submitted, according to the guidelines outlined in this Article, the Board shall approve or disapprove such modifications of the plans as the Board deems necessary to execute the purpose of this Article; otherwise the Board shall reject such plans and shall not issue the Certificate of Appropriateness.
- (b) The Board shall meet to consider such plans within fifteen (15) weekdays, excluding legal holidays, from the date of the submission of an application accepted as completed by the Zoning Administrator.
- (c) The Board shall act to approve or disapprove such plans (with or without conditions or modifications) within sixty (60) days from the date of complete application for the Certificate of Appropriateness—unless a longer time is agreed to by or on behalf of the applicant.

Section 706 Administrative Support from Planning Department

SECTION 706 - ADMINISTRATIVE SUPPORT FROM PLANNING DEPARTMENT

The Planning Department will provide administrative support for the Architectural Review Board as follows:

- 706.1 THE MAINTENANCE OF RECORDS, DISTRICT MAPS AND INVENTORY**
Maintain records of historic district zoning amendments; the zoning map showing any historic districts; an inventory list of all properties in historic districts.
- 706.2 APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS**
Receive applications that include plans and specifications provided by the applicant showing the proposed exterior architectural features of each structure or addition to a structure which shall include, but shall not necessarily be limited to, the construction techniques to be used; the general design, arrangement, texture, and materials proposed to be used; and the type of windows, exterior doors, lights, landscaping, parking, signs and other exterior details, fixtures and appurtenances which will be visible from a public street. Plans shall show the proposed action in relation to surrounding properties and structures.
- 706.3 ISSUANCE OF ZONING PERMITS AND SIGN PERMITS**
The Zoning Administrator shall issue zoning permits and/or sign permits for approved projects within a historic district following Board issuance of a Certificate of Appropriateness.

SECTION 707 RAZING OR DEMOLITION

- 707.1** Subject to the provisions of Subsection 707.2 hereof and Section 708, no contributing structure lying within a historic district shall be razed, demolished, or moved until the razing, demolition or moving thereof is approved by the Architectural Review Board which shall evidence its approval by issuing a Certificate of Appropriateness; or, on appeal, upon approval by the Town Council after consultation with the Architectural Review Board.
- 707.2** Following denial of a demolition application by the Architectural Review Board and denial of an appeal by Town Council, the property owner shall have the right to pursue demolition of the structure in question after offering the property for sale according to the procedure described in Section 15.2-2306 of the Code of Virginia, 1950, as amended.

SECTION 708 HAZARDOUS STRUCTURES

(11/97) Nothing in this Article shall prevent the razing or demolition of any structure which is in such an unsafe condition that it poses a threat to life or property, and protection from such condition is provided for in the BOCA Building Code and/or other applicable Town Ordinances.

Requests for demolition shall be reviewed by the following procedure:

1. For contributing structures less than three-hundred (300) square feet in size, such razing or demolition shall not commence unless the Clarke County building official certifies, in writing, that the structure is in such an unsafe condition that it poses a threat to life or property. After receiving such written report the Town Planner shall issue a waiver from the Certificate of Appropriateness requirement.
2. For contributing structures more than three-hundred (300) square feet in size, requests for razing or demolition shall be forwarded to the Architectural Review Board. The Architectural Review Board shall have the Town's engineer or other agent officially recognized by the Town of Berryville examine the structure to determine whether the structure is in such an unsafe condition that it poses a threat to life or property. If the Town's engineer determines that the structure poses such a threat, the Architectural Review Board shall issue a Certificate of Appropriateness for the demolition of the structure.

The cost of the review by the Town's engineer or agent shall be paid by the applicant.

SECTION 709 APPEALS OF BOARD DECISIONS

709.1 APPEALS TO THE TOWN COUNCIL

- (a) Any person aggrieved by any decision of the Board may, within thirty (30) days after the final decision of the Board, appeal such decision to the Town Council by filing both with the Board and the Town Manager a request in writing to that effect, setting out the reasons for the appeal.
- (b) The Town Council may reverse, modify or reaffirm the decision of the Board, in whole or in part. **(4/96)**
- (c) The Town Council may review any decision of the Board on its own authority if such review is undertaken within fifteen (15) days of the decision of the Board. The Council may reserve, modify or reaffirm the decision of the Board.

709.2 APPEALS TO THE CIRCUIT COURT

Any person aggrieved by any decision of the Town Council may appeal such decision to the Circuit Court of Clarke County for review by filing a petition at law, provided such petition is filed within thirty (30) days of the final decision of the Town Council. The court may reverse or modify the decision of the Town Council, in whole or in part, or it may affirm the decision of the Town Council.

SECTION 710 BOUNDARIES OF THE HISTORIC DISTRICT

The boundaries of historic districts or historic landmarks are delineated upon the Town of Berryville, Virginia, Zoning Map, as overlay zones.

SECTION 711 SEVERABILITY

In case any section, paragraph or part of this historic district Article, for any reason, be declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

SECTION 712 DEFINITIONS FOR ARTICLE VII REGULATIONS

- 712.1** Contributing: A structure, which is fifty (50) years old or older, and has not been altered so significantly (prior to being placed in a local historic district) as to lose its historic character.
- 712.2** Historic District: A property or area designated by the Berryville Town Council which is subject to the requirements of this Article.
- 712.3** Noncontributing: A structure less than fifty (50) years old, or one that is fifty (50) years old or older and which has been so altered (prior to being placed in a local historic district) that it has lost much of its historic character. Structures determined to be noncontributing may be administratively approved for demolition upon written approval by the Zoning Administrator.
- 712.4** Structure: A building or an addition to a building which increases the overall physical dimensions of such building; or a statue or monument visible from a public or other public place.

Section 710 Boundaries of the Historic District

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BERRYVILLE TOWN COUNCIL
Wayfinding and Tourist Oriented Directional Signage Update
September 8, 2015

Wayfinding Signs

Staff has contacted Frazer Associates requesting an updated documents concerning the VDOT review process and suggested scope of work and cost estimates. Staff anticipates receipt of the updated information prior to the November meeting. The 2015-2016 Budget allows for \$10,000 (100-4081500-5411) in the current FY.

At the last Council meeting there was a discussion about the branding identified in the signage package below. Staff is requesting a confirmation of general agreement amongst Council members for this branding and to delegate final design approval to the Town Council Community Improvements Committee.

TOD Signs

Mr. Newcomb from Virginia Logos forwarded information on both the Barns and Historic District signs as requested from the committee reviewing these facilities which follows this report. The Clarke County Economic Development Advisory Committee reviewed the options and recommended option 4 on page 3 identified with blue highlighter. The Town/County Economic Development Joint Committee agreed that option 4 would be appropriate signage for the Route 7 Bypass. Additional discussion included concern of duplication once the wayfinding signage was completed.

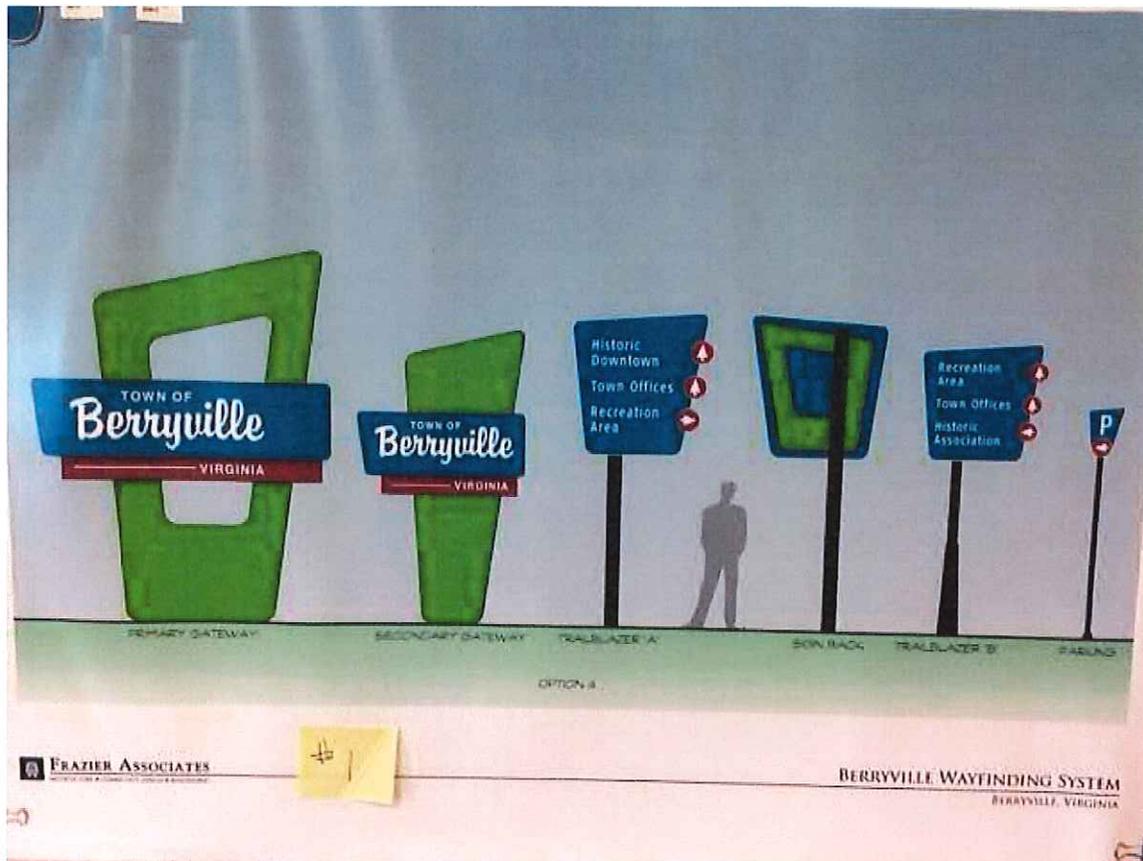
The 2015-2016 Budget allows for \$2,000 (100-4081500-5410) in the current FY.

September 8, 2015 Staff Report

The Community Improvements Committee met on Wednesday, August 12 and discussed wayfinding and Tourist Oriented Directional signage.

Wayfinding Signs

Frazier and Associates designed four wayfinding signage packages through the Virginia Main Street program. The Community Improvements Committee recommends sign package #1 (photo below).



Committee members felt that the package was attention-getting and that being noticed is what this signage is all about. They reiterated that this package had a 50's look that was also reminiscent of the Park Service signage.

Included in this packet are several documents provided by Frazier Associates concerning guidance through the process with VDOT and scope of work and cost for implementing the program. Please note these costs do not include signage fabrication. The documents were produced in May of 2014. Staff will contact Frazier to update content should Council wish to begin the process.

Tourist Oriented Directional (TOD) Signage

Council previously discussed TOD signage identifying the Berryville Historic District. The Community Improvements Committee reviewed a draft application for panels to be included on existing assemblies at the east and west entrances of Main Street on the Route 7 Bypass. Town staff is participating on a committee reviewing signage for the newly certified visitors' center with representatives from the County and the Barns. We met with Jason Newcomb who represents VDOT's signage contractor, Virginia Logos. After discussing the needs of both the Barns and the Town, Mr. Newcomb recommended that he takes a comprehensive view of the signs we are requesting. He has staked all of the proposed signage locations identified at the meeting and should have information for us concerning signage options and preliminary cost estimates by the October Council

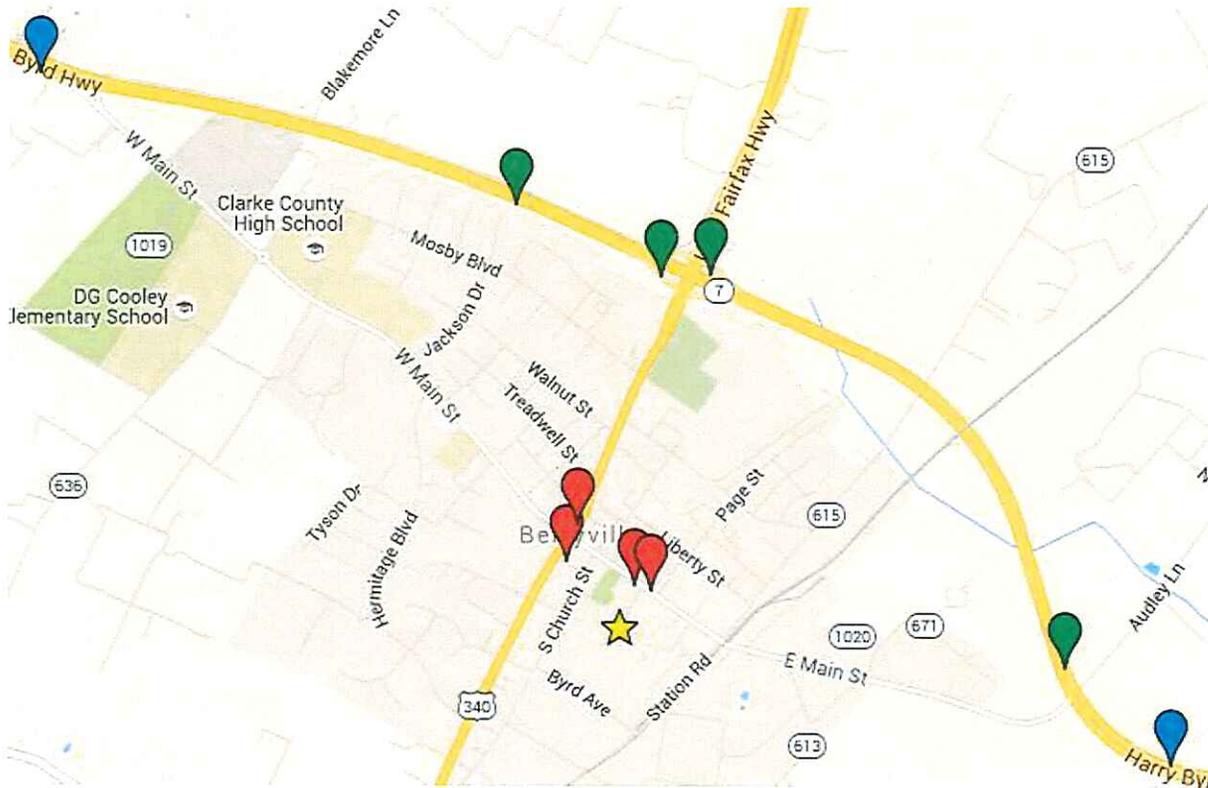
meeting. He indicated that we may be able to have more cost effective, less expensive signage options when reviewed and installed together.

Staff will update Council at the October meeting on both types of signage. The current budget allocates \$10,000 for wayfinding and \$2,000 for TOD signage.

Recommendation

Staff is requesting a confirmation of general agreement amongst Council members for this branding package and to delegate final design approval to the Town Council Community Improvements Committee.

Berryville Tourist Info Center Berryville Historic District Sign Options



You have the option to select the signs marked in **Blue** OR the signs marked in **Green**, but not both.

You can do the signs marked in **Red** even if you do not move forward with the signs on SR 7. Some of the signs in **Red** may be required depending on which options are selected for signs on SR 7.

Yellow – The TIC

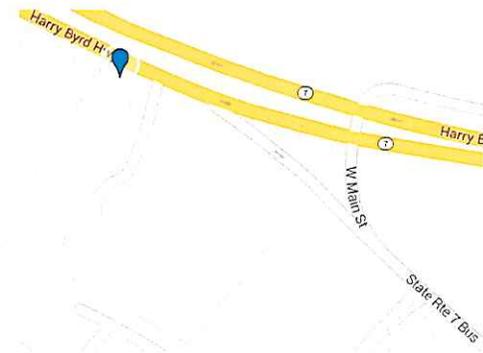
Blue – Sign options at SR 7 and BS 7

Green – Sign options at SR 7 and US 340

Red – Signs that available under both options

SR 7 Eastbound at BS 7 Options

One of these six Options could be used.



New square tube post installed 100' after the route marker and 150' before the Berryville sign.
39.168598
-78.007406

Berryville Clarke County
Tourist Info Center
at Barnes of Rose Hill
RIGHT AT SIGNAL

Historic District
RIGHT AT SIGNAL

Option 1 \$5,730.10
10'x4' - TIC
10'x2.5' - HD

Berryville Clarke County
Tourist Info Center
at Barnes of Rose Hill
RIGHT AT SIGNAL

Berryville
Historic District
RIGHT AT SIGNAL

Option 2 \$6,074.69
10.5'x4' - TIC
10.5'x3' - HD

Tourist Info Center
at Barnes of Rose Hill
RIGHT AT SIGNAL

Historic District
RIGHT AT SIGNAL

Option 3 \$5,109.73
9'x3' - TIC
9'x2.5' - HD

Tourist Info Center
at Barnes of Rose Hill
RIGHT AT SIGNAL

Berryville
Historic District
RIGHT AT SIGNAL

Option 4 \$5,284.16
9'x3' - TIC
9'x3' - HD

Tourist Info
Center
RIGHT AT SIGNAL

Historic District
RIGHT AT SIGNAL

Option 5 \$4,041.50
6.5'x3' - TIC
6.5'x2.5' - HD

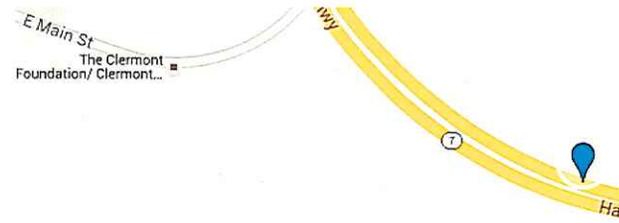
Tourist Info
Center
RIGHT AT SIGNAL

Berryville
Historic District
RIGHT AT SIGNAL

Option 6 \$4,176.06
6.5'x3' - TIC
6.5'x3' - HD

SR 7 Westbound at BS 7 Options

One of these six Options could be used



New square tube post structure installed 250' before the flashing light sign, .2 miles before the turn.

39.14342
-77.95445

Berryville Clarke County
← Tourist Info Center
at Barnes of Rose Hill

← Historic District

Option 1 \$4,723.35
10.5'x3.5' - TIC
10.5'x1.5' - HD

Tourist Info Center
at Barnes of Rose Hill
←

← Historic District

Option 3 \$4,236.87
9'x3' - TIC
9'x1.5' - HD

Tourist Info Center
←

← Historic District

Option 5 \$3,209.85
5'x3' - TIC
5'x2.5' - HD

Berryville Clarke County
← Tourist Info Center
at Barnes of Rose Hill

← Berryville
Historic District

Option 2 \$5,649.02
10.5'x3.5' - TIC
10.5'x2.5' - HD

Tourist Info Center
at Barnes of Rose Hill
←

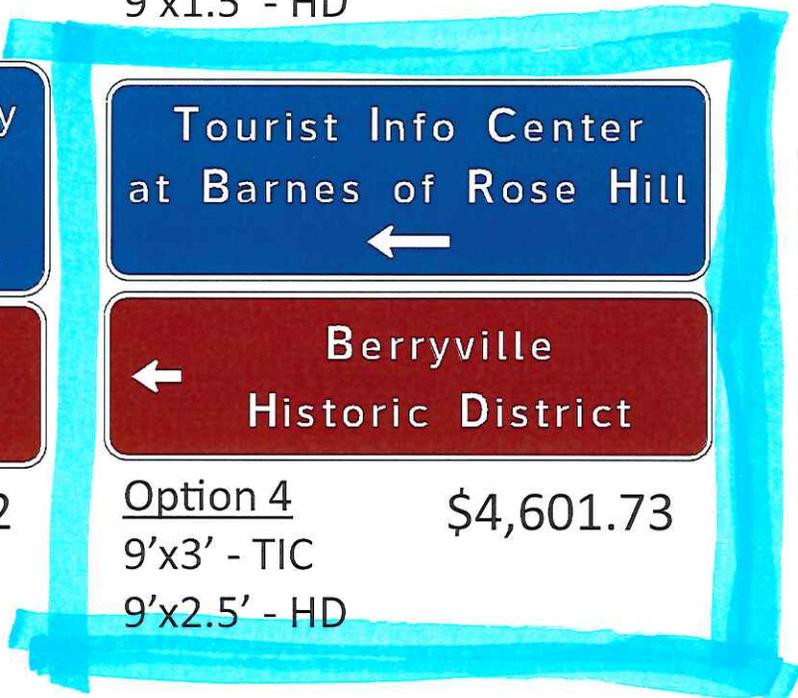
← Berryville
Historic District

Option 4 \$4,601.73
9'x3' - TIC
9'x2.5' - HD

Tourist Info Center
←

← Berryville
Historic District

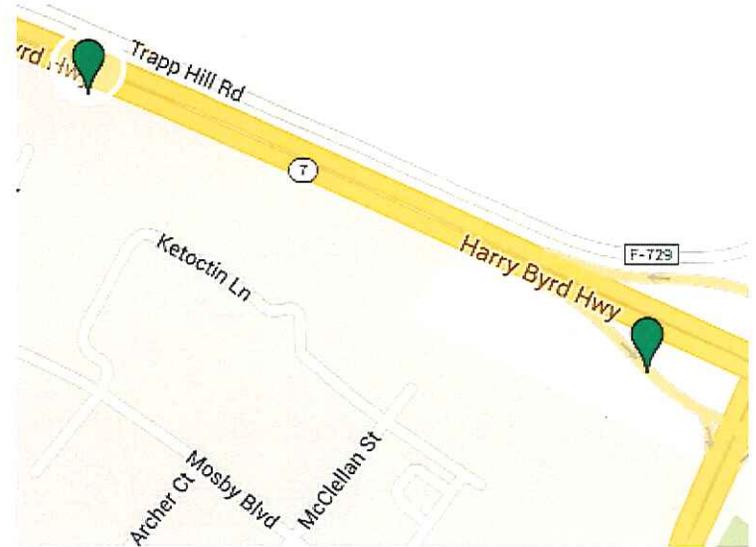
Option 6 \$3,912.55
5'x3' - TIC
5'x3.5' - HD



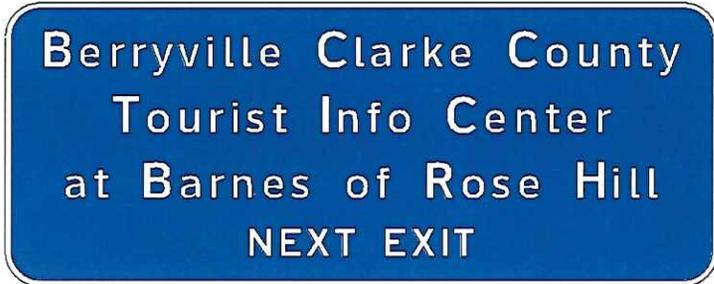
SR 7 Eastbound at US 340 Options

One of these three Mainline and Ramp Options could be selected

The mainline sign will be installed on a square tube post structure 800' past the Logo structure and .2 miles from the exit.
39.163811 -77.985146

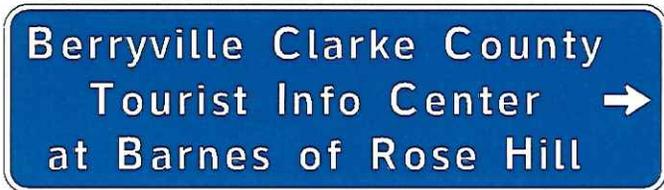


Option 1



Mainline 10'x4' \$4,216.60

The ramp sign will be installed on a square tube post structure between the Logo structure and the Berryville/GMSS sign
39.161209 -77.978413



Ramp 7'x2' \$2,662.56
4" Font

Option 2



Mainline 9'x3' \$3,689.58



Ramp 6'x2' \$2,581.48
4" Font

Option 3



Mainline 5'x3' \$2,703.10



Ramp 5'x3' - 6" Font \$2,703.10

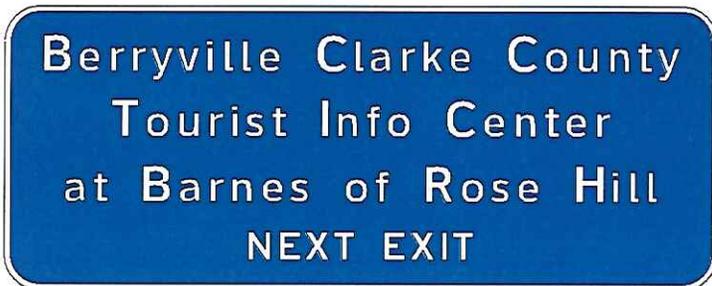
SR 7 Westbound at US 340 Options

One of these three Mainline and Ramp Options could be selected

The mainline will be installed on a square tube post structure 200' past the light for Main Street and 250' before the speed limit sign, 1.2 miles before the exit.
39.14699 -77.95943

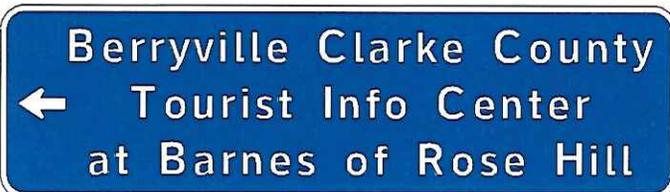


Option 1



Mainline 10'x4' \$4,216.60

The ramp sign will be installed on a square tube post structure 75' past the Berryville/GMSS sign and 50' before the No Parking sign, offset from other signs for visibility.
39.16130 -77.97608



Ramp 7'x2' \$2,662.56
4" Font

Option 2



Mainline 9'x3' \$3,689.58



Ramp 6'x2' \$2,581.48
4" Font

Option 3



Mainline 5'x3' \$2,703.10



Ramp 5'x3' - 6" Font \$2,703.10

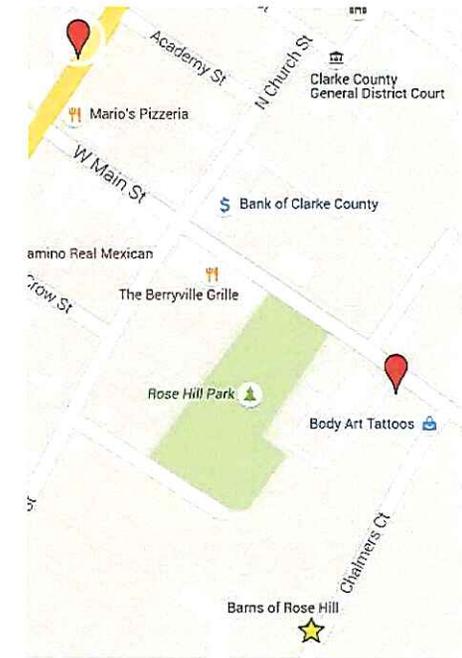
US 340 Southbound at Main St



2.5'x2.5'

This sign is required if the SR 7 at US 340 option is selected.

\$2,335.88



Add this sign to the Park and Shop location, upgrading the structure to a new square tube post structure.
39.15218 -77.982276



US 340 Northbound at Main St

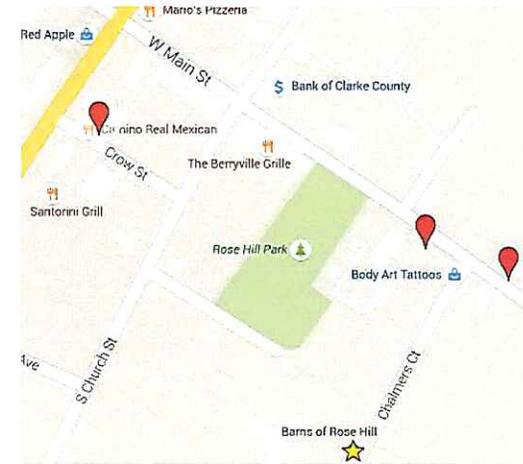


2.5'x2.5'

\$1,754.88

Add this sign to the outside post of the existing VDOT structure for Frederick, Washington, and Winchester.

39.150852 -77.982801



BS 7 Main Street Eastbound at Chalmers Ct Options



4.5'x1.5'



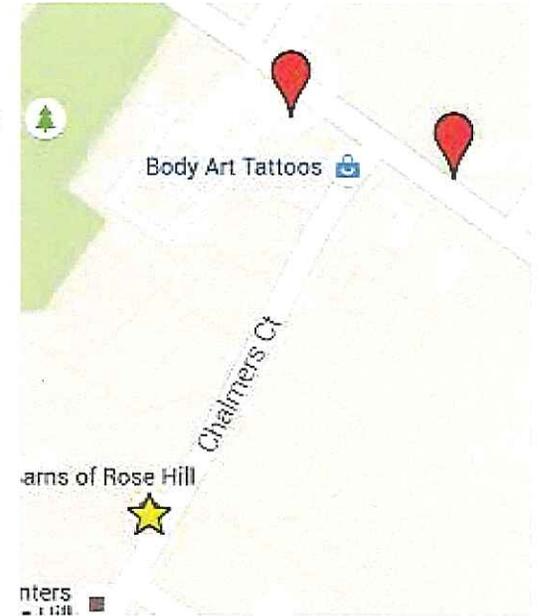
4.5'x2.5'



2'x2'

This sign is required if any option is selected on SR 7 or on US 340.

\$2,986.88



Remove the white, double sided sign and install these three signs on a new square tube post structure at the new location staked prior to the turn.
39.14974 -77.97878

BS 7 Main Street Westbound at Chalmers Ct Options



4.5'x1.5'



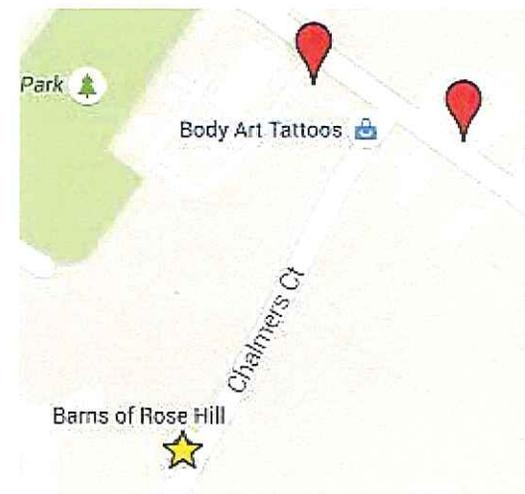
4.5'x2.5'



2'x2'

This sign is required if the sign on SR 7 WB at BS 7 option is selected.

\$2,986.88



Remove the white, double sided sign and install these three signs on a new square tube post structure at the new location staked prior to the turn.

39.14999 -77.979596



Attachment 4

BERRYVILLE TOWN COUNCIL
Resolution for Public Street Acceptance
October 13, 2015

Staff has completed paperwork for additions to the VDOT Urban Highway System and Maintenance Inventory. The following streets have recently been completed:

- Beauregard Court – located in the western portion of Battlefield Estates off of Mosby Boulevard.
- Delany Court – located in the western portion of Battlefield Estates off of Mosby Boulevard.

The following streets, while constructed for a number of years, are eligible for reimbursement:

- McClellan Street – street on which Mary Hardesty House and Greenfield are accessed.
- Springsbury Road – Jack Enders to the entrance of the Berryville Glen subdivision.
- Bundy Street – was not brought in with the balance of the secondary streets in 2012. Staff has confirmed that Bundy, formerly Blackburn Street, was established prior to 1950 which is required for streets with nonconforming right-of-way widths.

The following items are included in this packet:

- Form U-1 identifying specific information about each street;
- Road Inventory Notification Form M4.01;
- Vicinity maps for Beauregard and Delany courts; McClellan Street; Springsbury Road; and Bundy Street;
- Resolution requesting acceptance of the above streets into the VDOT Urban Highway System and Maintenance System; and
- Motion for adoption of resolution.

Recommendation

Adopt motion for the resolution and direct staff to forward paperwork to VDOT for acceptance.

LOCAL ASSISTANCE DIVISION
VDOT
REQUEST FOR STREET ADDITIONS AND DELETIONS
FOR STREET PAYMENTS

MUNICIPALITY **Town of Berryville**

STREET NAME ROUTE NUMBER *	TERMINI		R/W WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CENTER- LANE MILES	NUMBER OF LANES	LANE MILES	FUNC. CLASS. (T&MPD USE ONLY)
	FROM	TO						
Beauregard Court	Mosby Boulevard	Terminus	50	26	.030	2	.060	
Delany Court	Mosby Boulevard	Terminus	50	26	.120	2	.360	
McClellan Street	Mosby Boulevard	Terminus	50	35	.092	2	.184	
Springsbury Road	Jack Enders Blvd.	Burwell Court	50	26	.268	2	.536	
Bundy Street	North Church Street	US 340 (North Buckmarsh Street)	30	16	.14	1	.140	

*Council Resolution and Map Attached

SIGNED _____
RESIDENCY ADMINISTRATOR DATE

SIGNED _____
MUNICIPAL OFFICIAL DATE

CLASSIFIED BY _____
T&MPD ENGINEER DATE

Submit to: Residency Administrator in triplicate

Virginia Department of Transportation
Maintenance Division
Road Inventory Notification Form M4.01

Project Information

Project Number: STR 101315	UPC:
Transmitted By (PM): Town of Berryville	Date: October 14, 2015

Road Sections Added or Removed

Type of Change – check Yes or No for each	Yes	No	Remarks*
Project adds new road sections or realigns existing sections	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Project adds new ramps or creates new intersections with existing VDOT-maintained roads	<input type="checkbox"/>	<input type="checkbox"/>	

Changes to Existing Road Sections

Type of Change – check Yes or No for each	Yes	No	Remarks*
Project may involve changes to route numbers for existing road sections	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project reconfigures existing intersection(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project adds or removes medians	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes existing median type or width	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project adds or removes thru lanes in any direction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project adds or removes reversible lanes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes total paved surface width	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes total width of thru travel lanes	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes pavement surface or base type	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes shoulder types	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project changes width of paved and/or unpaved shoulder widths	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Project adds/removes or changes curbs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Project adds/removes sidewalks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

* Provide specific station to station information where change is located (if applicable). Remarks are optional. If remarks are provided they should include station to station information where change is located (if applicable).

Contact Information:

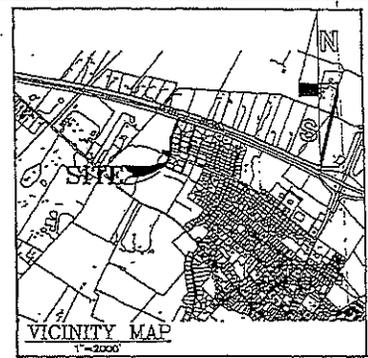
Form Completed By: Christy Dunkle
Phone: 540 955-4081
Person to Contact for Further Information: Christy Dunkle
Phone: 540 955-4081

Email completed form to: rimu@vdot.virginia.gov

11/1/06
 DATE
 11-3-06
 DATE
 1/5/06
 DATE

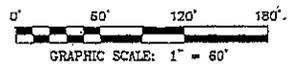
LOT 116	26,905	SQ.FT.±(0.61765 ACRES)±
LOT 117	23,482	SQ.FT.±(0.53861 ACRES)±
LOT 118	28,600	SQ.FT.±(0.65856 ACRES)±
LOT 119	23,148	SQ.FT.±(0.53148 ACRES)±
LOT 120	26,529	SQ.FT.±(0.65484 ACRES)±
LOT 121	36,958	SQ.FT.±(0.84948 ACRES)±
LOT 122	39,653	SQ.FT.±(0.91031 ACRES)±
LOT 123	27,913	SQ.FT.±(0.64079 ACRES)±
LOT 124	21,986	SQ.FT.±(0.50473 ACRES)±
LOT 125	22,799	SQ.FT.±(0.52339 ACRES)±
LOT 126	22,237	SQ.FT.±(0.51048 ACRES)±
LOT 127	27,729	SQ.FT.±(0.63567 ACRES)±
LOT 200	24,323	SQ.FT.±(0.55838 ACRES)±
LOT 201	25,674	SQ.FT.±(0.58939 ACRES)±
LOT 249	27,625	SQ.FT.±(0.63441 ACRES)±
LOT 250	25,094	SQ.FT.±(0.57609 ACRES)±

- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- CURRENT DEED IN CHAIN OF TITLE IS DEED BOOK 191 PAGE 768 AND STANDS IN THE NAME OF KETOCTIN LAND COMPANY.
- THE PROPERTY DELINEATED ON THIS PLAT IS LOCATED ON CLARKE COUNTY TAX MAP NUMBER 14 ((A)) 7.
- THE PROPERTY DELINEATED ON THIS PLAT IS CURRENTLY ZONED: DR4 DETACHED RESIDENTIAL AND PROPOSED USE FOR SINGLE FAMILY RESIDENTIAL.
- THE PROPERTY SHOWN HEREON IS LOCATED WITHIN ZONE "C" AREAS OUTSIDE 100 YEAR FLOOD, AS SHOWN ON FLOOD INSURANCE RATE MAP OF CLARKE COUNTY, VIRGINIA, COMMUNITY PANEL NUMBER 510035 0113 A, EFFECTIVE DATE NOVEMBER 15, 1978.
- IRON PIPES WILL BE SET AT ALL CORNERS NOT PREVIOUSLY MONUMENTED UPON APPROVAL OF THIS PLAT.
- ALL STREET RIGHT OF WAY AND SANITARY SEWER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO PUBLIC USE.
- A "10" GENERAL UTILITY EASEMENT IS HEREBY RESERVED ALONG ALL FRONT, SIDE AND REAR PROPERTY LINES.
- BERRYVILLE AREA PLAN RECOMMENDS USE OF LAND TO BE RESIDENTIAL.
- FINAL PLAT IS BASED UPON CONSTRUCTION PLANS TITLED "BATTLEFIELD ESTATES, SECTION 4B" AND PREPARED BY URBAN ENGINEERING & ASSOCIATES, INC., DATED: SEPTEMBER, 2005. THESE PLANS SHOW BOTH THE EXISTING & PROPOSED CONDITIONS (TOPO, DRAINAGE, UTILITIES, ETC.) AND IMPROVEMENTS (STREETS, GRADING, STORM DRAINAGE, UTILITIES, ETC.) AS REQUIRED BY TOWN OF BERRYVILLE.



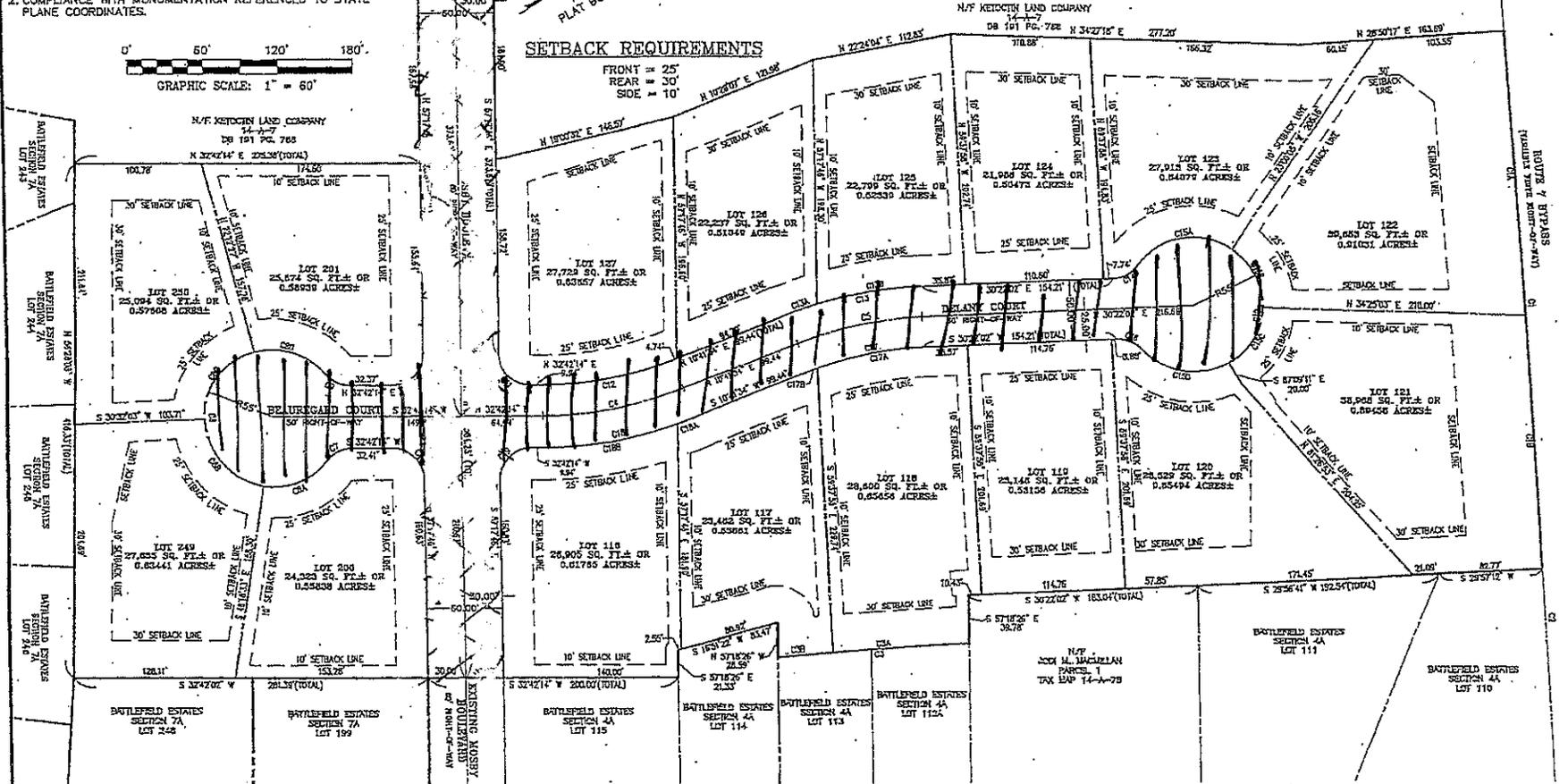
PROPOSED WAIVERS OF ORDINANCE REQUIREMENTS

- REQUEST WAIVER OF MAXIMUM LOT SIZE OF 30,000 SQ.FT. IN DR4 TO ACCOMMODATE COMPLIANCE WITH MAXIMUM CUL-DE-SAC LENGTH OF 600'. APPROVED PRELIMINARY UNDER PREVIOUS ZONING REQUIREMENTS SHOWS MAXIMUM LOT SIZE OF 40,000 SQ.FT.
- COMPLIANCE WITH MONUMENTATION REFERENCED TO STATE PLANE COORDINATES.



SETBACK REQUIREMENTS

FRONT = 25'
 REAR = 30'
 SIDE = 10'



OWNERS' CERTIFICATE
 THE ABOVE AND FOREGOING SUBDIVISION, AS APPEARS IN THE ACCOMPANYING PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.
 [Signature] 12/6/05
 ON BEHALF OF KETOCTIN LAND COMPANY DATE

NOTARY PUBLIC
 STATE OF Virginia
 CITY/COUNTY OF Clarke
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23rd DAY OF August, 2006 BY C. C. Eckhardt, President of Ketoctin Land Company ON BEHALF OF KETOCTIN LAND COMPANY.
 [Signature] 12/6/05
 NOTARY PUBLIC BY COMMISSION EXPIRES

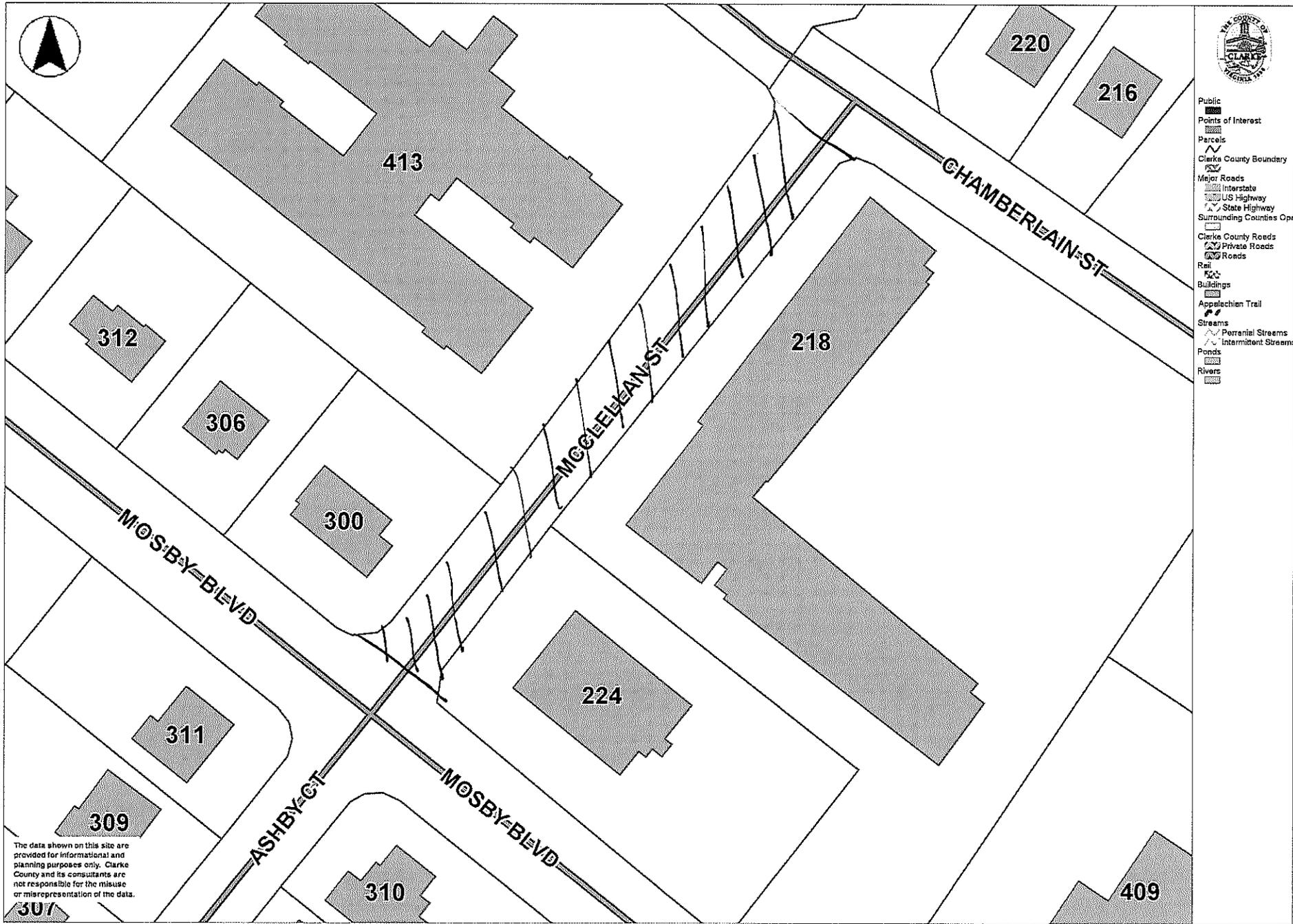
SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS SUBDIVISION IS A PART OF THAT TRACT OR PARCEL OF LAND OF KETOCTIN LAND COMPANY AS RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF CLARKE COUNTY, VIRGINIA, IN PLAT BOOK 4 PAGE 7.
 [Signature] 12-06-05
 C. J. RANKER, JR., L.P. #1058 DATE

Urban Engineering & Associates, Inc.
 CIVIL ENGINEERS - LANDSCAPE ARCHITECTS - PLANNING SURVEYORS
 659 FORT BRIDGES ROAD, SUITE 100, BERRYVILLE, VA 22834
 (540) 461-1111
 FINAL PLAT
 BATTLEFIELD ESTATES - SECTION 4B
 TOWN OF BERRYVILLE
 LONG MARSH MAGISTERIAL DISTRICT
 SHEET 1 OF 1
 P105150

VICINITY MAP - BEAUREGARD & DELANY COURTS



- Public
- Points of Interest
- Parcels
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
 - Surrounding Counties Open Road
- Clarke County Roads
 - Private Roads
 - Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
 - Perennial Streams
 - Intermittent Streams
- Ponds
- Rivers



The data shown on this site are provided for informational and planning purposes only. Clarke County and its consultants are not responsible for the misuse or misrepresentation of the data.

0 110 220 ft

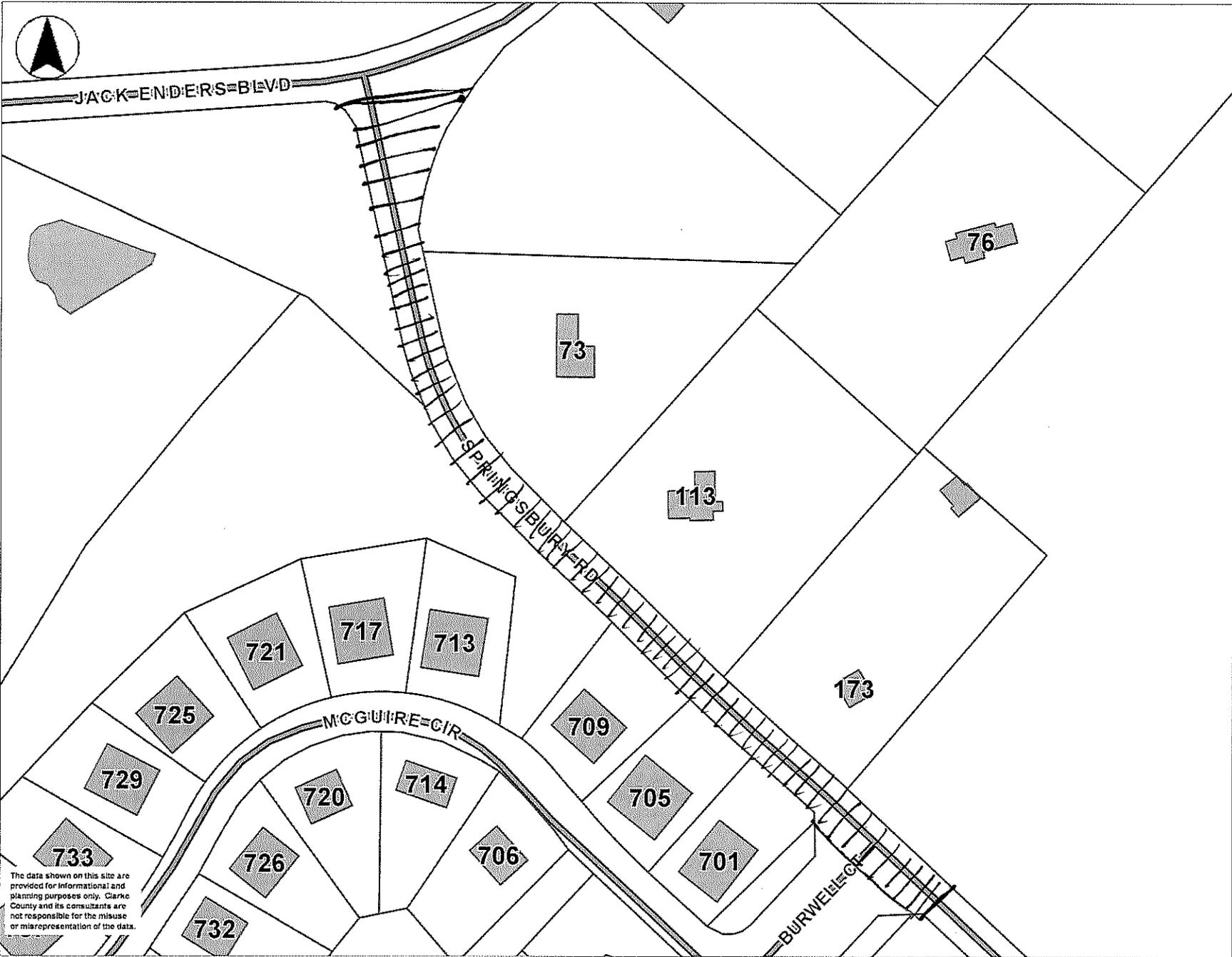
Printed on 10/08/2015 at 09:52 AM

Clarke County MapsOnline

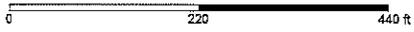
McCLELLAN ST. VICINITY MAP



- Public
- Points of Interest
- Parcels
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
- Surrounding Counties Opaque
- Clarke County Roads
 - Private Roads
 - Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
 - Perennial Streams
 - Intermittent Streams
- Ponds
- Rivers



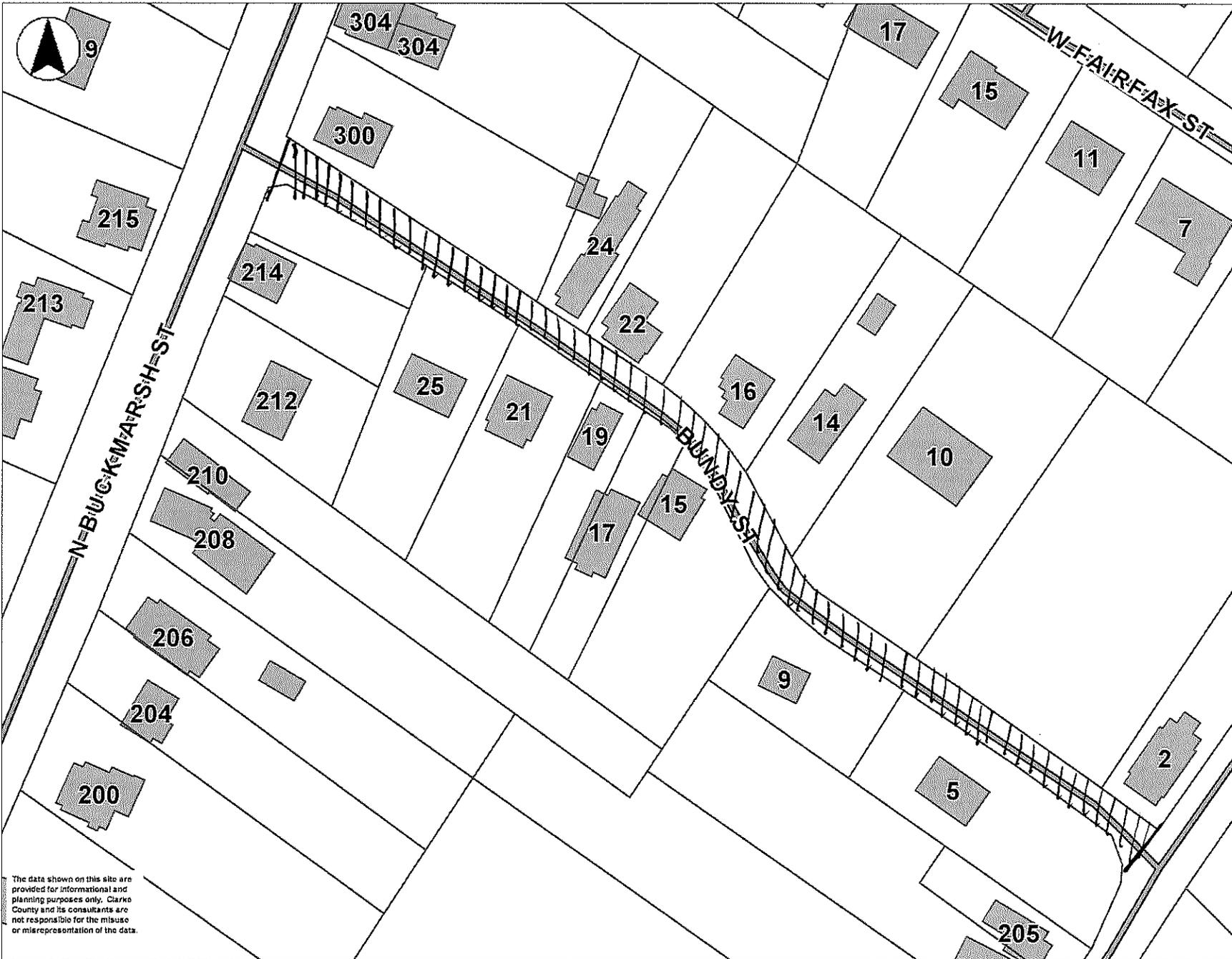
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Printed on 10/08/2015 at 11:06 AM

Clarke County MapsOnline

SPRINGSBURY ROAD VICINITY MAP



- Public
- Points of Interest
- Parcels
- Clarke County Boundary
- Major Roads
 - Interstate
 - US Highway
 - State Highway
- Surrounding Counties Opaque
- Clarke County Roads
 - Private Roads
 - Roads
- Rail
- Buildings
- Appalachian Trail
- Streams
 - Perennial Streams
 - Intermittent Streams
- Ponds
- Rivers

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Printed on 10/09/2015 at 09:50 AM

Clarke County MapsOnline

BUNOY STREET VICINITY MAP

Town of Berryville
Berryville-Clarke County
Government Center
101 Chalmers Court Suite A
Berryville, VA 22611



[T] 540/955-1099
[F] 540/955-4524
[E] info@berryvilleva.gov

www.berryvilleva.gov

**RESOLUTION OF GOVERNING BODY OF
The Town of Berryville**

The governing body of the Town of Berryville, Virginia, consisting of 6 members, in a duly called meeting held on the 13th day of October, 2015 at which a quorum was present, RESOLVED as follows:

A RESOLUTION: REQUESTING ACCEPTANCE OF McCLELLAN STREET, BEAUREGARD COURT, DELANY COURT, BUNDY STREET, AND A PORTION OF SPRINGSBURY ROAD INTO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) URBAN HIGHWAY SYSTEM AND MAINTENANCE INVENTORY

WHEREAS, the streets referenced above and have been completed and are now eligible for VDOT maintenance funding; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Berryville, Virginia hereby requests VDOT to accept the streets referenced above as identified on the attached U-1 form and accompanying documentation into the Urban Highway System and Maintenance Inventory for maintenance payments in accordance with § 33.1-41.1 of the Code of Virginia, 1950 as amended.

Passed this 13th day of October, 2015.

THE TOWN OF BERRYVILLE

Attest: _____

By: Wilson L. Kirby, Mayor

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Council of the Town of Berryville, in a duly assembled meeting on the 13th day of October, 2015.

Harry Lee Arnold, Jr., Recorder

Wilson Kirby
Mayor

Harry Lee Arnold, Jr.
Recorder

Council Members

Douglas A. Shaffer
Ward 1

H. Allen Kitseiman, III
Ward 2

Mary L.C. Daniel
Ward 3

David L. Tollett
Ward 4

Keith R. Dalton
Town Manager

BERRYVILLE TOWN COUNCIL

MOTION FOR APPROVAL RESOLUTION REQUESTING STREET ACCEPTANCE
FOR McCLELLAN STREET, BEAUREGARD COURT, DELANY COURT, BUNDY
STREET, AND A PORTION OF SPRINGSBURY ROAD

Date: October 13, 2015

Motion By:

Second By:

I move that the Council of the Town of Berryville approve the attached resolution requesting VDOT acceptance of McClellan Street, Beauregard Court, Delany Court, Bundy Street, a portion of Springsbury Road, and a portion of Burwell Court for inclusion in the VDOT Urban Highway System and Maintenance Inventory in order for the Town to receive municipal assistance maintenance funding.

VOTE:

Aye:

Nay:

Absent:

ATTEST:

Harry Lee Arnold, Jr., Recorder

Attachment 5

MINUTES
BERRYVILLE TOWN COUNCIL POLICE AND SECURITY COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
September 9, 2015
9:00 a.m.

Present:

Town Council Police and Security Committee: Mary Daniel, Wilson Kirby

Staff: Keith Dalton, Town Manager; Neal White, Chief of Police; Ann Phillips, Town Clerk

Others: Ed Carter, VDOT; Jeff Boyer, VDOT; Debbie Johnson; Pat Dickinson

1. Call to Order

Committee Chairman Daniel called the meeting to order at 9:01 a.m.

2. Discussion: Citizen Concerns regarding traffic on South Buckmarsh Street

Chairman Daniel asked that Staff provide an overview of the issues before the Committee. Mr. Dalton said staff had been contacted by a citizen who lives at Taylor and Buckmarsh Streets about traffic on South Buckmarsh Street. He said in the past he had also had comments from another citizen and thought the topic was appropriate to this meeting so he notified both of today's meeting. Mr. Dalton said the concerns mentioned were speeding, engine brakes, crosswalks, and signage, and suggested the discussion begin with the engine brake issues.

Chairman Daniel recognized Mr. Ed Carter of VDOT who said, regarding engine brakes, that a signage study was done in 2003. The study resulted in a memo instructing that signage about engine brakes will no longer be installed. The finding was based on the fact that if installed properly, engine brakes do not create noise about a normal vehicle noise level. Mr. Carter said engine brakes are safety devices; therefore the Commonwealth was not comfortable restricting their use. He added that there may trucks with improperly installed brakes, but that is an enforcement issue which does not concern VDOT. Mr. Dalton said the Town originally had an ordinance and signs posted, but when the Town was directed by VDOT to remove the signs, the Town complied.

Chief White addressed enforcement from the noise standpoint. He said he had researched the issue on the Jacobs Vehicle Systems website. The maximum expected noise level is 80 decibels, but if the engine brakes are improperly installed, the noise level will be increased by 16 to 23 decibels. He said the Town noise ordinance is not based on decibels, it is more subjective. Chief White noted that other states have different types of signage such as "Vehicle Noise Laws Enforced" and "Un-muffled Engine Brakes Prohibited Unless in Emergency."

Mr. Dalton asked how the State Police enforce truck safety equipment standards. Chief White said the State Police do inspections of the vehicles.

Mr. Carter asked if the current Town ordinance specified the decibel level. Chief White and Mr. Dalton said the ordinance does not specify the level, adding that daily noise and background noise can violate such standards making enforcement impossible. Mr. Dalton asked Chief White about the Court's position. The Chief responded that the Courts will say the police are not audiologists.

Mr. Carter said that if State Troopers want to do inspections of big rig trucks and space to pull over is an issue, they could potentially use the VDOT lot south of Town for inspections. He offered to contact the State Police.

Chairman Daniel said that several years ago, in 2008 or 2009, a suggestion of a refuge island or rumble strip was suggested and deemed unacceptable. She said there has been a good bit of enforcement over the years.

Mr. Dalton said there were multiple issues such as cross walks, traffic calming, and signage, and asked Chief White to address enforcement.

Chief White said that in 2013 and 2014, the average was one traffic stop a day, but because of staffing issues, this year only 95 stops have been made so far. He added that South Buckmarsh has always been a high priority enforcement area. Chief White stated that there is more truck traffic since the Inland Port was built and cited the large number of trucks going to Maryland from the Inland Port. He said enforcement is the issue and staffing has been a factor.

Mr. Dalton said the speed trailer has been deployed for educational purposes. Chief White added that are few places where radar can be set up, since the police vehicle must be parallel to the street in order to use radar. Mrs. Johnson said that 35 mph doesn't seem fast, but her home is right next to the road, and even that speed is too fast.

Chairman Daniel asked what is involved in a traffic study. Mr. Dalton said that Chief White places the tubes on the streets and collects data for about two weeks. He said the study could be done after paving is complete.

Mr. Dalton asked about signage. Mr. Carter said VDOT has standard signage, but there are other options also. In response to Mr. Dalton's question, he said that a sign saying "Strictly Enforced" is permitted. He also said lighted signs are permitted if the Town funds them.

Mr. Carter said he could suggest the crossing guard package including a cross walk figure. Mr. Dalton inquired how the cross guard figure is mounted, referencing snow plowing. Mr. Carter said that if the installation is done on Rt. 340, VDOT is responsible. He added that signage for the cross walk could also be added.

Mrs. Johnson asked why VDOT wouldn't pay for flashing speed indicator signs such as those on U.S. Rt. 17. Mr. Carter responded that VDOT might pay for signs if they were considered standard signs.

Mrs. Johnson asked how a speed study could be arranged. Mr. Carter said the Town could request a traffic speed study. He added that the study would probably find no additional signage is necessary since the standard is for more than 15% of the traffic travelling at more than 5 mph over the speed limit before extra signage is needed.

Chairman Daniel referenced the minutes of the Fauquier County Board of Supervisors she found citing the flashing signs were listed as temporary and paid for by VDOT. She asked about traffic calming.

Mr. Carter said that speed bumps are not an option on primary routes, but alternatives would include crosswalk markings with the "imitation guard" and enhanced striping (also called a fog line).

Mr. Kirby said that Upperville uses islands, planters, and different pavings to calm traffic. Mr. Carter said those things could be done in Berryville if the Town pays for them, adding there may federal grant money that would help.

Mr. Carter addressed Mrs. Johnson saying that in fact VDOT does track whether accidents have occurred when assessing a traffic study. Mrs. Johnson said her concern is that if an accident occurs at the intersection near her home, the residents and the Town officials will all ask why nothing had been done.

Mr. Carter said one concern is that additional crosswalk identifiers may give a false sense of security.

Mr. Carter said if the Town desires a study by VDOT, he is the contact person. In reference to the planned paving on Buckmarsh Street, he added that the trend is that people drive the speed they are comfortable with, and a newly paved, smooth road increases speeds.

Chairman Daniel said that traffic studies on Mosby and Hermitage Blvds. revealed that the worst offenders were the residents.

In summarizing, Mr. Dalton said the following:

- 1-Mr. Carter will talk with State Police regarding inspection of trucks.
- 2-Enforcement is increasing as staffing permits.
- 3-After paving on Buckmarsh is complete, the traffic counter will be deployed.
- 4-After paving, the speed trailer will be placed on North and South Buckmarsh, though not at the same time as the counter.

Chief White said the data from the traffic counter should be available the first part of November.

The Committee set a follow up meeting for November 10, 2015, at 6:00 pm in Meeting Room A-B.

Chief White updated the Committee on the RMS software saying the contract is signed with a planned roll out in December. He said he will attend a County work session on e-citation on September 14.

There being no further business, the meeting was adjourned at 10:36 a.m.

Attachment 6



Berryville Police Department

101 Chalmers Ct., Suite A, Berryville, Virginia 22611

policeadmin@berryvilleva.gov

(540) 955-3863 (540) 955-0207 (Fax)

W. Neal White – Chief of Police

MEMO

DATE: 09/01/2015

TO: Town Council

FROM: Chief W. Neal White

CC:

RE: Police Department Monthly Report – 09/08/2015

Monthly Activity Report

The activity report for the month of August 2015 is attached to this memo.

Police and Security Committee

A meeting of the Police and Security Committee meeting was held on October 7, 2015. Minutes from the meeting are in the Council packet.

Staffing

Both Officer Graham and Erwin have completed their field training with the department and have been assigned to normal patrol shifts. They have done a great job so far getting acquainted with the community and both are very committed to making engaging the community to make it safer for everyone.

Halloween

Additional staffing will be on hand for trick-or-treating activities on Halloween. The department will also again be distributing glow-sticks while on duty that evening in an effort to make sure all of the ghouls and goblins are visible and safe.

Software Upgrade

The conversion of the department records management system (RMS) is underway. The new contract with Southern Software has been formally executed and a Kick-Off Meeting with the vendor and staff will take place on October 20, 2015.



Berryville Police Department

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W. Neal White – Chief of Police

POLICE AND SECURITY REPORT

Month: September	Year To Date	September	August
Year: 2015	2015	2015	2015
Total Miles Traveled:	34,262	3,973	3,754
Total Man Hours:	10,380	1,256	1,188
<u>Complaints Answered</u>			
911 Hang Up:	20	4	1
Alarms:	81	5	10
Animal Complaint:	109	14	12
Assault And Battery:	16	2	1
Assist County:	33	1	1
Auto Larceny:	1	0	1
Burglary:	10	4	2
Civil Complaints:	70	6	5
Disturbance (Non Violent):	49	3	3
Domestic Disturbance:	8	0	0
Drunk In Public:	14	0	1
Forgery & Uttering:	1	0	0
Fraud:	11	1	3
Grand Larceny:	8	3	1
Harassment/Intimidation:	14	1	1
Homicide:	0	0	0
Juvenile Related:	48	6	7
Noise:	20	5	3
Petty Larceny:	19	1	1
Public Service:	28	0	1
Rape:	0	0	0
Robbery:	0	0	0
Runaway:	4	3	0
Shoplifting:	3	0	0
Suspicious Activity:	135	15	19
Trespassing:	10	1	2
Vandalism:	35	7	2
Welfare Check:	81	5	11
Miscellaneous Complaints:	206	27	30
Total Complaints Answered:	1,034	114	118



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W. Neal White – Chief of Police

Traffic

Accidents Investigated:	31	2	4
Assist Motorist:	17	2	4
Child Safety Seat Install:	34	1	13
Funeral Escort:	32	4	4
Hit & Run:	11	2	0
Parking Tickets:	120	16	10
Traffic Warnings:	238	76	27

Traffic Summons Issued

Defective Equipment:	5	3	0
Driving Suspended:	9	5	1
Expired Inspection:	16	1	1
Expired Registration:	12	1	3
Fail To Obey Highway Sign:	48	13	11
Fail To Obey Traffic Signals:	5	0	0
Fail To Stop/Lights & Siren:	0	0	0
Fail To Yield Right Of Way:	2	0	1
Hit And Run:	0	0	0
No Liability Insurance:	0	0	1
No Operator's License:	13	5	0
No Seat Belt:	1	0	0
Reckless Driving:	8	4	1
Speeding:	136	46	19
Miscellaneous Summons:	8	5	0
Total Traffic Summons Issued:	263	83	37



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W. Neal White – Chief of Police

Criminal Arrests Made

Abduction:	0	0	0
Arson:	0	0	0
Assault And Battery:	7	0	0
A & B On Police Officer:	1	0	0
Auto Larceny:	0	0	0
Breaking And Entering:	2	1	0
Capias:	5	0	2
Disorderly Conduct:	3	1	0
Driving While Intoxicated:	5	1	1
Drunk In Public:	12	0	1
Fail To Obey Police Officer:	0	0	0
Fail To Pay Parking Ticket:	6	0	0
Forgery:	0	0	0
Fraud:	0	0	0
Grand Larceny:	2	1	0
Homicide:	0	0	0
Illegal Drugs/Paraphernalia	13	3	0
Petty Larceny:	3	1	0
Possess Alcohol Underage:	0	0	0
Protective Order:	14	1	1
Rape:	0	0	0
Resisting Arrest:	0	0	0
Robbery:	0	0	0
Shoplifting:	1	0	0
Trespassing:	2	0	0
Vandalism:	2	0	0
Weapons Violation	0	0	0
	40	3	0
Miscellaneous Criminal Arrests:			
Juvenile Arrest Total:	9	1	0
Total Criminal Arrests:	118	12	5

Found Open At Business In Town

Doors:	19	2	2
Windows:	1	0	0
Garage Doors Found Open:	1	0	0

Attachment 7

MINUTES
BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
Berryville-Clarke County Government Center
Called Meeting
September 11, 2015
9:00 a.m.

Present:

Town Council Streets & Utilities Committee: Wilson Kirby, Douglas Shaffer

Staff: Keith Dalton, Town Manager; Rick Boor, Public Works Director

Other: George Dellinger

Press: None

1. Call to Order

Committee Chairman Kirby called the meeting to order at 9:00 a.m.

2. Discussion: American Legion Property

Chairman Kirby introduced the matter and asked Mr. Dellinger to update the Committee on the situation. Mr. Dellinger said they had moved the proposed handicapped parking space so that was no longer an issue but they wanted to pave the area in question to make it look neater. The Committee questioned Mr. Dellinger about the work and discussed the American Legion Post's use of the land.

Chairman Kirby discussed entrance standards. Mr. Dalton discussed his concerns which are:

1. Indemnification/liability insurance
2. Agreement that parties can revoke the agreement within a reasonable time if they wish to
3. Provisions to prevent a right of access/ingress from developing
4. Need for better control at the point where their delivery truck exits/enters including:
Installation of a more substantial chain, provision of necessary reflectors, etc. for visibility, locking of the chain, opening of area only to allow trucks to leave and locking immediately upon its exiting the site
5. Provision for revocation of the agreement if established rules are not followed

Mr. Shaffer confirmed with Mr. Dellinger that the truck exits at the point in question, but does not enter. He stated this should make the situation much simpler to manage.

Mr. Dellinger said that he would want a plastic chain instead of something heavier because cars may strike it.

Mr. Shaffer said that he understands the concerns but that some middle ground will have to be found to make sure the point in question stays closed when not in use.

The Committee agreed to meet at 6:45 on October 13, 2015.

Mr. Dalton and Mr. Boor updated the Committee on the Chalmers Court project, the paving on Rt. 340, and the paving on Walnut and Liberty Streets.

There being no further business, the meeting was adjourned at 9:40 am.

Attachment 8

Memo

To: Town Council

From: David Tyrrell

Date: October 5, 2015

Re: September 2015 Operations Report

The water treatment plant is in compliance for September with its monthly parameters. We sent a total of 10.580 MG water to the system with a daily average of 0.407 MGD and a daily max of 0.556 MG.

The demand continues to run high into the summer months but we are able to keep up with production needs with minimal extra hours.

Drought Conditions: Water levels in the river continue running below historic averages for the month per the USGS gage located at Millville. The month of September found the river running below the 25th percentile several days. Conditions were low but the Towns water supply is not threatened by the river conditions. Rains the first few days of October have boosted river conditions and our current challenge is treating highly turbid water.

The wastewater plant is in compliance with its discharge permit for September per data received to date with our nutrient removal continuing to do very well. We treated a total of 7.73 MG with a daily average of 0.26 MGD and a daily max of 0.45 MG. Influent flow rates are very low due to dry conditions. Process adjustments are now being made preparing the system for winter running conditions. This includes increasing the biosolids inventory and recycle rate adjustments.

We have had a few operational issues at the STP that are noteworthy. Air Scour Blower #5 is out of service due to a faulty air flow sensor. A new unit has been ordered and should arrive soon. Additionally we have lost another VFS cooling fan and have replaced the bad unit with one from stock and returned it to service.

The pumps arrived for the pump down of the aeration tanks for diffuser inspections. However the pumps which Sunbelt recommended did not have the ability to lift the water from the bottom of the tanks. We were able to pump out all but five feet of water from the tank attempted. We will reschedule this work with an attempt using a different style pump.

The work scheduled for the week of Oct 5 has been rescheduled due to the rains which occurred the weekend before making conditions in the work area very soft. The fence cleaning will be rescheduled shortly.

Upcoming projects include a cleaning of the WTP river vault and the STP influent wet well #2 in November.

Attached for review are the data report for the wastewater plant and the latest InSight report for the membrane performance from GE and the water plant September page 1 operations report for VDH.

FLOWS AND CHEMICAL DOSAGES

September 2015

No. Connections Served: 1610
Population Served: 4185

DATE	Raw Water Treated MGD	Finished Water Produced MGD	Finished Water Delivered MGD	Hours in Service	Raw Water Chemicals										Finished Water Chemicals							
					Alum		Carbon		Chlorine		Fluoride		Polymer		KMnO4		Soda Ash		Chlorine		Corr Inhibitor	
					Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L	Lbs per Day	mg/L
1	0.52		0.471	15.5	51	11.7	5	1.1			6.8	1.57	0.119	0.027	6	1.4			18.1	4.2		
2	0.527		0.478	16.0	51	11.5	4	1.0			6.8	1.55	0.119	0.027	6.0	1.4			18.7	4.2		
3	0.53		0.484	16.0	51	11.5	4	0.9			7.1	1.61	0.137	0.031	8.0	1.8			18.7	4.2		
4	0.371		0.337	11.5	35	11.5	3	1.0			3.2	1.03	0.079	0.026	0.0	0.0			13.4	4.3		
5	0.274		0.256	9.5	0	0.0	3	1.2			3.4	1.49	0.070	0.031	8.0	3.5			9.9	4.3		
6																						
7	0.332		0.203	7.0	56	20.1	1	0.4			3.4	1.21	0.066	0.024	0.0	0.0			8.0	2.9		
8	0.538		0.494	16.0	51	11.3	4	0.8			6.8	1.51	0.143	0.032	0.0	0.0			18.7	4.2		
9	0.519		0.477	16.0	56	12.9	4	0.9			6.8	1.57	0.119	0.027	8.0	1.8			18.7	4.3		
10	0.606		0.556	18.3	76	15.0	4	0.8			6.9	1.36	0.154	0.030	8.0	1.6			21.4	4.2		
11	0.482		0.446	15.0	30	7.6	5	1.2			8.8	2.19	0.068	0.017	0.0	0.0			5.8	1.5		
12	0.258		0.236	8.0	35	16.5	2	1.1			17.0	7.89	0.070	0.033	0.0	0.0			9.3	4.3		
13																						
14	0.589		0.540	18.0	61	12.4	6	1.1			6.8	1.39	0.135	0.027	7.0	1.4			21.0	4.3		
15	0.599		0.543	18.5	61	12.2	10	1.9			6.8	1.37	0.145	0.029	8.0	1.6			21.6	4.3		
16	0.571		0.520	16.3	51	10.6	5	1.0			6.8	1.43	0.168	0.035	8.0	1.7			19.0	4.0		
17	0.461		0.423	14.5	46	11.9	4	1.0			6.7	1.74	0.137	0.036	0.0	0.0			16.9	4.4		
18	0.349		0.314	10.5	30	10.5	2	0.8			3.5	1.19	0.090	0.031	8.0	2.7			12.3	4.2		
19	0.244		0.218	7.5	20	10.0	2	0.8			3.4	1.66	0.068	0.033	0.0	0.0			8.8	4.3		
20																						
21	0.583		0.488	16.0	51	10.4	4	0.8			6.8	1.39	0.155	0.032	8.0	1.6			18.7	3.8		
22	0.536		0.494	16.0	51	11.3	4	0.9			7.1	1.58	0.153	0.034	6.0	1.3			16.0	3.6		
23	0.577		0.524	17.1	56	11.6	4	0.8			6.8	1.42	0.163	0.034	0.0	0.0			17.1	3.6		
24	0.384		0.349	11.5	35	11.1	2	0.6			3.2	0.99	0.093	0.029	8.0	2.5			11.5	3.6		
25	0.285		0.260	8.8	25	10.7	2	0.8			3.4	1.43	0.066	0.028	0.0	0.0			8.7	3.7		
26	0.236		0.208	7.3	20	10.3	1	0.6			3.7	1.86	0.044	0.022	6.0	3.0			7.3	3.7		
27																						
28	0.506		0.466	15.0	71	16.8	4	0.9			3.3	0.78	0.132	0.031	6.0	1.4			15.0	3.6		
29	0.302		0.247	8.0	25	10.1	2	0.6			3.4	1.37	0.071	0.028	0.0	0.0			8.0	3.2		
30	0.597		0.548	18.0	66	13.2	4	0.7			6.8	1.37	0.141	0.028	8.0	1.6			18.0	3.6		
31																						
Total	11.776	0.000	10.580	351.7	1161	302.6	93	24.1	0.0	0.00	155.4	44.0	2.91	0.763	117	30.5	0.0	0.00	380.3	100.43	0.0	0.00
Maximum	0.606	0.000	0.556	18.5	76	20.1	10	1.9	0.0	0.00	17.0	7.9	0.17	0.036	8	3.5	0.0	0.00	21.6	4.40	0.0	0.00
Minimum	0.236	0.000	0.203	7.0	0	0.0	1	0.4	0.0	0.00	3.2	0.8	0.04	0.017	0	0.0	0.0	0.00	5.8	1.45	0.0	0.00
Average	0.453	0.000	0.407	13.5	45	11.6	4	0.9	#####	#####	6.0	1.7	0.11	0.029	5	1.2	#####	#DIV/0!	14.6	3.86	####	#####

SIGNED: (OPERATOR IN RESPONSIBLE CHARGE) _____

PRINTED NAME David A Tyrrell

TITLE: OPERATOR CLASSIFICATION Class 1
DPOR CERTIFICATION NO. 1955002813

RAW WATER SOURCE(S) USED DURING MONTH: (SOURCE/DATES)

Shenandoah River - Entire Month

Berryville STP Monthly DMR Data

September 2015

Date	Effluent Flow MGD	Eff pH SU	Eff Temp Deg C	Eff CBOD mg/l	Eff CBOD KG/D	Eff TSS mg/l	Eff TSS KG/D	Effluent DO River mg/l	Effluent DO WWTP mg/l	Eff NO2/ NO3 mg/l	Eff TKN mg/l	Eff TKN KG/D	Eff Total N mg/l
9/1/2015	0.24	7.5	25.8	0	0			7.4	6.5				
9/2/2015	0.24	7.6	25.7	0	0			7.3	6.2				
9/3/2015	0.23	7.6	25.7	0	0			7.0	6.8				
9/4/2015	0.22	7.6	25.9					7.5	6.9				
9/5/2015	0.21	7.8	25.8					7.4	7.1				
9/6/2015	0.20	7.7	26.2					7.7	7.2				
9/7/2015	0.22	7.7	26.0					7.4	6.9				
9/8/2015	0.22	7.6	25.6	0	0	0	0.0	7.7	7.3	1.40	1.2	1.0	2.6
9/9/2015	0.22	7.7	26.0	2	2			7.7	7.3				
9/10/2015	0.24	7.6	27.0	1	1			7.7	7.2				
9/11/2015	0.23	7.7	26.0					7.4	7.1				
9/12/2015	0.33	7.6	26.0					7.7	7.2				
9/13/2015	0.23	7.6	25.0					7.6	7.2				
9/14/2015	0.24	7.6	24.0					8.1	7.3				
9/15/2015	0.27	7.6	24.0	0	0			8.0	7.5				
9/16/2015	0.27	7.4	24.0	0	0			7.9	7.5				
9/17/2015	0.30	7.6	24.0	0	0			9.6	9.2				
9/18/2015	0.26	7.5	24.0					7.7	7.4				
9/19/2015	0.24	7.7	24.0					7.3	7.1				
9/20/2015	0.24	7.6	24.0					7.5	6.9				
9/21/2015	0.29	7.8	24.0					7.8	7.4				
9/22/2015	0.29	7.6	24.0	1	1			7.9	7.3	1.50	0.7	0.8	2.2
9/23/2015	0.27	7.7	24.0	4	4			8.1	7.7				
9/24/2015	0.25	7.8	25.0	4	4			8.4	7.5				
9/25/2015	0.25	7.7	25.0					7.9	7.2				
9/26/2015	0.26	7.8	24.0					8.2	7.4				
9/27/2015	0.25	7.8	24.0					7.9	7.3				
9/28/2015	0.25	7.7	24.0					8.5	7.9				
9/29/2015	0.45	7.7	24.0					6.9	6.4				
9/30/2015	0.38	7.4	25.0										
Minimum	0.20	7.4	24.0	0	0	0	0.0	6.9	6.2	1.40	0.7	0.8	2.2
Maximum	0.45	7.8	27.0	4	4	0	0.0	9.6	9.2	1.50	1.2	1.0	2.6
Total	7.73	229.3	747.7	12	12	0	0.0	225.2	209.9	2.90	1.9	1.7	4.8
Average	0.26	7.6	24.9	1	1	0	0.0	7.8	7.2	1.45	1.0	0.9	2.4
Geo Mean	0.25	7.6	24.9	1	1	1	1.0	7.8	7.2	1.45	0.9	0.9	2.4

Berryville STP Monthly DMR Data

September 2015

Date	Eff Total N KG/D	Eff Total P mg/l	Eff Total P KG/D	E-Coli No/100ml
9/1/2015				1
9/2/2015				
9/3/2015				
9/4/2015				
9/5/2015				
9/6/2015				
9/7/2015				
9/8/2015	2.1	0.20	0.2	1
9/9/2015				
9/10/2015				
9/11/2015				
9/12/2015				
9/13/2015				
9/14/2015				
9/15/2015				1
9/16/2015				
9/17/2015				
9/18/2015				
9/19/2015				
9/20/2015				
9/21/2015				
9/22/2015	2.4	0.11	0.1	1
9/23/2015				
9/24/2015				
9/25/2015				
9/26/2015				
9/27/2015				
9/28/2015				
9/29/2015				
9/30/2015				
Minimum	2.1	0.11	0.1	1
Maximum	2.4	0.20	0.2	1
Total	4.5	0.31	0.3	4
Average	2.3	0.16	0.1	1
Geo Mean	2.3	0.15	0.1	1



Berryville Biweekly InSight Report

Date: 9/21/2015

[TEXTAREA1]

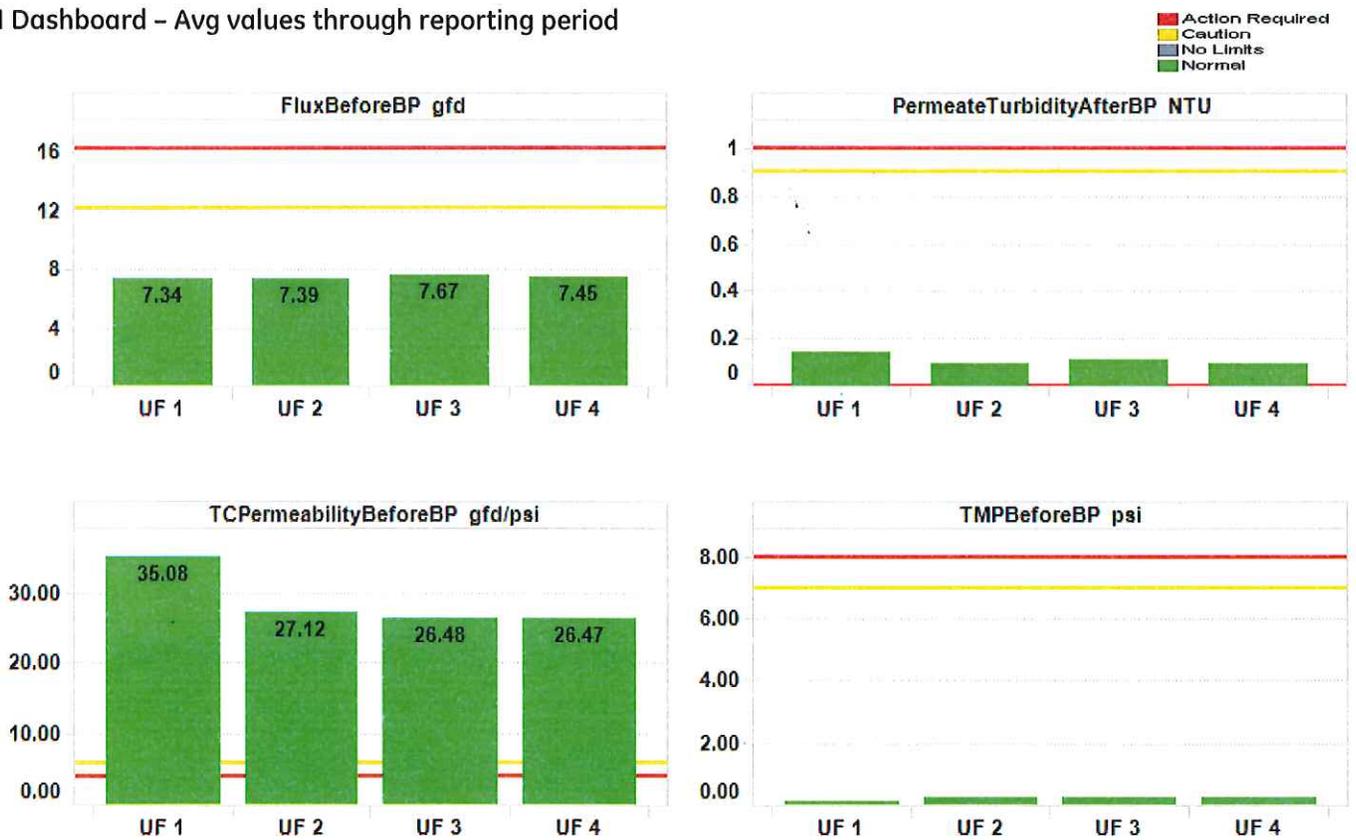
System Equipment

[TEXTAREA2]

Cleaning Strategy

[TEXTAREA3]

KPI Dashboard – Avg values through reporting period





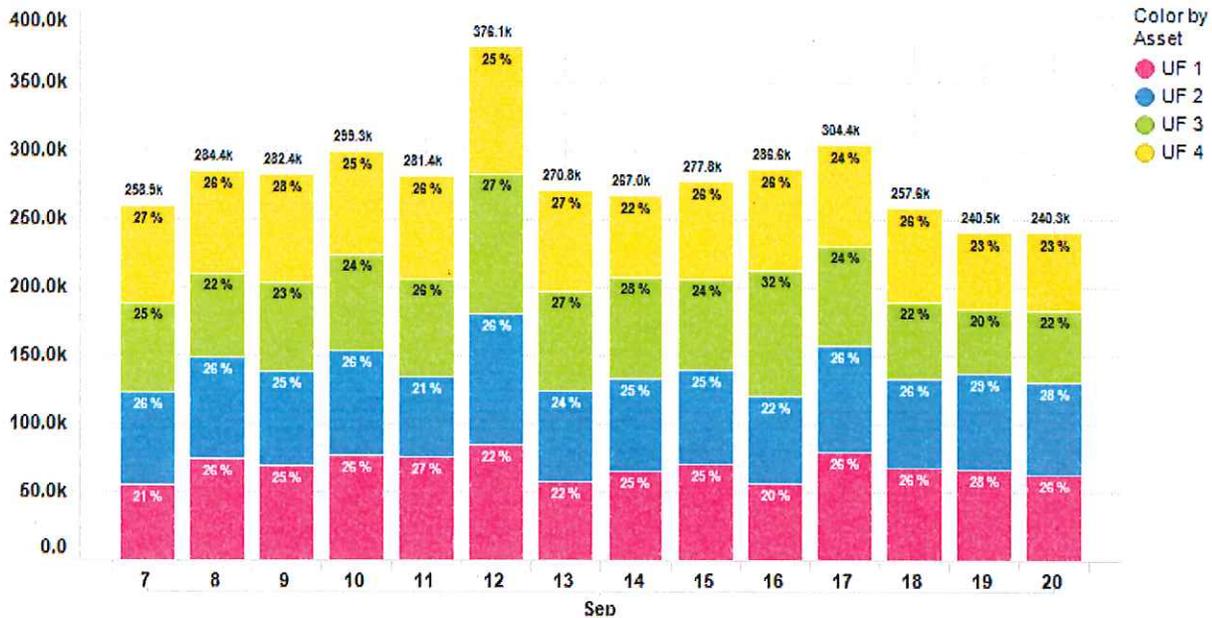
Plant Summary

The average daily plant permeate flow in the last two weeks was 280,500 Gallons with the highest daily flow at 376,100 Gallons on September 12th. Daily flows are still much lower than the design average daily flow of 700,000 Gallons.

Trains were in standby for 65% of the time and operated at an average flux of 7.3 gfd. Production TMPs were <1 psi 100% of the time. Production permeability was >15 gfd/psi majority of the time. Regular maintenance cleans were performed which helped in maintaining peak performance.

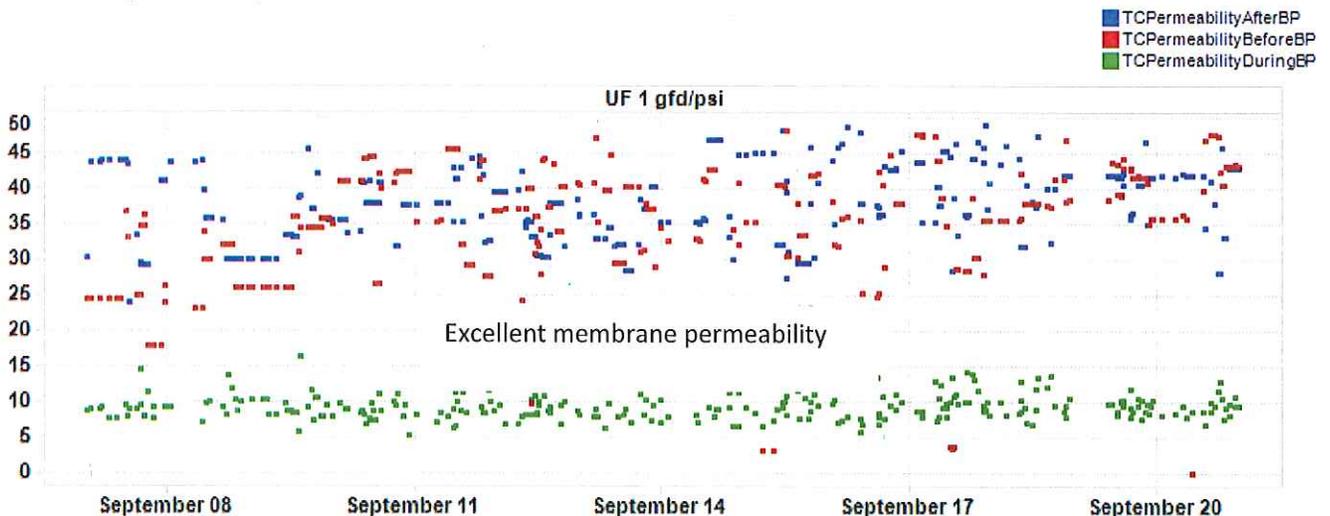
A step drop in permeate turbidity readings were seen on Trains 2 and 4 as highlighted below. Were the turbidimeters calibrated around this time? Readings are in the 0.1 NTU range from all 4 trains.

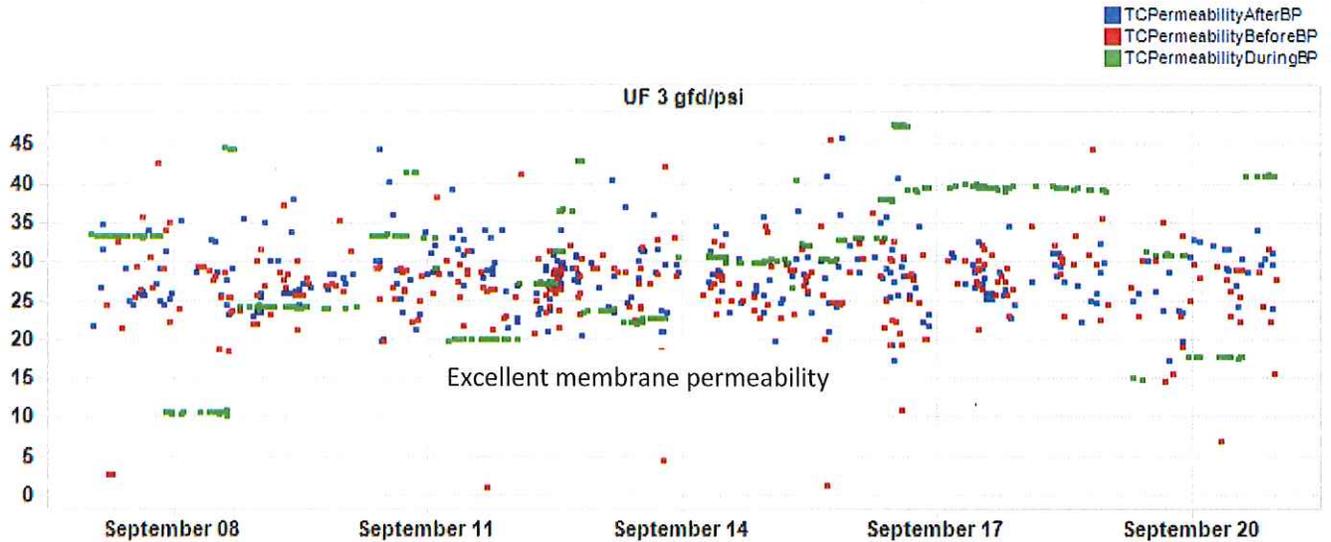
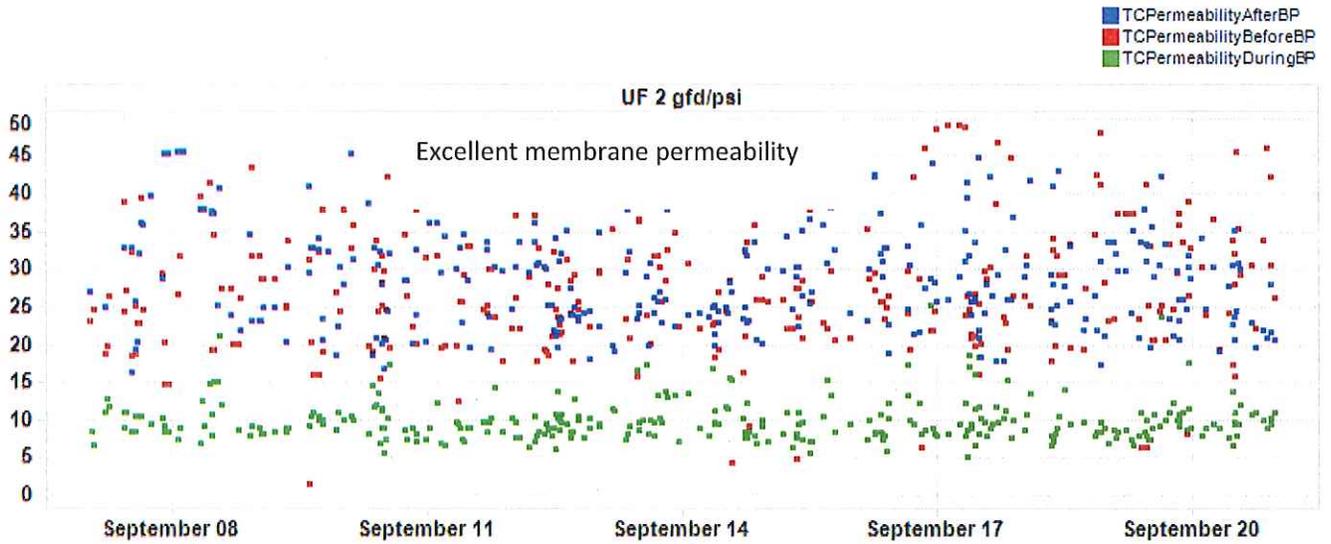
David – Can you please forward recent analytical data?

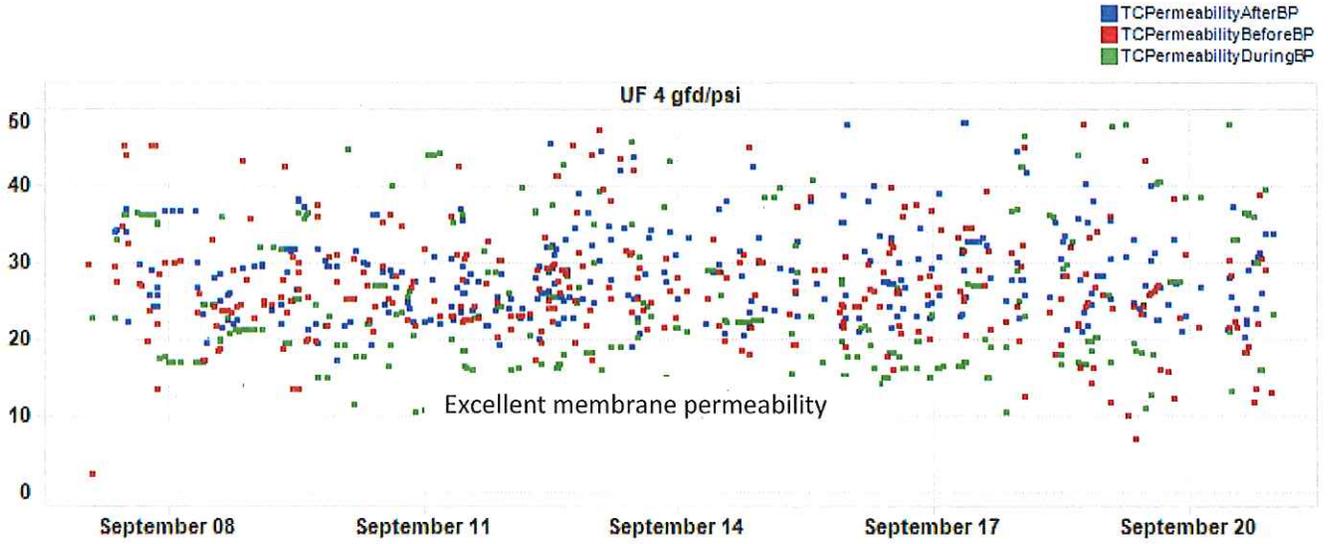


Average Daily permeate flow from 9/7/2015 to 9/20/2015 is 280.5k gal with a maximum daily flow of 376.1k gal.

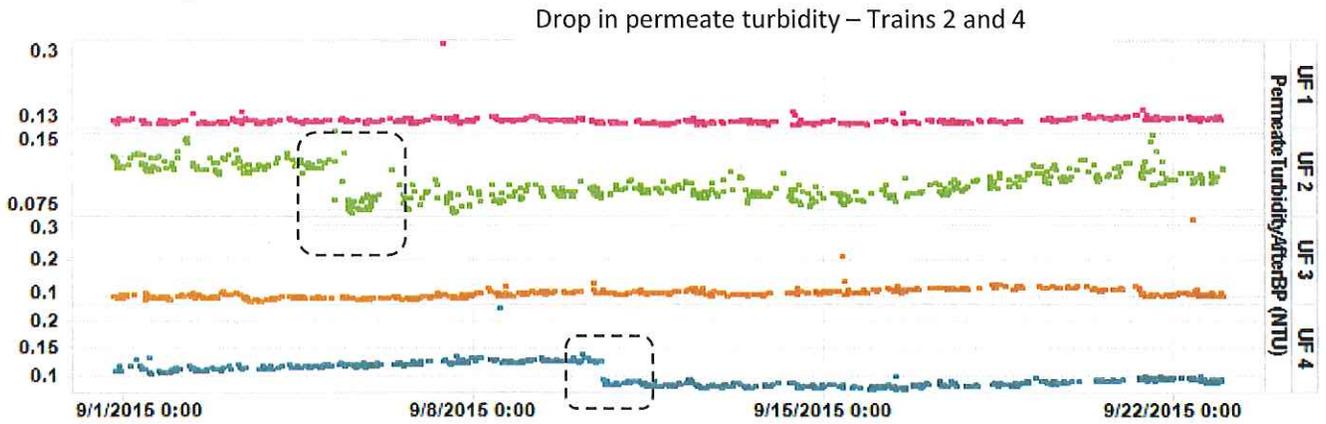
TC Permeability Trends By Train





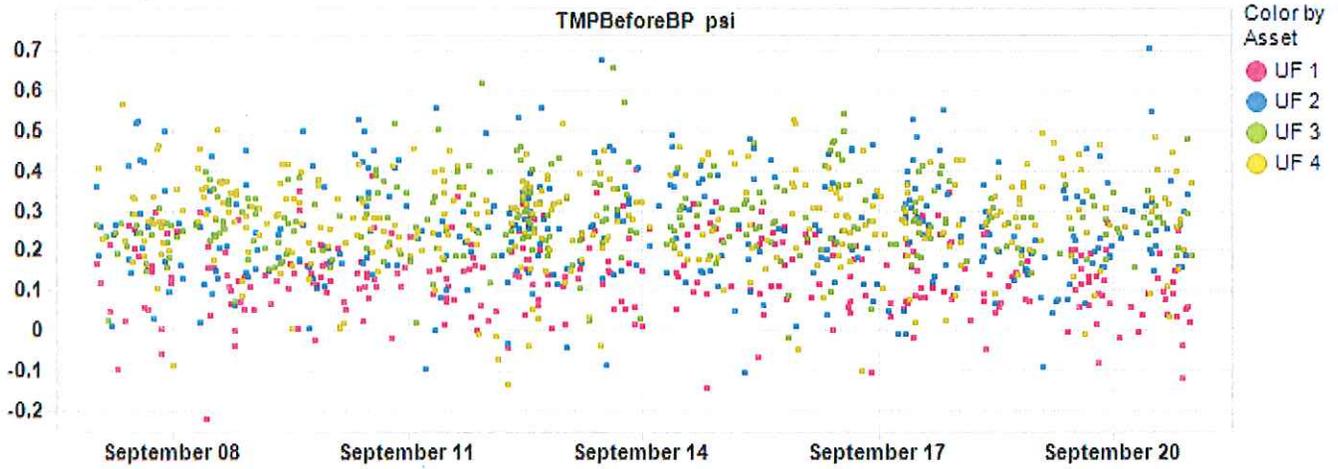


Permeate Turbidity Trend

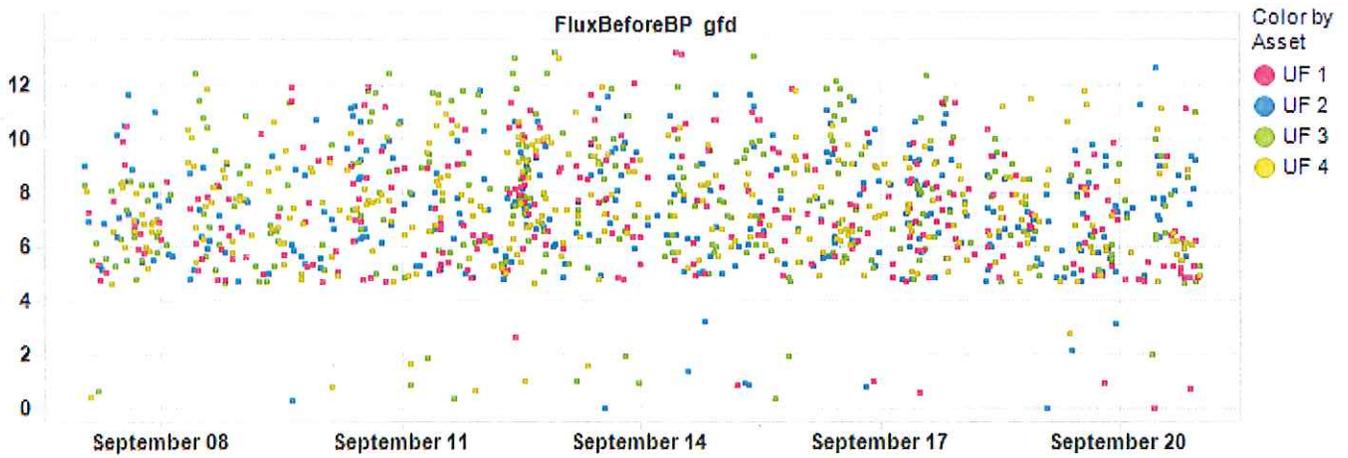




Before BPTMP Trend



Before BP Flux Trend





Asset Summary

KPI Parameters	Value/Change	UF 1	UF 2	UF 3	UF 4
FluxBeforeBP gfd	Value	7.34	7.39	7.67	7.45
	Change	-0.46 %	-4.31 %	1.35 %	-3.03 %
PermeateTurbidityAfterBP NTU	Value	0.14	0.09	0.11	0.10
	Change	-0.36 %	-27.80 %	8.11 %	-12.33 %
TCPermeabilityBeforeBP gfd/psi	Value	35.08	27.12	26.48	26.47
	Change	5.03 %	2.08 %	5.28 %	6.97 %
TMPBeforeBP psi	Value	0.14	0.25	0.28	0.27
	Change	6.86 %	-4.78 %	2.11 %	-3.40 %
TotalPermeateFlowDaily gal	Value	68.81k	70.96k	69.82k	70.93k
	Change	5.66 %	6.41 %	8.29 %	4.81 %

Plant Summary

KPI Parameters	Value/Change	UF Plant
PermeateTemperature °F	Value	71.91
	Change	-2.62 %
TotalPermeateFlowDaily gal	Value	280.53k
	Change	6.29 %

Contract Expiry Date : 10/26/2016

For InSight technical assistance please email insightsupport@ge.com or please call technical support at 1 866 271 5425 or 905 469 7723 and follow the prompts, if you require after hours assistance please contact the 24/7 Emergency number provided in your plant documentation. This email is a summary of issues identified during a manual review of InSight data from the time period above. This review is an analysis of data that is logged by InSight and identifies key plant performance issues determined from this data. This data review was not focused on minor data issues but on identifying possible existing and/or upcoming critical operational issues.

This review was prepared by GE Water & Process Technologies solely to assist water treatment plant owners and/or operators in analyzing and optimizing plant performance and is not intended to be used or relied upon for regulatory compliance or any other purpose. The content of this review is based in whole or in part on operation data obtained from the plant using InSight software. GE Water & Process Technologies makes no representations or warranties as to the accuracy of the plant data utilized in the preparation of this review. GE Water & Process Technologies accepts no liability for consequences or actions taken in whole or in part by any person on the basis of this review or its contents

Attachment 9

Report of the Department of Public Works
October 7, 2015

We had two water leaks last month. The 10 inch transmission line that supplies water from the treatment plant to the town developed a leak. This break occurred around midnight on the 28th of September. The location of the water line was in a right of way and no damage occurred to the roadway. Public Works repaired the leak by excavating and replacing 24 feet and pipe. We estimate we lost in excess of 200,000 gallons of water during this break. The other leak was on a service line located on Jack Ender's Blvd. The cause of this leak was a copper pipe installed in a PVC sleeve. We excavated the area and installed CTS poly from the corporation stop to the meter.

The parking meter replacement project once again is moving forward. We finally received the meter programmer last week and have re-reprogrammed all our existing meters. We are now in the process of painting and replacing parking meter posts as needed, and installing the reconditioned meter housing on North and South Church Street. We hope to have the entire meter replacement project completed by October 15th.

VDOT'S milling and paving project of Rt. 340 is finally underway. The paving contractor is milling the roadway this week and weather permitting the new asphalt will be applied next week. Stuart Perry will be asphaltting Liberty and Walnut Streets the week October 19. Prior to paving these streets we contracted Reyes Concrete to replace about 1,800 sq. feet to sidewalk on Liberty Street.

Attachment 10

**BERRYVILLE TOWN COUNCIL
PERSONNEL COMMITTEE
Friday, October 2, 2015
Berryville-Clarke County Government Center
Called Meeting
9:00 a.m.**

MINUTES

Roll:

Town Council:

Present: Harry Lee Arnold, Jr., Chairman; Wilson Kirby

Staff: Keith Dalton, Town Manager; Christy Dunkle, Assistant Town Manager/Planner

Press: None

1. Call to Order

Chairman Arnold called the regular meeting to order at 9:00 a.m.

2. Discussion – Recommendation for appointment to Town Boards

Mr. Dalton and Ms. Dunkle discussed membership on various boards. The Committee discussed the need to interview candidates for the Berryville Area Development Authority, the Board of Zoning Appeals, and the Planning Commission. The dates for interviews were set for: October 19, 21, 23, 26, 28, and 30 from 9:00 am until noon. Chairman Arnold will work with staff to schedule interviews.

3. Other

There was no other business to discuss.

4. Adjourn

There being no further business, the meeting was adjourned at 9:30 a.m.

Attachment 11

**BERRYVILLE TOWN COUNCIL
MOTION TO RECOMMEND REAPPOINTMENT OF
MAYOR WILSON KIRBY TO THE
NORTHERN SHENANDOAH VALLEY REGIONAL COMMISSION BOARD**

Date: October 13, 2015

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Mayor Wilson Kirby to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term to end on October 12, 2016.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder

**BERRYVILLE TOWN COUNCIL
MOTION TO RECOMMEND REAPPOINTMENT OF
CHRISTY DUNKLE AS ALTERNATE TO THE
NORTHERN SHENANDOAH VALLEY REGIONAL COMMISSION BOARD**

Date: October 13, 2015

Motion By:

Second By:

I move that the Council of the Town of Berryville re-appoint Christy Dunkle as an alternate to the Northern Shenandoah Valley Regional Commission Board of Directors for a one year term to end on October 12, 2016.

VOTE:

Aye:

Nay:

Absent/Abstain:

ATTEST: _____
Harry Lee Arnold, Jr., Recorder