



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town
CHARTERED 1749 INCORPORATED 1961

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AT A REGULAR MEETING OF THE PLANNING COMMISSION, HELD ON AUGUST 11, 2014, AT 7:00 P.M., IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:

Call to Order

Mr. Webb called the meeting to order.

Roll Call

Present: John Webb, Chair
Christopher Padberg, Vice-Chair
Naeem Arshad
William O'Kelly Russell

Absent: Selonia Miles
Lou Praino
Louise Waggy

Staff Present: Laura O'Dell, Town Planner/Zoning Administrator

Adoption Approval of Minutes from June 9, 2014

Mr. Webb stated he did not see the minutes in the packet.

Ms. O'Dell apologized. She might have left them out on accident.

Mr. Padberg indicated the minutes might have been sent electronically; however, he went by the packet that was provided.

Mr. Webb had not looked at the electronic version and did not think to check. He asked that they be ready for adoption at the next meeting.

Mr. Arshad noted he had them and after looking through the packet materials it was determined the minutes were indeed in the packet; however, Mr. Webb still wanted to have the minutes included in the next meeting since he did not have a chance to read them.

Citizen Comment

An unidentified man in the audience requested to speak.

Mr. Webb allowed him to speak.

He was a little confused. He has heard a lot of talk around the Town about fast tracking economic development. He was curious about what happened to it because this certainly was not an example of fast tracking anything.

Mr. Webb asked why not.

He asked what fast track means.

Mr. Webb stated that fast tracking usually means that you. I do not...

He asked if the PC knew how they were coming across.

Mr. Webb asked how.

He stated like a bunch of bureaucrats that never had any power before and a little bit power hungry. You are trying to compete with the rest of the County to fast track something and the PC's track record is very poor. You are fast tracking the opposite of economic development. That is the perception. He does not understand what happened to fast tracking. He asked how long it took this bureaucracy to operate. The PC is not doing what jurisdictions do to have rapid economic development and is doing the opposite. That is one perception. A little food for thought.

Mr. Webb thanked the speaker.

He stated he was a taxpayer here. He sees the people knocking their brain outs to try to get something to the PC and it takes the PC too long. He asked what the PC was doing proactive, maybe contacting the landlord and find out. He noted the PC sits around and perpetuates things from month to month to month.

Mr. Webb clarified there are certain things the applicant has to do himself.

He asked if the PC has heard about the advertisement that Dumfries is the Town for economic development.

Mr. Webb stated he could take it up with Council.

He indicated he was just giving some feedback as a citizen. He is not a citizen of the Town and lives three doors down; however, what happens in Dumfries affects the value of his property. He did not mean for the comment to be taken as a reactive negative destructive comment and only meant to make a proactive positive constructive comment. Just holding the mirror up so the PC can see itself.

Another unidentified man in the audience asked if this was citizen's time.

Mr. Webb indicated it was.

He mentioned that he has attended PC meetings more than once and observed that each time there were several applicants for conditional use permits (CUP). The CUP is vested first off in the landowner and not the tenant. He requested staff entertain applications from landlords and not from tenants. He is a landlord in the Town and whenever he needs to bring in an application after he gives the authority to the person who is submitting one whether it is for construction, an occupancy permit, or a CUP. The landlord is the vested person and once a CUP is issued, it is issued for a place and it is in the best interest of staff to make sure the suggested use is compatible whether it be a nursing home, church, or office.

Mr. Webb thanked the speaker.

Mr. Padberg stated this is not an open forum. That is during the work session. He wanted to respond to Mr. Singh's comment with all due respect. It has been a long-standing tradition amongst municipalities in this region that the permission to use a commercial facility is given to the tenant. The tenant typically has to get some sort of a certificate of occupancy from the municipality where the property is located. In the process of obtaining the certificate of occupancy and or the business license from the Town, the legality of the zoning comes into question and that is what Ms. O'Dell's job is. It is to verify the zoning on the property is consistent with what the proposed use is. It is appropriate that it is issued to the tenant and not the landlord. He believes, in the case of a CUP, one of the requirements is a permission letter from the landlord. He may be wrong, but none the less. He reiterated it is appropriate for it to be a tenant matter and not a landlord matter, because it is part of their certificate of occupancy.

Adjournment

Mr. Padberg moved, seconded by Mr. Russell, to adjourn the regular meeting. The motion carried by the following voice vote: Mr. Arshad, yes; Ms. Miles, absent; Mr. Padberg, yes; Mr. Praino, absent; Mr. Russell, yes; Ms. Waggy, absent; Mr. Webb, yes.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

John Webb
Chair

The citizens who spoke did come to the podium and did not provide their names; however, by voice recognition, the 1st gentleman was Samuel Harrison and the 2nd gentleman was Pete Singh.