

AT A JOINT MEETING OF THE DUMFRIES TOWN COUNCIL AND THE HAMPSTEAD LANDING HOMEOWNERS' ASSOCIATION, HELD ON JUNE 6, 2012, AT 7:00 P.M., IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:

THERE WERE PRESENT: Mayor Gerald Foreman
Kristin Forrester
Daniel Taber, Town Manager
Christine Sanders, Town Attorney

THERE WERE ABSENT: Vice-Mayor Willie Toney
Dorothea Barr
Gwen Washington

HAMPSTEAD LANDING: Serafin Alorro, President
Greg Jones, Vice President
Monae Nickerson, Secretary-Treasurer

OTHERS IN ATTENDANCE: Captain Rebecca Edwards
Officer Renee Moody
Debi Sandlin, Community and Economic Development
Greg Tkac, Public Works Director

IN RE: CALL TO ORDER AND ROLL CALL

Ms. Sandlin announced that there were openings on the Architectural Review Board, Board of Zoning Appeals, and the Planning Commission. The Town is trying to engage more residents in the community to become involved with the various Boards and Commissions.

Mayor Foreman asked that the announcement be sent electronically to all of the Homeowner' Associations (HOA) so that the announcement could be put into the HOA's newsletter.

Mayor Foreman called the meeting to order. Dawn Hobgood, Town Clerk, took a visual roll call.

IN RE: DISCUSSION WITH HAMPSTEAD LANDING HOMEOWNERS' ASSOCIATION

Mayor Foreman noted that this meeting was for the HOA to discuss how Council could support them, answer any questions they may have, and make any comments on concerns or complaints. He turned the meeting over to Mr. Alorro.

Mr. Alorro noted that the HOA was established in 2005/2006. He asked what the status was on the request for a streetlight.

Mr. Tkac explained that when the subdivision was originally approved there were some items that were omitted. One was the sidewalk in front of the subdivision that would have run parallel to Possum Point Road. The other was streetlights at each cul-de-sac and a streetlight at the intersection of Possum Point Road and Summer Duck Drive. The developer could not be accountable for those items. Those items were not bonded, so the developers bond could not be held either. He felt it was the responsibility of the Town to provide the streetlight at the intersection of Possum Point Road and Summer Duck Drive. He has never done anything with streetlights and Prince William County (PWC) runs the program. All avenues with getting funding from PWC or Supervisor Maureen Caddigan have been exhausted. A commitment was made to get a streetlight installed at that intersection. PWC has been working with him through the process. PWC is inundated right now, but would be doing the design work and the Town was going to pay for the installation. He is hoping to have this done by Fall; however, he would communicate with the HOA on a monthly basis until installation occurs.

Mr. Taber asked Mr. Tkac to provide an update at the next Council meeting.

Mayor Foreman asked whether Supervisor Caddigan was aware of the situation and if not, should she be.

Mr. Tkac preferred that not occur. He explained that staff for the County was not directed to do the work for the Town. It was strictly Town staff asking County staff to assist through the process. He indicated he would find his own path and do it himself.

Mayor Foreman noted he would let Mr. Tkac know when he is meeting with Supervisor Caddigan. He asked Mr. Tkac to make sure that the County is out of it by then or the Town has a deliverable. He felt that the subject might come up.

Mr. Alorro was satisfied that motion was going forward with getting the streetlight. He mentioned that in the past there were discussions about possibly adding speed barriers or bumps.

Mr. Tkac asked if there was an issue with speed on Summer Duck Drive.

Mr. Alorro advised there is an issue with speed.

Mr. Tkac explained that if a speed study was done within the subdivision, especially with being a closed subdivision, that the speeders would be neighbors. He has found that constantly reminding the neighbors about the safety issues usually helps. He noted that multi-way stops could be installed or speed humps; however, both of those create issues of their own and would need to be vetted through the Police Department and Fire and Rescue regarding response times and equipment. With the use of multi-way stops, it has been found they are often ignored and

provide a false sense of security. In order to do anything a speed study would be required. He asked if anything has been done through the HOA's newsletter to bring awareness to the community.

It was expressed that the HOA has done everything.

Mr. Taber noted there was another step that could be taken. He explained selective enforcement could be done by the Police Department with targeted radar enforcement. He pointed out the neighbors would be getting the tickets. He suggested monitoring prior to issuing tickets.

Larry Nickerson asked if it would help, since he is right on that corner, to provide a specific timeframe.

Mr. Taber noted that would be outstanding and he could work with Officer Moody.

Mr. Nickerson noted he was at the corner of Summer Duck Drive and Ring Necked Road.

Mayor Foreman explained the issue goes back to about the same time as the request for a streetlight. During this time, foreclosures were occurring in the neighborhood, a couple of homes were providing day care, and it was the parents dropping children off that were speeding. The community has since changed and he did not believe that there were any home businesses. There is only one community in the Town that is not a cul-de-sac, one-way in and out, and that is Williamstown. He agreed it was people in the neighborhood.

Mr. Nickerson agreed. He knows all of them. He has talked or yelled at them which seems has done no good.

Mr. Taber mentioned that the Captain can discuss the issue with the Chief. Other neighborhoods across the United States have had good success with citizens identify violators and the Police Department sending a friendly warning letter that enforcement action will be taken.

Ms. Forrester agreed that those were fine steps; however, she did not understand why a study has to be performed before putting in speed bumps. She felt that if the community tried all the other things, acknowledges that there is still a problem, then that would be the study. She did not see why the issue was so complicated.

Mr. Tkac explained that not only does he have a responsibility to the Town, but also has the responsibility of maintaining the streets to minimum AASHTO standards. He has to meet certain criteria to install such a device. He cannot put up a 4-way stop, speed bump, or align

roadways without a paper trail. The Town is reimbursed by the State for the maintenance performed to the Town's roads and if he cannot produce a document justifying why he did something, the Town will not be reimbursed.

Mr. Taber noted the take away should be that those options are not off the table. He suggested going through the process of trying some of the other options first, build up what needs to be built to be used as a tool later if needed to accomplish the goal.

Mayor Foreman mentioned that the snowplows are another thing to take into consideration.

Mr. Alorro noted that the smell of the water in the pipes was brought up at the last meeting. He mentioned that the smell came back a couple of months ago. He understood that a water study was done after that last meeting and wanted to know if anything occurred from that.

Mr. Tkac noted that once a year in the July timeframe the Service Authority of PWC has to change the chlorination. He explained that it creates a nasty odor for a very short period, typically less than a week. He asked if the odor was apparent for a short period.

Mayor Foreman explained that it was this last time; however, the time before was for about a month.

Mr. Taber asked Mr. Tkac to call the Service Authority and find out what time of year the chlorination is done to see if the two correlate.

Ms. Nickerson asked if hard water causes the odor and the reason that lime stains collect easily.

Mr. Tkac asked if the smell was constant.

Ms. Nickerson explained that the smell comes and goes, but the hard water is prevalent. She did not have the problem when she lived on the other side of PWC.

Mr. Tkac asked if anyone has installed a water softener who does not have the problem.

The HOA was not aware of anyone.

Mr. Tkac asked for a point of contact for the Service Authority to talk to.

Ms. Nickerson was fine with being the point of contact.

Mr. Alorro suggested calling the next time the problem is occurring.

Mr. Tkac suggested calling anytime there is a problem. The Town does not have a problem with hard water, nor does he where he lives. He explained it has to do with pressure and where you are on the line.

Mr. Jones recommended emailing rather than calling that way there is a record with a date.

Mr. Alorro mentioned the property above Tweezer Court that was previously discussed.

Mayor Foreman noted that he would cover Piccard Homes and the crack in the middle of the street going up the hill.

Mr. Alorro asked if there was going to be a road expansion occurring in Dumfries.

Mayor Foreman indicated that Mr. Alorro was talking about Route 234 coming out of the old parkway that would connect to the Southbridge subdivision.

Mr. Taber noted there has been a change in ownership and project name. He understood that the developer was going to submit intersection plans to the PWC Board of Supervisors. He did not know what the intersection was going to look like. One of the plans talked about the road being a big loop that would come back around and connect with Route 1 beyond the commuter parking lot. This would take traffic behind the commuter parking lot and bring them out at the current intersection for Highway 95. This would remove a lot of turning traffic from that intersection; however, this is all a dotted line proposal at this point. He understood that the developer is trying to get 200 single-family homes in the first stage of the development. Instead of the homes being closer to the waterfront, the homes would be inside the loop. As more information is available, it will be shared with Council.

Mayor Foreman noted that this was with the understanding that the speed limit would be 35 miles per hour. He explained that this was voted down, with the then Councilman Yohey, because it ran through the Cosner's property. What this means to Hampstead Landing is seeing the unsightly property, the salvage yard. Danny Cosner has been a good neighbor and has done everything he could aesthetically to help the Hampstead Landing's HOA. The salvage yard does not have a stormwater management facility. All of their runoff is going into Dewey Creek. Danny Cosner has stated if the bypass at 35 miles per hour is built, it will force him to shut down his business. Hampstead Landing would lose the unsightliness but would gain a little traffic noise.

Mr. Taber indicated that when the development gets more concrete in nature it will be before Council with an opportunity to receive public input.

Mr. Alorro asked what was going in across from the Baskin-Robbins in the Triangle Shopping Center.

Mayor Foreman advised that a McDonald's McCafe has been approved and is being constructed. He wants to hold an economic summit, bring in the Ferlazzo brothers and the other shopping center owners to see about by creating some incentives to put up a new façade to encourage businesses to come.

Mr. Taber noted that the construction schedule is 90 days for the McDonald's. He asked Mr. Tkac to give an update on the intersection project and the flow of traffic south of the shopping center.

Mr. Tkac noted that the Town is ahead of scheduled on the intersection project that consists of Curtis Drive, Main Street, Graham Park Road, and Route 1. That intersection is at a service level of D, which means that the intersection has failed and does not function. The intersection was originally designed in 1958 and works off two signals that are not married together. The area between the Baskin-Robbins and the shopping center will be widened to four lanes. Currently it consists of one lane in each direction with a substandard left turn lane. The two traffic signals are being changed to have the same controller, which will remove the stacking issue between the intersections. The entrance to the Triangle Shopping Center is going to be eliminated, a new entrance will be put in across from the Knolls of Dumfries, and the area between Curtis Drive and Tebbs Lane will be two-way instead of a one-way. This change will include sidewalks, a bus shelter, and some landscape amenities. Another project the Town is working on is called the Multimodal Project, which the Town is currently in Phase II. Phase I of the project consisted of a comprehensive study of traffic patterns, pedestrian walking patterns, and bus service. The pedestrian friendly project would cost \$2.9 million, which is not achievable. Money is being applied for and the Town has received \$755,000. Federal funding requires a process be followed that consists of 83 steps before work can commence. The project will connect Route 234 and Route 1 to the sidewalk on Main Street by Harold and Cathy's. Also part of the project will include connecting the sidewalk on Graham Park Road to Old Stage Coach Road. That part of the project will require a design waiver to reduce the lane width on Fraley Boulevard over the bridge. Concentration is being placed on the southbound project along Main Street while waiting on the waiver. Possum Point Road is slated for overlayment after the construction is completed and is scheduled two years out. The Town has an Army Corps of Engineering permit to excavate the silt from the box culvert just east of Summer Duck Drive; however, he is waiting for the County to complete a stream bank restoration project north of the area on Dewey Creek. He noted that most of what Public Works has been doing is not seen. The

Town has an aging stormwater drainage system; the pipes are slowly being replaced. A buffer area is being worked on behind Town Hall to act as a filter prior to entering into the creek.

Mr. Alorro suggested putting in the Town's newsletter what is being done.

Mayor Foreman noted that on the first incline going up Summer Duck Drive in the center of the street before the apex there is a stress crack. He mentioned the area that Pickard Homes owns that abuts Hampstead Landing, which Pickard Homes does not maintain, is full of stumps and trees that have fallen.

Mr. Taber asked if there was anything under blight and nuisance that would require the area to be cleaned up.

Mr. Tkac indicated that there was nothing. He explained that Pickard Homes has requested a bond be released three times now, which has been denied. He has requested that the bond be pulled. Pickard Homes has told him it no longer is in the home building business and is going to file bankruptcy. Pickard Homes has been given three options. One was to have the homeowners create an HOA. Pickard Homes wants the Town to take over the property without any incentive.

Mr. Taber asked what the Town's legal options were against the bond.

Mr. Tkac indicated that the Town could go after the bond.

Mr. Taber was hearing that the Town is getting close to the point of no more talking. He mentioned to Mr. Tkac that they needed to discuss the matter.

Mr. Tkac noted that the last correspondence from Pickard Homes was asking for a list of everything the Town wanted them to do. A letter will go out with that list giving them a deadline to get them done.

Mayor Foreman has previously suggested that the Pickard Home property be turned over to Hampstead Landing HOA since the rest of the area is owned by the HOA. The property would have to be cleaned first though.

Mr. Tkac asked if any consideration has been given to petition the property owners to become a member of Hampstead Landings HOA.

Mayor Foreman noted that was an option.

Mr. Alorro mentioned the homeowner that lives at the corner of Colonial Court Road is planting trees on a small strip of land across the street, which seemed odd.

Mayor Foreman explained that the owner of the property has given permission for them to plant.

Ms. Nickerson noted that they have a mobile DJ business that they do not run out of their house except for maybe printing something. She explained that when the Town contracted them to DJ an event they were told they had to acquire a business license. She had an issue with it since the business is a mobile business and they do not use any of their home as a write-off for the business and only use the address.

Mayor Foreman asked that Debi Sandlin get in contact with Ms. Nickerson regarding the matter. He mentioned that he too acquired a business license for Foreman Aviation and was told that he had to pay taxes on his income at the end of the year. He did not agree since the company he works for pays him not to use Foreman Aviation and considers the mobile DJ business as the same type of situation.

Mr. Taber noted that he would provide Ms. Sandlin with Ms. Nickerson's contact information.

Mayor Foreman explained that there are categories for businesses that have never been accounted for.

Ms. Nickerson asked where the line of Dumfries is drawn.

Mayor Foreman explained that north, past Route 234 where the stoplight and Dewey Creek is, the Town owns a little niche on the right. The Town does not own the left hand side of the road where the commuter lot is. Coming south down Route 1, making a right on Route 234, the Town owns everything to the left up to Highway 95, but owns nothing on the right.

Ms. Nickerson noted that Potomac Middle School has a Dumfries address.

Mr. Tkac noted he has a Dumfries address and he lives in Montclair.

Mr. Taber explained addresses are determined by the postal service and consist of an area for a specific zip code and not geographical boundaries.

Mr. Jones asked if the Potomac Landfill was a dump for the residents of the Town.

Mr. Taber indicated it is not and is a construction debris landfill.

Mr. Jones asked why the landfill further up on Route 234 charges a fee for Dumfries residents.

Mr. Tkac explained that up until about five years ago there was no landfill fee for County residents. The landfill was taking in out of state trash, which severely limited their ability to maintain themselves for at least 50 years, and they decided to tax residents. He pays \$63.00 a year for the right to dump his trash at the landfill. At that time the Town, Haymarket, and Occoquan were given the option to buy in at the same rate for the residents. The Town opted out.

Mr. Taber explained that in the County you have to contract with a hauler to pick up your household trash; however, if you are a resident the Town covers the cost for trash pickup.

Ms. Forrester noted a dumpster used to be placed in each neighborhood once a year.

Mr. Foreman noted the program was still there, but you have to call and request it through the County.

Mr. Taber noted that was a great way for an HOA to advertise a neighborhood clean up for their community.

Mr. Jones asked if there was a shredding program.

Mr. Taber noted that the Town has never done that.

Mr. Tkac noted that was never thought about, but something to look into.

Mr. Jones mentioned that Verizon came in, by righted with no notice, and just started digging up yards and tearing out driveways. Verizon subcontracted the work out to repair the driveways, the job was not done very well, and there are four driveways that are subpar. The property owners signed off on the work so there is nothing that the HOA can do. The streets where the patchwork was done are now forming potholes and will need to be fixed.

IN RE: ADJOURNMENT

Mayor Foreman adjourned the meeting.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

Gerald M. Foreman
Mayor