

SMITHFIELD TOWN COUNCIL AGENDA
November 3rd, 2015 at 7:30 p.m.
Held at Smithfield Center, 220 N. Church Street



A. INFORMATIONAL SECTION:

1. Manager's Report
 - a. October Activity Report

B. UPCOMING MEETINGS AND ACTIVITIES:

- | | | |
|--|---|---|
| November 3 | - | 7:30 p.m. – Town Council Meeting |
| November 10 | - | 4:00 p.m. – Pinewood Heights Management Team Meeting |
| November 10 | - | 6:30 p.m. – Smithfield Planning Commission Meeting |
| November 11 | - | Town Offices will be Closed in Observance of Veterans Day |
| November 16 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Police Committee
Water and Sewer Committee
Finance Committee |
| November 17 | - | 4:00 p.m. – Town Council Committee Meetings (Consecutive)
Parks and Recreation Committee
Public Works Committee
Public Buildings and Welfare Committee |
| November 17 | - | 6:30 p.m. – Board of Historic and Architectural Review |
| November 17 | - | 7:30 p.m. – Board of Zoning Appeals |
| November 25 th | - | Town Offices Close at Noon in Observance of Thanksgiving Holiday |
| November 26 th & 27 th | - | Town Offices will be Closed in Observance of the Thanksgiving Holiday |

NOTE: All of the above public meetings will be held at the Smithfield Center, unless otherwise noted.

C. Public Comments:

The public is invited to speak to Council on any matters, except scheduled public hearing(s). There will be a separate sign up sheet for public hearings. For public comments please use the appropriate sign-up sheet and include your preferred method of contact. Comments are limited to five (5) minutes per person. Any required response(s) from the Town will be provided in writing following the meeting.

D. Council Comments

NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT. Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council Meetings. ADA compliant hearing devices are available for use upon request. Please call (757) 356-9939 at least 24 hours prior to the meeting date so that proper arrangements may be made.

E. Summary of Consent Agenda Items

- a. Water and Sewer Committee Chair, Vice Mayor Gregory
- b. Finance Committee Chair, Mr. Randy Pack

CONSENT AGENDA ITEMS

C1. Motion to Authorize the Town Manager to Cancel Water Tank Maintenance Contract with Caldwell Tanks and Issue New Request for Proposals (RFP)

Water and Sewer Committee Chair, Vice Mayor Gregory

C2. Motion to Accept Utility Master Planning Proposal from Draper Aden Associates in an Amount not to Exceed \$48,500.00

Water and Sewer Committee Chair, Vice Mayor Gregory

C3. Invoices Over \$10,000 Requiring Council Authorization

Finance Committee Chair, Mr. Randy Pack

a.	Moseley Architects	\$14,567.40
b.	Virginia Resources Authority (VRA)	\$12,140.59
c.	Draper Aden Associates	\$28,182.50
d.	Lewis Construction of Virginia	\$25,926.55
e.	Blair Brothers, Inc.	\$89,000.00
f.	All Virginia Environmental Solutions	\$11,600.00
g.	Western Tidewater Free Clinic	\$34,000.00
h.	THG Construction	\$20,750.00
i.	Atlantic Communications Inc.	\$37,263.82

C4. Motion to Approve 2015 Holiday Work Schedule for Town Employees

Finance Committee Chair, Mr. Randy Pack

ACTION SECTION

1. PUBLIC HEARING: Amendment to Comprehensive Plan

- a. Staff Presentation by Planning and Zoning Administrator, William G. Saunders, IV
- b. Public Hearing Open
- c. Public Hearing Closed
- d. Consideration by Public Buildings and Welfare Committee Dr. Milton Cook

2. **PUBLIC HEARING: Change in Zoning Classification** **TAB # 1**
 - a. Staff Presentation by Planning and Zoning Administrator , William G. Saunders, IV
 - b. Public Hearing Open
 - c. Public Hearing Closed
 - d. Consideration by Public Buildings and Welfare Committee Dr. Milton Cook

3. **Motion to Approve the Town Council Meeting Minutes of October 7th, 2015**
Mr. William H. Riddick, III, Town Attorney

4. **New Business:**

5. **Old Business:**

6. **Closed Session:**

7. **Meeting Adjourned:**

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

**FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER**

SUBJECT: MONTHLY ACTIVITY REPORT – OCTOBER 2015

TOWN MANAGER'S OFFICE:

- a. Attended the following: VML Insurance Programs fall workshop in Williamsburg, VML Annual Conference in Richmond, HRPDC CAO meeting in Newport News, Smithfield Kiwanis installation dinner, United Way fundraiser in Suffolk, Leadership Isle of Wight program graduation, ribbon cutting for new 7-11 (formerly Southern), HRPDC Annual Board meeting in Chesapeake with Mayor Williams, SHS Homecoming Parade, and VML Insurance Programs Investment Committee meeting via conference call.
- b. Prepared and conducted annual Town Employee In Service Training Day at the Smithfield Center
- c. Utilized on day of accrued vacation leave
- d. Met with Anne Seward, Isle of Wight County Administrator, and covered a variety of topics of mutual interest.

TOWN CLERK'S OFFICE:

- a. Transcribed and proofed the monthly minutes from Town Council, Planning Commission, and Board of Historic and Architectural Review for the month of October.
- b. Met with Michael Dodson of Community Planning Partners and Elizabeth Boehringer of VDHCD for compliance audit for Pinewood Heights Phase II MY2, October 6th.
- c. Attended Isle of Wight Leadership Graduation on Friday, October 16th.
- d. Attended In-Service Employee Training Day, October 22nd.
- e. Prepared October Town Council Committee Agenda, October Continued Town Council Agenda, and November Town Council Agenda.
- f. Attended Town Council Committee meetings on October 26th and 27th.

TREASURER'S OFFICE:

- a. Attended the VMLIP Fall Workshop in Williamsburg on October 1 with Peter Stephenson and Tracy James.
- b. Worked with Michael Dodson of Community Planning Partners and Elizabeth Boehringer of VDHCD on compliance audit for Pinewood Heights Phase II MY2 on October 7
- c. Was elected to a 3 year term on the board of the Virginia Investment Pool on October 9. Previously served a one year term as an original member of the organizing board
- d. Attended employee training day at the Smithfield Center on October 22. Great day of training.
- e. Prepared bank reconciliations and financial statements to present cash balances and financial reports to the Town Council at the October 26 finance committee meeting.
- f. Mailed annual real estate tax bills on October 28. The personal property file was completed on October 29 and sent to the printer for processing.
- g. Filed annual unclaimed property report on October 29.
- h. Took vacation days on October 23 and October 30.

PUBLIC WORKS:

- Staff performs the following duties on a monthly basis:
Miss Utility marking, read meters for billing and to transfer property owners, cut offs and cut-ons, check pump stations daily, install and repair street signs, replace and repair broken water meters, take a minimum of 8 water samples and have them tested, flush water lines, repair water leaks, repair radio reads after each reading if needed, maintenance on town owned buildings.
1. Sewer Line Repairs and Maintenance:
 - a. 11 Moone Creek Cr. - repaired sewer lateral - bored through at the bottom of lateral.
 - b. 225 Lane Crescent - repaired sewer lateral, homeowner had to make repairs on the side of the line that belongs to them.
 2. Sewer Pump Station Repairs and Maintenance:
 - a. Weekly and daily checks on all 27 pump stations.
 - b. Performed the following scheduled maintenance at all pump station

Cleaning of wet-wells
Alarms testing
Sump pump cleaning
Check Valve cleaning and repair
Generator checks / Godwin pump checks
Control Panel / Flow monitor checks
Fence and Grounds inspections
Inspected Structure
Inspect and clean pumps
Level system check
Test limit switches
Bar screen cleaning
Rain gauge cleaning

- c. Moonfield pump station down to one pump - due to bad pump.
- d. Pinewood pump station - installed new pump.
- e. Ledford pump station - replaced pump fail board.
- f. Watson pump station getting relined.

3. Water Line Repairs and Maintenance

- a. Repaired water leak at Farmer Service.
- b. Repaired water leak at 310 Ridgeland Dr.

4. Well Repairs and Maintenance

- a. All wells except 8A and 10 (at RO Plant) are off now that RO plant is running. Upgrades to well houses have been completed to keep wells in operating condition in case of an emergency. Emergency wells are flushed once a month.

5. Water Treatment Plant

- a. Daily lab analysis and reports for VDH, HRSD, DEQ and ITT.
- b. Preventative maintenance was performed on lime feeder and RO booster pump per preventative maintenance schedule.
- c. RO plant generator was serviced by CAT service technicians per annual schedule.
- d. Pilot RO system was installed and put online to test new anti-scalant chemical.

6. Safety

- a. Monthly truck inspections.

- b. All Public Works employees attended annual Employee Training Day and received annual hearing tests.

7. Windsor Castle Park

- a. Cleaned off and repaired walking trails as needed. Trash cans, recycle bins, information stands and doggie bags are emptied, cleaned or refilled as needed on Mondays and Fridays.
- b. A general inspection of the park is conducted weekly to ensure that all park amenities are in good condition and are not in need of maintenance or repair. This inspection includes walking of the trails to inspect all pedestrian bridges, overlooks, and to identify possible problems with the trails. In addition inspections are made to the kayak launch and fishing pier to identify possible maintenance issues.
- c. Five dead trees were identified for replacement.
- d. Kevin Rudy will be liming dog park within the next few weeks

8. Fog/Backflow Programs

- A. Fog inspections on FSE and monitoring of grease disposal is ongoing with a good level of compliance and cooperation from local businesses.
- B. The following locations had FOG inspections conducted this month
 - 1. Ringo's Doughnuts
 - 2. Top's Chinese
 - 3. Wendy's
 - 4. Subway
 - 5. Taco Bell
 - 6. Old Bay Seafood
 - 7. Pizza Hut
 - 8. Burger King
 - 9. Cockeyed Roster Cafe
- C. Backflow test reports are being submitted by residents and business with a good level of cooperation from the public.

9. Miscellaneous

- a. Grounds crews cut grass at town-owned property and rights-of-way weekly and empty trash cans on Monday and Friday.
- b. Minor repairs at Town Hall and Town Buildings.

- c. Staff worked Town and Country Days and prepared for BOB Fest.

PLANNING AND ZONING:

1. Planning Commission – October 13, 2015
 - A. *Public Hearing* Special Sign Exception - 921 South Church Street – Lauren Babb, Footnotes Dance Studio, applicants - Approved.
 - B. *Public Hearing* Special Sign Exception - 1402A South Church Street – Debbie Mason, Mason Martial Arts Academy, applicants - Approved.
 - C. Zoning Ordinance Review – Flood Plain Overlay District and Definitions –Town of Smithfield, applicant – No action taken; Public Hearing to be held at the Nov. 10, 2015 Planning Commission meeting.
2. Rezoning Applications under review
 - A. Cary & Main (Pierceville) Development
3. Special Use Permit Applications under review
 - A. None
4. Subdivision and Site Plans under review
 - A. Smithfield Manor Phase 7
 - B. Church Square 26A & 26B
5. Subdivision and Commercial Sites Under Construction and Inspection
 - A. Church Square, Phase I (95% complete)
 - B. Smithfield Manor Townhomes (95% complete)
 - C. Lakeview Cove Condos (75% complete)
6. Board of Historic & Architectural Review – October 20, 2015
 - A. Proposed House Addition – 352 South Church Street – (Landmark) –Joseph J. Howell, applicant - Approved.

- B. Rezoning Review – Cary & Main (Pierceville) Project – William G. Darden, Hearndon MC Builders, LLC, applicants – The proposed homes were deemed to be appropriate regarding the Historic District guidelines.

7. Board of Zoning Appeals – October 20, 2015

- 1. No meeting held.

ENGINEERING

- A. Church Square, Phase I, contractor has installed E & S controls as required by the Town and the approved site plans. Homes are under construction as per market demand.
- C. Lakeview Cove is now under new ownership. All E & S controls have been installed previously by the contractor as per the approved site plans and required by the Town.
- D. Blair Brother’s Contractor continued and completed installation of replacement storm drain pipe system on Manchester Ct. and New Castle Way in the Waterford Oaks Subdivision.
- E. Erosion & Sedimentation control field inspections were performed and appropriate reports filed on the following active projects: Moody Properties, & Cypress Creek Parkway extension. Also Erosion & Sedimentation control field inspections for single family dwellings were performed at 9 locations throughout the Town and required reports were filed.
- F. Field inspections were held this month involving the Smithfield Lake Dam. It should be noted that the plunge pool area at the outfall of the primary spillway has some damage and may need repair.
- G. Cypress Creek Development; Contractor C. A. Barrs Constr., all work on project has now been completed including the roadway asphalt surface. The project is now under its one year warranty period.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE POLICE COMMITTEE MEETING
HELD ON MONDAY, OCTOBER 26th, 2015

The Police Committee met Monday, October 26th, 2015 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee member attending was Mrs. Denise Tynes, Chair, and Mr. Andrew Gregory, Vice Mayor. Other Council members present were Mr. Randy Pack, Mr. Michael G. Smith, Dr. Milton Cook, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Steven G. Bowman, Smithfield Police Chief; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Mr. William G. Saunders, IV, Planning and Zoning Administrator. Also in attendance were Mr. Rick Bodson of Smithfield 2020; and Mr. Jason Garofalo of Draper Aden Associates. The media was represented by Ms. Diana McFarland of The Smithfield Times.

Police Committee Chair, Denise Tynes called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Operational Updates – Chief Bowman reported that Deputy Chief Howell was in Chicago attending the International Association Chiefs of Police Conference. He will be back Wednesday, October 28th. Since last committee the Police Department has assisted with the Hog Jog race, Town and Country Days, Homecoming Parade, and the Antique Car Show. Everything went very well and no complaints have been received. The police vehicles that Town Council authorized to be purchased in July have all been outfitted and are in service. The invoice for the outfitting of the vehicles is included in the invoices to be authorized at Finance Committee. Chief Bowman reported that one police officer was married this weekend and another officer has a baby on the way.

2. Update on Colonial Avenue and Kendall Haven Streetlight Requests – Mr. Griffin stated that he has spoken with Virginia Power and they are working on getting two cost estimates to town staff this week for the streetlight installations on Colonial Avenue and Kendal Haven. Mrs. Tynes stated that the installation of the two streetlights on Kendall

Haven would illuminate the entrance to Kendall Haven at Battery Park Road. This item will come back to committee once the town receives cost estimates from Virginia Power.

The meeting adjourned at 4:05 p.m.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE WATER & SEWER COMMITTEE
MEETING HELD ON MONDAY, OCTOBER 26TH, 2015

The Water & Sewer Committee held a meeting on Monday, October 26th, 2015 at 4:05 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee member attending was Mr. Andrew Gregory, Chair, Mr. Michael Smith, and Mrs. Denise Tynes. Other Council members present were Mr. Randy Pack, Dr. Milton Cook, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; and Mr. William Saunders, IV, Planning and Zoning Administrator. Also in attendance were Mr. Rick Bodson of Smithfield 2020; and Mr. Jason Garofalo of Draper Aden Associates. The media was represented by Ms. Diana McFarland of The Smithfield Times.

Water and Sewer Committee Chair, Andrew Gregory called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA

1. Additional Item Discussed: Water Tank Maintenance Contract – The Town Manager mentioned that town staff would like to cancel the town's water tank maintenance contract with Caldwell Tanks. Caldwell Tanks is getting out of the tank maintenance business. Staff is asking for Town Council's authorization to cancel the town's existing contract with Caldwell Tanks and authorize staff to bid out a new RFP for tank maintenance. The Town Attorney stated that in the contract it states that the town has the right at its discretion to terminate the contract as long as the town gives ninety day notice before terminating the contract. Dr. Cook asked when the town became dissatisfied with Caldwell Tanks service. The Town Manager stated that Caldwell Tanks was supposed to come back and do some scheduled work this fall and that is when the town found out that Caldwell was getting out of the tank maintenance business and were planning on assigning the work to someone else. The contract clearly states that they

cannot assign the work to someone else. The Town Attorney stated that in years past Caldwell Tanks has been performing tank maintenance per their contract with the town. Vice Mayor Gregory asked if the town owes Caldwell Tanks any money for prior service. The Town Manager stated that the town has been invoiced for this quarter; however he has withheld payment because no work has been performed. Vice Mayor Gregory asked when was the last time Caldwell Tanks did any maintenance on the town's water tanks. The Town Manager stated that he believes it was last spring, but would need to check with Mr. Snead and Mr. Reed to be sure. Vice Mayor Gregory asked if the town needs to have a replacement tank maintenance contractor in place before we terminate this existing contract. The Town Attorney stated that Caldwell Tanks is not coming to do any additional tank maintenance as the contract is now so having a replacement company in place first is not necessary. The Town Manager stated that if the town needs any emergency repairs there is a company in Roanoke Rapids that will likely bid on the contract that could do the work if necessary.

2. Utility Master Planning Proposal from Draper Aden Associates – The Town Manager stated that this item was budgeted to update the town's water and sewer master plan. The last time the town did a comprehensive utility plan was in 1999 by a company named AES. Soon after that was completed the town was consumed in the Sewer Consent Order and the construction of the RO Plant. The town is at the point while updating the Comprehensive Plan we need to look at potential development of two commercial growth areas along West Main Street and Benns Church Boulevard. The town wants to be proactive and look at these two areas to start with. This scope of work would update the town's existing water system model and GIS mapping of both the water and sewer systems. The Town Manager stated that Mr. Garofalo and Mr. Andy Snyder of Draper Aden Associates met with town staff a couple of weeks ago to go over what we felt would be a good starting point. Mr. Garofalo stated that there are three tasks associated with the scope of service. Task 1 will be updating existing water and sewer modeling from where it was in 1999. The last time it was looked at was around 2008. Task 2 would include working with town staff to establish water and sewer demand for the two potential commercial growth areas along West Main Street and Benns Church Boulevard. Draper Aden will analyze the impact each of these areas will have on the existing water and sewer infrastructure, calculate availability capacity and fire flow protection. If Task 2 was to move forward then a Task 3 would be done to expand the forecasting of water and sewer demand for two potential residential growth areas in the undeveloped areas in the northwest and southeast portions of the town based on future zoning, developable land calculations and usage. The Town Manager explained that currently the sewage from Tractor Supply Company flows all the way back past the RO Plant then back to HRSD. The town is currently pretty much tapped out in terms of how the existing sewer system is functioning in that particular area. The town needs to get a plan in place with some cost estimates so that if we have new businesses we know what we need to do to get a direct connection into the force main along Benns Church Boulevard and the pump station improvements that the town will need at the Smithfield

Plaza. Mayor Williams asked for clarification that the detailed schedules once this scope of work is completed will include cost estimates. Mr. Garofalo replied that was correct. He explained for water the town will be looking at what has to be done to expand the system. For sewer the town will be looking for other ways to offload flows so that we are not adding to the existing sewer system. Vice Mayor Gregory asked if this would also include residential projections for water. The 1B area on the attached map is the proposed residential demand so they will look at the different stages of how much is developable and what kind of density. This will give you a master build out number and that will be ultimately what the town could build out too in ten to twenty years. Vice Mayor Gregory asked if the projections would include areas that already have approved development such as Mallory Point. The Town Manager stated that would be in the next step. Mr. Garofalo stated that task 1 which is updating all of the models will not need to be done again for future phases because the town can build off the updated models. Committee recommends approval of Draper Aden's proposal for the town's Utility Master Plan.

B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA

3. Operational Updates – The Town Manager mentioned that Jacob Hodge of Public Works and his wife had a baby boy this morning. So congratulations to them. Mr. Snead is not here today as he is attending two funerals. The Town Manager stated that the mini RO system within the RO Plant that will be used for the removal of phosphate has been installed and is operational. For the next thirty days it will be running to test and record data as the next step in the process for possible discharge of water in Cypress Creek.

The meeting adjourned at 4:19 p.m.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE FINANCE COMMITTEE MEETING
HELD ON MONDAY, OCTOBER 26TH, 2015

The Finance Committee held a meeting on Monday, October 26th, 2015 at 4:19 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Randy Pack, Chair; Mr. Andrew Gregory, Vice Mayor; and Dr. Milton Cook. Other Council members present were Mr. Michael G. Smith, Mrs. Denise Tynes, and T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William Riddick, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. and William Saunders, IV, Planning and Zoning Administrator. Also in attendance were Mr. Rick Bodson of Smithfield 2020, and Mr. Jason Garofalo of Draper Aden Associates. The media was represented by Ms. Diana McFarland of The Smithfield Times.

Committee Chair, Mr. Randy Pack called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL AGENDA

1. Invoices Over \$10,000 Requiring Council's Authorization:

a. Moseley Architects \$14,567.40

This invoice is for 60% completion of the construction documents, bidding and construction administration for the Smithfield Police Evidence Storage Building. The Town Manager stated that the building plans and the town's fee for plan review were turned into the county on Friday, October 23rd. The town is waiting the Building Inspector's approval so that the town can move forward with putting this item out to bid. Mr. Brian Camden of Alpha Corporation has reviewed the invoice and recommends approval of payment. Committee will send this invoice to Council for consideration.

b. Virginia Resources Authority (VRA) \$12,140.59

Ms. Minga stated that this is the final payment on the James Street pump station. The town will be reimbursed by Smithfield Foods for this amount. Committee recommends payment of invoice.

c. Draper Aden Associates \$28,182.50

The Town Manager stated that this invoice includes progress billing from March and April 2015 that had not yet been paid. These funds were in last year's budget. Committee recommends payment of invoice.

d. Lewis Construction of Virginia, Inc. \$25,926.55

These invoices are for the sewer lateral work and the new 3/4 water service line on South Mason Street. The proposal for the work to be done was approved at the September 1st Town Council meeting. Staff is satisfied with work performed. Committee recommends payment of invoices.

e. Blair Brothers, Inc. \$89,000.00

This invoice is for stormwater repairs in Waterford Oaks. The proposal for this work to be done was approved at the June 2nd Town Council meeting. Work has been completed and staff is satisfied with work. Committee recommends payment of invoice.

f. All Virginia Environmental Solutions (AVES) \$11,600.00

This invoice is for the demolition of two duplexes as part of the Pinewood Heights Relocation Project. The two duplexes are 39/40 Carver Avenue and 47/48 Carver Avenue. Committee recommends payment of invoice.

g. Western Tidewater Free Clinic \$34,000.00

Ms. Minga stated that she received a call from the Western Tidewater Free Clinic to request their annual budgeted contribution. Committee recommends payment on contribution.

h. THG Construction \$20,750.00

This invoice is for the renovations/repairs to the town storage building behind the Smithfield Police Department. The Town Manager stated that the work has been completed and inspected by Isle of Wight Building Inspections. Mr. Gilbert of Alpha Corporation recommends payment of final invoice. The Town Manager stated that the only thing on the inside that staff will need before records can be moved there is some additional lighting in the center part of the building where records will be stored. Staff will also need to look at getting some type of dehumidifier to be kept in the area where the records will be stored. Committee recommends payment of invoice.

i. Atlantic Communications Inc. \$37,263.82

These invoices are for the outfitting of two marked patrol vehicles and one unmarked police vehicle. Committee recommends payment of invoices.

2. Pre Public Hearing Discussion: 2015 Tax Reassessment Rate – Ms. Minga explained that when she had done the initial calculation that was brought to committee last month there was a 2.15% increase. After reaching out to Mr. Gwaltney of the Commissioner’s office for confirmation of the reassessment because the town was expecting a little bit different numbers based on what he had sent to the town earlier in the season. The number from the new assessment did not change but the number that he said the town should be using from the 2014 book was a little higher than what she was using from the actual book that the town ran. The Town Attorney and I reran the numbers based on what Mr. Gwaltney stated that the town should be using and the percentage increase dropped from 2.15% to 1.26%. It is still an increase to be revenue neutral. Instead of being .1566 it is .1580. The Town Manager stated that this item is on the Continued Town Council Agenda for tomorrow at 6:00 p.m. as a public hearing.

3. Town of Smithfield Employee Holiday Schedule – The Town Manager reported that Councilwoman Tynes and Councilwoman Chapman had asked us to list the holiday

work schedule on the agenda for discussion. However once the agenda was completed it had been overlooked. He explained that he had communicated that in regards to the Thanksgiving holiday the state is observing a half day on Wednesday, November 25th, along with Thursday and Friday, November 26th and 27th. That is what he is recommending for the town to do as well. For the Christmas Holiday the state recognizes a full day off on Christmas Eve. The town's policy only recognizes one half day off on Christmas Eve. The Town Manager stated that he had found out this morning that the state is recognizing New Year's Eve as a half day off. He explained that this item was discussed last year at committee and committee recommended at that time if the town wanted to follow state schedule there would need to be an amendment to the town's personnel policy manual. At this time the town schedule is defined whereas the states fluctuates according to the day of the week the holiday falls on. Mrs. Tynes feels that staff has done a great job this year and giving them extra time off on Christmas Eve is a way to reward the employees. The Town Attorney asked the Town Manager what he is asking from Town Council. The Town Manager stated that we can keep it like it is now where the holidays are spelled out or we could do like the Town of Windsor and Isle of Wight County and amend our policy manual to follow the state schedule. The state schedule would vary from year to year. Dr. Cook stated that we have this discussion every year. He asked what we have done in years past. The Town Manger explained that in years past it has been on a case by case basis. Typically, town council has stayed with what is in the manual or given an extra half day or full day. The way it is worded it is completely at Town Council's discretion. Dr. Cook asked what we did last year. The Town Manager replied that Town Council gave employees the extra Fridays following the Christmas and New Year's holidays. Mr. Pack suggested changing the town's policy to follow the state schedule. Mrs. Tynes stated that she thought that is what we decided to do last year. The Town Manager explained that it was discussed but no action was taken. Vice Mayor Gregory stated that he was going to play devil's advocate. He asked if there have been advantages in the past of the town being different from the state. He stated that he does not mind having this conversation once a year. Vice Mayor Gregory asked if it was easier for staff to follow the state schedule. The Town Manager replied that it would be easier to follow the state schedule. The Town Attorney stated that the state's schedule is always more generous. Mr. Smith agreed with Vice Mayor Gregory in the fact that he does not mind reviewing the days to be off each year. Mayor Williams suggested giving town employees an extra half day on Christmas Eve and an extra half day on New Year 's Eve. This would be a way to say thank you to town employees. Mr. Pack stated that we will forward to Town Council for consideration one full day off for Christmas Eve and one full day off on New Year's Eve.

B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Public Comment – Mr. Rick Bodson stated that he was present on behalf of Smithfield 2020 in regards to the economic health of the historic district. In 2004 the Isle of Wight Arts League began publishing every quarter a count of visitors in five venues across the town. Approximately five to six years ago Smithfield 2020 took over that publication; however in the last six months the reliability or the comfort that they have

with these numbers have really brought into question a couple of different points. Two of the venues, IOW Museum and Historic St. Luke's, have changed how they count visitors. Mr. Pack asked a couple of months ago why the visitor count appeared to be down and was there a reason to be concerned. Mr. Bodson explained that he is finding that more and more people are using apps on their phones to get the information that they need rather than coming inside brick and mortar visitor centers. Mr. Bodson stated that visitor counts at the Isle of Wight Arts League are down 7%; however their retail sales are up 7%. Fewer people but they are spending more. Using visitor counts is not necessarily a good way to determine the economic health of the historic district. Mr. Bodson stated that Smithfield 2020 has decided to stop publishing these counts as of January 2016. The usefulness of this report has really wound down. It was discussed at Smithfield 2020 and determined that the most effective way to measure the health of a geography is through sales tax. Sales tax is the only thing that is a constant; however you cannot segregate down to just the historic district or to the entire town. The next measure that Smithfield 2020 has talked about is what if the town uses meals tax as a surrogate. The Town Treasurer has agreed to give Smithfield 2020 a ten year trend by quarter and separate out by the five or six eateries in the historic district. This not a perfect number but you can argue that if we collected a hundred dollars' worth of meals tax ten years ago and the town now collects five hundred that is a good since of more people coming into town and more people spending money. After the first of the year Smithfield 2020 will start publishing as a measure of economic health of the historic district a report based on the collection of meals taxes. Mr. Bodson stated that he has talked to a couple of businesses about sharing their sales numbers sanitized for confidentiality sake but they are not thrilled about giving that information. Vice Mayor Gregory asked if one business from each segment, almost like the Dow of the historic district to contribute so that everyone does not have to get involved. Mr. Bodson stated that he would not attempt to get everyone involved because not everyone has a point of sale terminal. Mr. Bodson thanked committee for their time and he would keep them posted to the economic health of the historic district.

2. September Financial Statement and Graphs – Ms. Minga stated that activity is beginning to pick up on the statements as the town moves away from the June 30th year end and all the accruals associated with yearend. Real Estate bills and Personal Property bills have not been mailed yet so we are not receiving revenues for those yet. As you notice in the notes significantly more reserves have been pulled out compared to last year this time due to the town being a little bit further along in our capital outlay. The town just contributed the \$100,000 as the town's portion of the Great Springs Road Sidewalk Project. This is the first year that the town is operating the museum without contribution from Isle of Wight Historic Society and the contribution from Isle of Wight County. Sewer and Water consumption is down a little bit from this same time last year. This does tend to vary based on the weather. Ms. Minga was happy to report that the town received our first quarter of Highway Funds from the state and that amount is up 4% from prior years. Vice Mayor Gregory stated that he wants to give this mini RO system a shot; however looking at August data there was a 48% increase over where it was last year. He expressed concern that HRSD fees are only up 8% so there is a 40% disconnect. He stated that he does not know what the town's recovery rate is at the RO Plant but this number says that it is at approximately 70%. The Town Manager stated that the town

should be at 80% recovery rate. Dr. Cook asked where the town is with testing the water to see if it can be discharged in Cypress Creek. The Town Manager stated that the next step is the thirty day trial period for the mini RO system as discussed at Water and Sewer Committee. Mr. Pack asked if staff could look at some of the efficiencies that are being done at the RO Plant. The Town Manager replied that he would have staff reevaluate their efficiencies.

3. September Cash Balances – Ms. Minga reported that Cash Balances remain strong. There is the usual lag for sewer but it is not catastrophic at this point. Ms. Minga also reported that the VML/VACo Investment Pool is doing well with an unrealized gain of \$1,427.11. – Water = \$401,087.55; Water Debt Service = \$857,983.41; Water Capital Escrow Availability Fees = \$430,685.90; Water Treatment Plant Escrow = \$111,903.49; Water Deposit Account = \$114,955.23; Water Development Escrow = \$98,133.72; **Subtotal Water = \$2,014,749.30.** Sewer = \$(67,290.51); Sewer Development Escrow = \$355,329.64 Sewer Capital Escrow Availability Fees = \$866,128.50; Sewer Compliance = \$1,172,885.43; **Subtotal Sewer = \$2,327,053.06.** **Highway = \$264,112.12.** General Fund = \$3,090,471.60; Payroll = \$162,275.61; Money Market General Fund Town Bank = \$2,190.81; Business Super NOW-General Fund = \$33,166.62; Money Market General Fund Farmers Bank = \$290,211.12; General Fund Capital Escrow = \$215,108.78; Certificate of Deposit = \$526,234.85; Certificate of Deposit Police Dept = \$36,771.46; Special Project Account (Pinewood) = \$19,994.35; Pinewood Heights Escrow = \$39,085.33; SNAP Program = \$2,287.75; Museum Account = \$111,174.09; Windsor Castle Acct \$19,000.00; **Subtotal General Fund = \$4,547,972.37. TOTAL ALL FUNDS = \$9,153,886.85.**

4. Update on Isle of Wight County True-Up in the Amount of \$118,672.85 – Ms. Minga reported that she did receive a response back from Mr. Terry at Isle of Wight County; however it did not really answer the question that she was looking for. Mr. Terry spent some time on it and sent the town documentation on how the amount was calculated. Ms. Minga stated what she asked Mr. Terry was why the budget number was so off from the actual. What made up the budget number that was used? Mr. Terry had stated in his response that their communication tax only went down 3%. Ms. Minga explained the way the county showed their budget. Joint service support of 28.5% from the Town of Smithfield and 8.5% from the Town of Windsor she backed into the counties 63% based on their numbers. That amount was \$340,070.00. The county had a line item in their budget that said transfer from General Fund – local support in an amount of \$1,020,619.00. She explained that if she subtracted the \$340,070 from the \$1,020,619 that would give her \$680,549. This is the number that Ms. Minga was trying to get to. The counties communication tax ended up only being \$531,413. The difference there \$149,135.00. That is more than a 3% decrease. To her there was something else in that number whether it be reserve that they were going to transfer in to account for some of the shortfall. Again, her question is why the budget to actual is so different not how the actual was calculated. Ms. Minga stated that she just got the counties response and did not get a chance to follow-up. She will continue to work with the county to get an answer as soon as possible.

The meeting adjourned 4:55 p.m.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PARKS AND RECREATION
COMMITTEE MEETING HELD ON TUESDAY, OCTOBER 27th, 2015

The Parks and Recreation Committee held a meeting on Tuesday, October 27th, 2015 at 4:00 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Ms. Connie Chapman, Chair; Mr. Randy Pack, and Mrs. Denise Tynes. Other Council members present were: Mr. Michael G. Smith, Mr. Andrew Gregory, Vice Mayor; Dr. Milton Cook, and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Wayne Griffin, Town Engineer; Mr. Steven G. Bowman, Smithfield Chief of Police; and Mr. Jessie Snead, Superintendent of Public Works; Mr. William H. Riddick, III, Town Attorney; and Ms. Amy Musick, Smithfield Center Director. Also in attendance were Mr. Rick Bodson, Mr. Dennis Arinello and Mr. Bobby Jones. There was no media represented.

Committee Member Chair, Connie Chapman called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Operational Update – Ms. Musick reported that the town recently had an event out at Windsor Castle Park called the Smithfield Century Bike Event. At this time she has not received from the organizer the number of participants. There have also been a few wedding ceremonies over the last month. Coming up the town has Ham-o-ween on Saturday, October 31st, elections will be held here at the Smithfield Center next Tuesday, November 3rd, and a Veterans Day service will be outside at the memorial on November 11th. There will not be a service Sunday prior to Veteran's Day as it has been in years past. Kayak rentals ended the year with total revenue of \$9,168. Eco Counter data is also included in the committee report.

2. Additional Item Discussed: Park Maintenance – Mr. Snead stated that when he was in Blacksburg he spoke with representatives from the City of Virginia Beach, City of Newport News, and the City of Lynchburg in regards to the maintenance of their

pedestrian bridges at their parks. All three localities stated that they do not waste their money on stains. They replace boards as needed. Staining bridges is a little expensive and would be required to be re-stained every three to five years. Ms. Chapman asked how many boards have been replaced since the park opened. Mr. Snead replied that approximately twenty-five have been replaced. Ms. Chapman stated that is not that bad in five years. Mayor Williams stated that there are a couple of boards on the station bridge that have holes all the way through them. People can still cross them with no problem but is concerned that if a dog steps in one of the holes they could get hurt. Mr. Snead stated that the Town Manager had brought those two holes to his attention this morning and staff would follow up to replace the boards. Mayor Williams stated that he has a safety concern coming off the next bridge that comes up to Jericho Road. He explained that even though there are signs posted people are not yielding to pedestrians walking across the roadway. He suggested having the pavement marked as a pedestrian crossing. Mayor Williams asked if Ms. Musick knew how many schools were involved in the cross country run that was in the park last week. Ms. Musick stated that she did not have any numbers. Mayor Williams explained that four weeks ago tomorrow the town had several really bad washouts in the park along the trails. Public Works is doing everything they can to stay on top of the maintenance needed at the park. He suggested that some of this work could be done by the Trail Doctors in addition to what they already do with picking up sticks and keeping the trails clear of debris. He asked if he as a represented of the town would be covered to drive the Gravelly to help out with patching these washouts. The Town Manager stated that he would have to check with VML Insurance to see if he would be covered. The town does have forms for volunteers to sign to cover the town from liability. Ms. Tynes stated that a few months back they discussed possibly hiring a part time park ranger and wondered if the trail doctors could be the park rangers for the town. Mayor Williams stated that insurance is the issue. Coming up the trail doctors will be borrowing the town's leaf blowers to assist with clearing the trails as the leaves continue to fall.

The meeting adjourned at 4:09 p.m.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC WORKS COMMITTEE
MEETING HELD ON TUESDAY, OCTOBER 27TH, 2015

The Public Works Committee held a meeting on Tuesday, October 27th, 2015 at 4:09 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Mr. Michael G. Smith, Chair; Mrs. Denise Tynes, and Dr. Milton Cook. Other Council members present were: Ms. Connie Chapman, Mr. Andrew Gregory, Vice Mayor; Mr. Randy Pack, and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Wayne Griffin, Town Engineer; Mr. Steven G. Bowman, Smithfield Chief of Police; and Mr. Jessie Snead, Superintendent of Public Works; Mr. William H. Riddick, III, Town Attorney; and Mr. William Saunders, IV, Planning and Zoning Administrator. Also in attendance were Mr. Rick Bodson, Mr. Dennis Arinello, Mr. and Mrs. Braunhardt, and Mr. Bobby Jones. There was no media represented.

Committee Chair, Mr. Michael G. Smith called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Operational Update – Mr. Snead stated that South Mason Street is getting ready to be milled. Mr. Griffin stated that the milling was supposed to start today; however with the inclement weather it has been postponed to Thursday. Mr. Griffin also mentioned some work was done on the Dam last week and there are some other issues that have come up but that will be brought to November's committee. The Town Manager stated that the leaves are starting to fall so we are getting lots of calls and complaints about ditches. The town's fall newsletter is scheduled to go out in the next couple of weeks so leaves will be addressed in that as well. Mr. Griffin stated that he spoke with VDOT in regards to coming back and completing the temporary fix at the end of the Cypress Creek near the Smithfield Station. It is on their schedule to do and they will contact town staff here soon. Vice Mayor Gregory stated that he has seen Mr. Smith of the Public Works Department at the Watson Drive pump station and wanted to know if he had an update on that work. Mr. Snead stated that the pump station will be back on line tomorrow. Mayor

Williams stated that the owner of one of the highest tax paying houses in Smithfield would like to see the flowers that were planted in front of her house on South Church Street removed. The property owner said that she was paying someone three times a year approximately \$200 each time to weed it. She would like to see it removed at just mulch put there. The Town Engineer stated that there is a possibility that water running down the sidewalk would wash the mulch out. Town staff will take a look at what could be put there to replace what is being removed. The area is in VDOT's right-of-way however the town does maintain this right-of-way.

The meeting adjourned at 4:16 p.m.

October 30, 2015

TO: SMITHFIELD TOWN COUNCIL

FROM: PETER M. STEPHENSON, AICP, ICMA-CM
TOWN MANAGER

SUBJECT: INFORMATIONAL REPORT FOR THE PUBLIC BUILDINGS & WELFARE
COMMITTEE MEETING HELD ON TUESDAY, OCTOBER 27TH, 2015

The Public Buildings and Welfare Committee held a meeting on Tuesday, October 27th, 2015 at 4:16 p.m. at the Smithfield Center located at 220 North Church Street, Smithfield Virginia. Committee members attending were: Dr. Milton Cook, Chair; Ms. Connie Chapman, and Mr. Michael G. Smith. Other Council members in attendance were Mrs. Denise Tynes, Mr. Andrew Gregory, Vice Mayor; Mr. Randy Pack, and Mr. T. Carter Williams, Mayor. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. William H. Riddick, III, Town Attorney; Mr. Wayne Griffin, Town Engineer; Mr. William Saunders, Planning and Zoning Administrator; and Mr. Steven G. Bowman, Smithfield Police Chief. Also in attendance were Mr. Dennis Arinello, Mr. and Mrs. Braunhardt, Mr. Rick Bodson, and Mr. Bobby Jones. There was no media represented.

Committee Chairman, Dr. Milton Cook called the meeting to order.

A. MATTERS DISCUSSED BY COMMITTEE WHICH WILL BE ON THE COUNCIL'S AGENDA.

1. Pre-Public Hearing Staff Report – Amendment to Comprehensive Plan – The Town Attorney wanted to explain what is coming before Town Council next Tuesday night. The very first item is the proposed amendment to the Comprehensive Plan. The property is currently designated for Parks and Recreation. In order for the applicant to move forward for a change in zoning classification the Town Council will need to change the applicants request of the Future Land Use Map of the Comprehensive Plan. The second public hearing is for a change in zoning classification. Most of the property is zoned Community Conservation (C-C). That zoning district will only permit five houses. You cannot submit an application for a subdivision for 151 homes for property that is zoned for only five houses. This is the basis for the developer's application for rezoning. The zoning is for conditional zoning which means that they have offered certain terms that the developer has agreed to be bound by in the event that Town Council approves the rezoning. The Planning Commission has already had a public hearings on both of these items and have made a recommendation to the Town Council. Mr. Saunders reported that the applicant is William G. Darden of Hearndon MC Builders, LLC. His application was

originally for a rezoning; however the town's Future Land Use Map is not consistent with his rezoning application. Therefore, there is subsequently an application before you to change the future land use map designation for this property. The applicant is proposing, as part of that future land use map change request, an amendment be made to the Comprehensive Plan in order to facilitate the rezoning of \pm 58 acre portion of the Pierceville farm that is northeast of the Route 10 Bypass. The proposed action is to accommodate the development of a residential subdivision consisting of 151 new single-family detached homes. Currently, the Comprehensive Plan Future Land Use Map shows the area in question \pm 1 acre designated as Downtown (D) and the balance of it is designated Parks and Recreation as of 2009 when the currently adopted Comprehensive Plan was being created. This area was envisioned as being a potential baseball complex. Since that time that idea has been moved to another location. If the Future Land Use designation of this property is not amended at the developer's request, for this project, it will be subject for review with the ongoing update of the Comprehensive Plan. The applicant proposes amending the future land use designation to Suburban Residential (S-R). Suburban Residential will accommodate the downtown residential rezoning that they are also requesting. Mr. Saunders stated that the enclosures included in the packet for your review is a copy of the public hearing notice, a copy of the staff report, and a future land use exhibit. The exhibit was put together from the GIS just to show what parcels are in play and what the current Future Land Use designations are in the Comprehensive Plan. A change in the Future Land Use designation, such as that requested by the applicant, constitutes an amendment to the Comprehensive Plan. This requires a public hearing before the Planning Commission, followed by the Planning Commission's recommendation to the Town Council. The Planning Commission held their public hearing on this item at their August 11th, 2015 meeting and recommended denial of the applicant's requested change of the Future Land Use designation. A change in the Future Land Use designation also requires a public hearing before the Town Council prior to council action. Town Council can approve, deny or table the application. This application will have a bearing on the subsequent rezoning application. If this is approved the Comprehensive Plan Future Land Use Map will then conform to the proposed rezoning. If it is denied it will not.

2. Pre-Public Hearing Staff Report – Change in Zoning Classification – Mr. Saunders reported that the applicant is the same as the previous public hearing, William G. Darden of Hearndon MC Builders, LLC. The proposed project is the same \pm 58 acres of the Pierceville farm northeast of the Route 10 Bypass. The project is to accommodate potentially up to 151 new single-family detached homes. The current zoning designation of the area in question is \pm 1 acre zoned Downtown (D). The balance of the property is zoned Community Conservation (C-C). This is the closest thing that we have in town to an agricultural zoning district. It is a residential zoning district but it accommodates agricultural uses and the lightest of residential uses which has a minimum lot size of

40,000 square feet. It would only accommodate a small subdivision. The applicant proposes rezoning the area to Downtown Neighborhood Residential (DN-R). The proposed development would be comprised of 151 single family detached homes on lots with a minimum of 6,000 square feet of area and 50 feet of width. Mr. Saunders gave a list of the enclosed documents attached to this rezoning application. They include, the public hearing notice, rezoning staff report, rezoning exhibit, the proffers, the plan booklet, the narrative, the rezoning application, the Traffic Impact Assessment, Frazier and Associates comments, Smithfield 2020 comments, Smithfield Police Department comments, VDOT comments, Isle of Wight Planning Department comments, Isle of Wight School comments, and Draper Aden and Associates water and sewer evaluation. Mr. Saunders stated that all of these documents went to the August 11th Planning Commission meeting. In addition to these documents a copy of the August 11th minutes and the latest citizen of petitioners as it relates to this project were provided in your packet for review as well. Mr. Saunders stated that also enclosed are the new rezoning items. These items were just submitted last Wednesday, October 21st. They include revised proffers, revised plan booklet, revised General Development Plan, and revised Traffic Impact Assessment. These new revised items are not subject for voting on at your November 3rd meeting. This proposed rezoning, being a conditional one, is accompanied by proffers that are voluntarily proposed by the applicant in order to give an expectation of the type of development that would result if the rezoning is approved. If the rezoning is granted, then the subsequently submitted subdivision plan and subdivision plat should be in substantial conformity with the proffered conditions and General Development Plan, in addition to meeting other ordinances, code and design standard requirements. A change in the zoning classification requires a public hearing before Planning Commission followed by the Planning Commission's recommendation to the Town Council. The Planning Commission did hold a public hearing on this item at their August 11th, 2015 meeting. The Planning Commission recommended denial of the applicant's requested change of zoning classification. As the greater portion of the subject property is within the Historic Preservation Overlay District, a recommendation from the BHAR regarding the proposals appropriateness with in the Historic district was also requested for the consideration of Town Council. At their October 20th meeting the BHAR, while short of a recommendation, found that the proffered homes for the proposed development were appropriate in regard to the historic district guidelines. Mr. Saunders stated that staff asked for a recommendation from the BHAR similar to what the Planning Commission gives; however the Historic Board was not comfortable with giving a recommendation. The Historic Board was more comfortable with stating that the proposed housing for the subdivision was appropriate in regards to the historic district guidelines and of what has

been approved over the last twenty or so years by the Historic Board as it relates to new construction in the historic district. New construction is not held to as high of standards as existing structures. There are different designations for houses in the historic district, unless it is adjacent to a landmark structure. The BHAR did not go as far as making a recommendation but they did say that what is being proposed was within the appropriate guidelines of new construction in the historic district. Mr. Saunders stated that there was one interesting concern that was brought up by a member of the Historic Board as it relates to this item. The addendums to the proffers relate to what the conditions on the rezoning are and what they will be held to afterwards. The developer wants to help you envision a minimum standard that will be out there by showing you all of this because they have provided more than a lot of developers do at this stage of the game. They also provided maximum standards as well. If the town is saying that these are the only elevations that are going to be allowed then we can expect at least that many. If someone wants to go in there and do something better it would be limiting for them too. This is something that needs to be considered in the process. A change in the zoning classification also requires a public hearing before the Town Council prior to council action. Regarding council action, there are several options available at the November 3rd public hearing. 1) Town Council can grant the rezoning with the proffered conditions that were reviewed by the Planning Commission at their August 11th 2015 public hearing. 2) Town Council can deny the rezoning with the proffered conditions that were reviewed by the Planning Commission at their August 11th 2015 public hearing. 3) Town Council can table the application to another date. 4) Town Council can continue the public hearing to consider a revised set of proffered conditions; thereby giving the public an appropriate review period prior to the continued hearing date. Because these revised proffers were not in prior to the public hearing being advertised, the newest version cannot be voted on unless Town Council continues the public hearing. If Town Council takes action on November 3rd it must be on what went to Planning Commission. 5) Town Council also has the option to refer the revised set of proffered conditions back to Planning Commission. Mr. Saunders stated that unless the developer took proffers out it is not required to go back to Planning Commission. There is nothing in the ordinance to limit Town Council's discretion to continue the application to subsequent dates for further modification as long as the public has a proper review period. Any change would require an additional month of review. Dr. Cook stated that his understanding is that there has been some grief given to the changing of the proffers and that is not allowed after it leaves the Planning Commission, but from what he is hearing that is not true. The Town Attorney stated that it is in our Zoning Ordinance. Mr. Saunders just did an excellent job explaining exactly what can be done. The proffers can be changed and they can continue

to be changed. Items cannot be removed from the original proffers. The developer cannot offer less than what the Planning Commission reviewed. Dr. Cook stated that essentially the Town Council can negotiate as much as we want if we are only adding things not removing items. The Town Attorney replied that was correct. He stated that Town Council can ask the developer to add certain things but the developer can also say no. Proffers are voluntary. Dr. Cook referred to the Town Attorney's comment to the developer last month to bring his best game to the table. The Town Attorney stated that the developer's best offer may be good enough or it may not be. Mayor Williams asked if the Town Council continues the public hearing to take in consideration the revised proffers than another public hearing will be held. The Town Attorney stated that was correct. Mr. Saunders explained that the revised proffers are on the town's website; however they have not been on the website long enough for Town Council to take action on those proffers. Vice Mayor Gregory stated that he wants to be able to go into Tuesday night's meeting for the public hearing without having a conversation about the process. Eighty percent of what he has heard out of the last six months has been about the process; how the town has been violating our own ordinance, and violating our process. I want that discussion to be put to bed so that on Tuesday night I can judge this application by its merits, by the number of homes, by the quality of the homes, and the impact it will have on the types of people it will bring in our community. He stated that he did not want to talk about process. The Town Attorney stated that the applications that will be before you on Tuesday are 1) the change in the Future Land Use Map of the Comprehensive Plan and 2) a change in zoning classification which is an amendment to the Zoning Ordinance. The applicant has not submitted a subdivision plat. The applicant has submitted an exhibit as to what the plat will look like. It is not an official submission of a subdivision plat. As he stated earlier they cannot submit a subdivision plat because the property is not properly zoned. Currently, it is zoned Community Conservation (C-C) which permits at the most five lots. There is not a subdivision plat for consideration. The Subdivision Ordinance does not apply. The only ordinance that applies is the Zoning Ordinance. If, in the future, Town Council approves these changes then the applicant would come in with their master plan that contains everything that goes into creating a subdivision. A subdivision is the division of one piece of land into lots of little pieces of land. This is not where we are at this time. Town Council's only decision is whether this change is in the best interest of the citizens of the Town of Smithfield. The change of the zoning classification would potentially permit the creation of a subdivision in accordance with the parameters and conditions that they are offering. There is no Subdivision Approval Committee. The purview for changing zoning classification is only reserved to the Town Council. The Planning Commission has no authority under state law or the

town's Zoning Ordinance. It requires a public hearing at Planning Commission which is a recommendation and then the final decision is made solely by the Town Council. The Town Attorney stated that is the process and he is sorry that some disagree. The Town Attorney stated that it is prescribed by state law. There is little about this process in state code but it does say that for any change in the Zoning Ordinance shall be after a public hearing by Planning Commission with a recommendation to the governing body and after a public hearing by the governing body of the Town of Smithfield. He explained that the town has a specific provision pertaining to zoning amendments and a section on zoning and proffers. The Town Attorney stated there are two options for rezoning. The first is straight zoning. A developer could come in and just request zoning to be changed to Neighborhood Residential (NR). Then the developer can do anything that NR provides because there are no conditions. There are no proffers. There are no conditions that the subdivision be designed in a specific way. The other option, which this applicant chose, is conditional zoning. This is where the developer asks for a rezoning and they give you written conditions that go with it. That is what the Town Council is considering. This is the process. The Town Attorney stated that there has been some question on as to why this item went to the Historic Board. This was done at the discretion of the Zoning Administrator to obtain information he deemed necessary to make this a complete application. The action by the Historic Board was with the consent of the applicant and the direction of the Planning and Zoning Administrator. It was purely an opinion by the Historic Board as to whether the proposed architectural guidelines are appropriate. The BHAR stated that based on the actions that they have taken in the past in approving new construction in the historic district they deemed that the architectural structure and materials were appropriate. It was made clear by them that if this is a project that is ever approved that each one of the houses would come back for the more extensive review. It was not a blanket approval of every house that would be out there if approved in the future. Going to the BHAR was not to give it a rubber stamp of approval. It was to give Town Council information to make you comfortable or uncomfortable in your decision with the architectural component of the application. Mr. Saunders stated that the first page of the General Regulation section of the Smithfield Subdivision Ordinance states "The effect of this Ordinance shall be consonant with the objectives of the Town to assure the orderly subdivision of land and its development, to coordinate the development of streets within and contiguous to any subdivision, to provide for dedication of public rights-of-way, and to serve in implementing the adopted Comprehensive Plan, official map, Zoning Ordinance and other land use plans". This only deals with what is already adopted which means if we are working on a subdivision plan or subdivision plat under the Subdivision Ordinance it would only relate to something that is consistent with the

currently adopted Comprehensive Plan and the currently adopted Zoning Ordinance and Zoning map, which this project is not. The Town Attorney stated that there has also been discussion that the Subdivision Ordinance was adopted more recently the Zoning Ordinance therefore it must have more priority. That is not true. Ordinances are adopted and readopted all the time. The ordinance that applies is the ordinance that is relevant to the subject.

B. MATTERS DISCUSSED BY COMMITTEE WHICH WILL NOT BE ON THE COUNCIL'S AGENDA.

1. Public Comment – Mr. Arinello was present and thanked the committee for giving him the opportunity to express two concerns that he has in regards to the Cary and Main (Pierceville) property. He stated that in April 2015 there was a development plan that Hearndon provided and presented to the Planning Commission. This is a document that has been socialized for a couple of planning considerations to include the Board of Historic and Architectural Review Board (BHAR), Planning Commission and he believes the Town Council. There are three things that he wanted to bring up that he has concerns about. It is in terms of what they talked about in regards to single family homes being in the range of \$240,000 to \$320,000 price range. This would include approximately 150 residential homes. That is fine. The issue about the historical significance in terms of the property that are on that, there were some caveats that they were required to agree to. In this document they do not say that. What they do say is that they are going to find a suitable company to take that over. A suitable entity that wishes to restore the manor house in a plantation to its former glory. They would donate the property to that approved entity at no cost. Hearndon will set aside enough of the surrounding property for self-preservation. Mr. Arinello stated that he has a concern with that because it mitigates and exonerates them from doing that portion of what was stipulated in this whole effort as part of maintaining the preservation of property over three hundred twenty years old. Mr. Arinello stated that he just wants to bring that to the Board's attention. Mr. Arinello stated that he attended the BHAR meeting on October 20th. He stated that he has never attended one before and it was a great educational experience. Hearndon got up and pitched three things which were a cause for concern at the BHAR meeting. They talked about the one on one coming back to the BHAR for the types of houses that they are going to build. However this document dated April 2015 says that they (Hearndon) submitted their plans, materials, and color selections with this application with the understanding that any approvals received will include the approval of said plans, material and colors so that they can proceed with construction of them without further historic/town approval other than as it relates to building code guidelines and other such permits and approvals. That is a contradiction of what the BHAR has the responsibility of doing. This is against the towns own subdivision ordinance which says when you disapprove that proposal you have ten days to come back. Article 4 of the

Zoning Ordinance says you have 14 days for the same requirement. The town has exceeded that. This was April 2015. When Hearndon made that discussion they already said that we are not coming back for any more approvals. There is no longer a requirement for that even though the last sentence of this paragraph says if Hearndon introduces any new plans they have to come back to the BHAR for approval. Mr. Arinello stated that at the BHAR it was the first time that Hearndon publicly acknowledged that they say there will be phases. Hearndon thinks they are going to sell forty houses or better in a phasing approach over the next seven years. This was changed. According to Arinello, Hearndon stated that they were hoping for twenty, twenty-five or maybe thirty. Those numbers are coming down. Mr. Arinello stated that another curve ball that he has never heard before is that Hearndon is open to selling open lots in that property to private owners. Mr. Arinello stated that he approached Ms. Venable to let her know that she had thrown him a few curve balls and he would like time to respond which he did on October 26th. Mr. Arinello stated that in terms of keeping the lines of communication open with regards to the Cary and Main project. It is not that we are against developing the Pierceville Farm. As for the taxpayers around the property it is about developing the property properly. The tract homes and what the town is doing does not seem to be the right approach. There have been two or three issues that have come up in the past couple of days that are kind of extenuating/ mitigating circumstances that he feels are going to impact this project that have already impacted others. The first is St Luke's Village. In the paper article a couple of weeks ago, this projection was first developed as a property that was going to be in the mid \$300,000's to the high \$300,000. The original plan called for the houses to be built using HardiePlank or brick exterior and the use of vinyl siding on portions not visible to the street. Other changes included overhangs, landscapes and roofs, as well as switching from buildings on crawl spaces to slabs or removing porch railings and other cosmetics. Sadlers approach is exactly the same as Hearndons. He wants to build 131 tract homes that he is using as starter homes that are now in the high \$200,000 to the \$300,000 instead of the low mid \$300,000 to the \$350,000 homes. In the newspaper article Sadler stated that his development is the bread and butter of workforce housing. This sounds like Hearndon. Sadler is quoted saying that the reason he had to cut cost was strictly for economic reasons. If they could improve the economy of the area they could certainly build a higher quality house. If Sadler is going to be unsuccessful in what he thought he was going to do five or six years ago because of the economic structure around here, he is not sure that Hearndon is going to be able to get the same effect. If Ms. Venable lowered the development down to twenty, twenty-five and thirty houses and with the offset that they are open to sell custom lots, if that so exist. That is one concern. Mr. Arinello stated that he never knew what Bennis Grant was. He explained that he took a ride out to the county when he saw that structure pop up out there. He stated that he did some research this past weekend. He found out that there will be 560 residential units at Bennis Grant built by Ryan Homes. He stated that he does not have a clue what the cost are associated with this project. As he understands, it is a combination of residential and mixed commercial use much like Port Warwick in Newport News. Again, that is 560 residential units that he has no idea what

the cost are associated with this project. Supposedly the building plan from the counties prospective will create an economic developmental boom that will affect Smithfield, Windsor, and other adjacent communities. Mr. Arinello stated that he does not know what developer is doing off of Route 17 in Carrollton but if you take that right like you are going to Suffolk he is clearing a lot of property. He stated that he suspects that it will be residential as well. The Town Manager stated that it is going to be small residential neighborhood. Mr. Arinello also mentioned the townhomes at Eagle Harbor. Mr. Arinello stated that he did not know when he moved into the town, because he was in the county a year before, that he would be paying double taxes in Smithfield. Mr. Arinello stated that he is okay with that because he likes Smithfield. He stated that all of these developers are all trying to attract the same people and the economic landscape around here will not support that. The town has now exponentially increased the number of homes at or about the like price to compete for the same people. That is not what we want to do. Mr. Arinello stated that his fear is that Pierceville will end up, as they phase this over seven years, we will have another Church Square on our hands. The back half will be developed and then there will be a lot of vacant property. Mr. Arinello stated that these are his concerns and thanked committee for giving him the opportunity to voice his concerns. Dr. Cook asked what Mr. Arinello meant by seven year stamp. Mr. Arinello stated that the town stamped seven years at the BHAR. Dr. Cook explained that Town Council, at this time, does not know what we are going to recommend. Mr. Arinello stated that from his perception there is a possibility it will be recommended for the seven years. Dr. Cook again explained that Town Council has not given approval for anything. Half of the information that he provided today he has not been privy too. This information has not been provided to Town Council yet. Mr. Arinello stated that this information is in the minutes of the BHAR meeting held on October 20th. Dr. Cook stated that he understands Mr. Arinello's concerns. What it all boils down to is the fact that you are concerned with over development, too many houses in too little time. Mr. Arinello stated that was correct. Dr. Cook stated that before you start making comments that Town Council has approved things we have not yet sir. Mr. Arinello stated then he misinterpreted what the BHAR does and what BHAR can say. Dr. Cook asked Mr. Arinello if he knew that Town Council was not a member of the BHAR. Mr. Arinello replied that he did. Dr. Cook reiterated that Town Council has not voted on anything. Mr. Arinello stated that some of the people around the table were at BHAR. Then he stated that he may be mistaken because this is a totally different group. Dr. Cook stated that before you make accusations of what the Town Council has approved or stamped you are incorrect. Dr. Cook stated that others, such as Planning Commission, may have voted against the rezoning but it has not yet made it to Town Council. Mr. Arinello stated that he stands corrected and apologized for using the wrong language. Mr. Braunhardt stated that on the town's public web page there is the phased approach that shows the number of homes that are going to be sold per phase and the number of years out. Dr. Cook thanked Mr. Braunhardt. Mr. Pack gave a brief summary of what Mr. Arinello is concerned about. He stated that Mr. Arinello is showing his concerns about the potential growth public hearing that is scheduled for next Tuesday night, is that correct? Mr.

Arinello stated that was correct. One of the concerns is with the Pierceville manor house as it exists. It is proposed to be given away for someone else to fix up. You do not want to see that happen, correct? Mr. Arinello replied that was correct. It is in the historic district and he feels that it is part of the charm and character of the Town of Smithfield. Mr. Pack stated that you want to see the house fixed up at the developer's expense or some way to guarantee the house is going to be fixed up. Mr. Arinello stated that was correct. Mr. Pack stated that as far as the blanket of approval for the houses, with approximately seven designs, the developer has asked for all of these designs to be approved at once. If the developer has model "A" and wants to build it five times then they do not have to come to BHAR five times. Mr. Pack asked if Mr. Arinello was asking for the BHAR to review each time rather than having a blanket approval. Mr. Arinello stated that he would like to see as it is specified in policies and processes that are already in existence in terms of what is out there relative to the Subdivision Ordinance requirements and the zoning requirements as it was discussed at BHAR. Mr. Braunhardt stated that at the BHAR one of the members expressed concern because he made a comment about getting it all done in two years. There was a big discussion about coming back to the BHAR for each house as it is developed. One of the Board members specifically queried the rest of the Board members that the developer is going to come back and show us specific building on a specific lot. The answer was yes. It was confirmed that the developer would have to come back to the BHAR 151 times in essence. Some of the residents have great concern that will not happen. He also stated that he is not sure that the builder is going to be happy with having the expense of coming back to BHAR 151 times. Mr. Braunhardt stated that is what they feel the ordinance requires them to do. Mr. Arinello stated that this was not out of the BHAR this document was presented at the Planning Commission. Mr. Pack stated that the developer was asking to go through the BHAR one time unless they change the models. Mr. Pack asked if that was legal. The Town Attorney stated that they will not allow the developer to do that. The action by the Historic Board does not give them a blanket stamp of approval. The Zoning Administrator has the authority to ask for whatever information that he deems appropriate so that is why it was sent to the Historic Board. The town has precedence for sending items to the Historic Board. One of the things that the Town Council will most likely want to know is if the proposed elevations and architectural designs are compatible with new construction guidelines for the historic district. That is the reason that this item went to the Historic Board. The Historic Board looked at the architectural renderings and they said that generally what is proposed, with the schedule of materials that is proposed, it is appropriate based on new construction design that has been approved in the past. One of the critical things that the Town Attorney got from the Historic Board was they do not want to see the same, even though they have a certain number of models. The developer has represented that they intend to use different architectural features, flip the facades and put different kinds of architectural details to make the houses look different. By doing this the houses do not look like all the same thing. In this case the developer would have to bring back a design for every lot that is within the historic district. Two-thirds of the development is in the historic district. This

is what the developer was told at the BHAR meeting on October 20th. The town does not intend to give the developer a stamped approval that says they can build fourteen of the same house over and over again. They may build fourteen of the same model but they would have to show the different architectural features that they are going to make with each lot. The Town Attorney stated for clarification purposes the action by the Historic Board was not that we approve everything that you want to do. Mr. Arinello stated that he understands that. His concern was in regards to the document that went to the Planning Commission in April. The Town Attorney stated that all the supporting documentation is designed to give you information; however what they are bound to is what is in writing in the proffered conditions. If it is ever approved, what is in writing in the proffers and the material that is referenced in the proffers become what is binding. Salesmanship and puffery does not really count although, hopefully, it is in line to what they are promising. If you expect a developer to do something it must be in writing in the proffers. The developer has submitted the original proffers and they have submitted some new proffers. The proffers that were voted on at the September Planning Commission meeting are the ones Town Council will consider at next week's public hearing. The developer has submitted amended proffers; however the Town Council cannot vote on the amended proffers. The Town Attorney stated that he anticipates that since they submitted revised proffers they are going to want Town Council to consider the revised proffers. If Town Council chooses to do that then they have to continue the meeting. Town Council cannot take action next Tuesday night on the application because that is what our ordinance requires. Town Council can vote on what the Planning Commission saw. Mr. Arinello thanked the Town Attorney for his clarification on what could be voted on. The Planning Commission voted at their September meeting for denial of the application as it stands. Since that time, the applicant revised the proffers. The developer wants the Town Council to consider the application with the revised proffers. Town Council cannot do that next Tuesday night because it is not permitted. If the Town Council wants to consider the revised proffers then they have to continue the public hearing to a later date. Dr. Cook asked if the revised proffers have to go back to Planning Commission. Mr. Saunders replied that it only needs to go back to Planning Commission if proffers are taken out of the original proffers. If the developer continues to sweeten the pot by adding items it does not have to go back to Planning Commission. However, if Town Council chooses to send it back to Planning Commission they can do that as well. Dr. Cook stated that he knows Mr. Arinello is very interested in this property and like you the primary motivator for him, to have anything done, is the Pierceville house. Dr. Cook stated that in his opinion it needs to be restored and preserved. At this point what can be restored and what can be preserved is his driving force to figure out what is going to be going there. Dr. Cook asked Mr. Arinello what his vision was for the property. What do you see as a good compromise? Mr. Arinello thanked Dr. Cook for giving him the opportunity to share his vision of the Pierceville property. Mr. Arinello explained that his vision would be to cut the property in half. Give one half to the Town of Smithfield. Then take that half and cut the property in half again. The town has an opportunity, at that corner of the historic district, to develop the old property into a

working replica of what it would have been like. Using that property and the outlying buildings as a working farm and teaching farm. Take the other half and of this property and construct a new Smithfield Center where it would be more accessible. Mr. Arinello stated that he loves the Smithfield Center but thinks it is in the wrong part of town. The new facility could offer programs like Future Farmers of America and bring some conferences in here as teaching events to sell this property. When you come down the by-pass you will see a working farm with an African American schoolhouse the way it was back in the day. This whole corner could be so much more than an entrance to a residential neighborhood. Hearndon could then have the back half of the property for a residential neighborhood. Obviously, it will not be 151 houses. It may be half that. With this idea, one half of the property ties to the town with educational events, working farm and gardens. Dr. Cook stated that these are great ideas but we have one problem. It takes money. Windsor Castle Park can be used as an example. There is a private foundation that is tasked with fundraising. It is a group of volunteers that gather and work together to raise money for the future amenities at the park. Mr. Arinello stated that they are willing to explore that. In fact they are exploring that tomorrow when they meet with some folks that do this for a living. Mr. Arinello stated that these folks are coming into town at their invitation to explore these ideas. This will give the Town Council some options for consideration. The group of petitioners are willing to do this on behalf of this town. They do not see the town taking this on. If this is going to be a shared partnership they are not going to drop this on the town's lap. They acknowledge the experience and expertise that they have collectively as a group. Mr. Arinello stated that they want to be part of the solution. Mr. Braunhardt stated that he pitched an idea some time ago that he discussed with Mr. Arinello and Mr. Gay, and more recently to Ms. Clark in a lengthy e-mail. He stated that the land is too historic to just be used for houses. This may sound silly but it has a prominence that can be traced back beyond generations. That is something pretty special and should be treated pretty special. Mr. Braunhardt explained that his idea is a working farm. He stated that he agrees with Mr. Arinello's idea about moving the Smithfield Center to this property as well. Working with Smithfield Foods to purchase this location and then using that money to purchase land for the farm or Pierceville property. People scour Virginia for old farm homes and we could set up an organization to rebuild or reconstruct post-colonial times. There would be several different buildings that would show how the farming was done. Our kids have no idea what a tractor is and how farms operate and where food comes from. This will be a place for folks to visit for educational purposes. Obviously, it would take a group of people to manage that and as long as he is here he will help in that process. The idea would be to rebuild the Pierceville home as the center piece based on its age. They would look for representative examples of homesteads/farms throughout specific periods. The idea is to work with a lot of historical people such as the Virginia Historical Society to determine what period we want to capture and try to find a representative house of that and put it there. We could work with trade schools to get help with the actual rebuilding of these homes. Mr. Braunhardt stated that he has a much more detailed explanation of the idea but hopefully this gives you little bit of an idea of what he envisions. He stated that he

does not think homes belong there and the town should keep it as a farm, trace its providence, to show to visitors and children alike for educational purposes. Mr. Arinello stated that the Planning Commission did a heck of a job at looking at the potential growth and future land use of the town. It showed some really neat places to grow. These places are areas that can afford to have 130 to 150 homes. Mr. Arinello stated that his concern is what is happening at the corner of Route 10 and Route 258 in the county. It looks like we are being outrun. If in fact the Bennis Grant complex is going to be like a Port Warwick and we are looking for those starter homes what is going to make them come into the Town of Smithfield with the dual tax. How does the town get people in the town limits rather than the county? Mr. Arinello stated that is why mixed use for the Pierceville property makes more sense to him. Mr. Braunhardt stated that he knows that the current task is to decide whether to allow the rezoning and the change in the future land use map; however the only real reason that any of these actions are being undertaken is support for the proposed subdivision that is called the Pierceville Farm. The Cary and Main Project is an alternative name. Mr. Braunhardt stated that he was here today to explain why he thinks the BHAR's recommendation to approve the Pierceville subdivision proposed homes is not in compliance with the town's ordinances and should be remanded back to the Historic Board for re-accomplishment. This is not a delay in tactic. He does not feel that the BHAR did their job properly. Mr. Braunhardt explained that the BHAR did not comply with Article 3.M - Historic Preservation Area Overlay District, specifically the ordinance, Purpose and Intent. A.2 The Historic Board provides for protection against of encroachment upon historic areas. A.3 The historical district is designed to protect architectural features and their reasonable surroundings within a reasonable distance from obviously incongruous development. It is also designed to insure that buildings/structures are erected to be architecturally compatible with the historic landmark buildings and structures within the district. He stated that obviously he has left out some verbiage but it is a quote from the Zoning Ordinance. Article E.2-B The review board shall consider, among other things, the following in determining the appropriateness of any erection. The appropriateness of the general design geometry and proportions, structural arrangement, building materials, texture and color of the proposed building as the compatibility with similar features of buildings or structures within the district. E.2-C The historical or architectural value and significance and its relationship to the historic or architectural value of the area in which it is proposed to be located. E.2-D The extent to which the building harmonious with or architecturally incompatible with the historic buildings within subject overlay district. E.2-G The compatibility of the proposed building, structure within the Comprehensive Plan's goals for the historic preservation and architectural design review. F.1 The review board shall be guided in their decisions by the stated purposes of the HP-O District and by the architectural standards as set forth in the Smithfield Virginia Historic District Design Guidelines as adopted December 1990. F.2-A General Guidelines for all Decisions: 1) the public necessity of the proposed construction; 2) the public purpose or interest in land to be protected; 3) the general compatibility of the site plan and the exterior design arrangement, texture and materials proposed to be used; 4) the present character of the

setting of the structure or area and its surroundings. F.2-B Architectural Guidelines for New Construction: 1) Where the new construction is proposed the design should take into account those special visual and special qualities that the HP-O District is established to protect. Mr. Braunhart stated that yesterday he completed an informal walking survey of the houses in the immediate area of the Cary and Main/Pierceville subdivision. It included the following streets: Main Street, Grace Street, Cary Street, James Street, Washington Street, Institute Street, North Mason Street, South Mason Street, and Thomas Street. There were a total of one hundred and six homes surveyed. He stated that he did not do public buildings or obvious commercial buildings. If there was a home that is used as a business he counted it. Mr. Braunhardt read some of the existing exterior design architectural material required by the ordinance that he just went over above. Roofs? Ninety of the houses had composition asphalt roofing but 30% of the homes had metal roofs, not architectural features like the developers proffers talk about. Article 3.M paragraph E.2-D harmonious with or architecturally incompatible. Where are the metal roofs on the 151 homes being proposed? Porches? Ninety-eight of the one hundred and six have porches equal to the developer's new proffers. They are a minimum of six feet deep or better. Forty-five percent of the homes that had porches had significant ginger bread trim or columns. Twenty-six of the houses had two or three sided wrap around porches. A couple of houses had three or four porches and three of them had both first and second floor porches. What percentage of the developer's houses will match this historic district design? None from the drawings that have been presented. Garages? The developer promises one or two front load garages with either two single doors or one carriage door as of the proffers dated October. Plans show the detached design but details were provided and no houses are shown with the detached garages. The majority of the homes in the historic district have no garages. At best they have a driveway where they can park their car out front of their house. Those that had some kind of garage they were too small for most american automobiles. Why is the developer being allowed all the front attached garages from the BHAR. Chimneys? The developer's plans show no chimneys. Of the historic district that he surveyed one hundred of the homes had chimneys. Of those one hundred, thirty-one had two chimneys and ten had three chimneys. Don't you think the new construction should have chimneys? How does this compare with the historic district ordinance concerning architectural features and their surrounding within a reasonable distance? Mr. Braunhardt stated that he looked at the plans and they are not bad house plans. Unfortunately, they can be found in any subdivision in Tidewater, not in a historic district. They are not historic district design. They do not have the design or architectural features. These are tract homes. Mr. Braunhardt read the definition of tract home. Tract housing is a type of housing development in which multiple similar homes are built on a tract of land which is subdivided into individual small lots. The latest proffer says that no lot will be less than 6,000 square feet. That is between 1/7 and 1/8 of an acre. The houses will be 36 x 36 sitting on the lot. There will be no side yards. There will be a little bit of a front yard and a chunk of back. Tract house developments make use of few architectural designs. Labor costs are reduced because workers need to learn the skills and movement of

constructing only the designs rather than repeat the learning curve for different house designs. This is exactly what the developer's representative stated at the last BHAR meeting. One of the Board members rightly asked if they were going to have custom homes. The answer was no they are not. The representative went on to mention the set number of designs reduces the labor cost because the building crew learns the design and can work more efficiently. Mr. Braunhardt continued to read the definition of tract homes. In addition, as all homes in the development will be built at the same time, the cost of purchasing and transporting building supplies may be reduced due to economies of scale. Early tract homes were often identical, but many tracts since the late 20th century have several designs and other variations in footprint, roof form, and materials, etc. As the developers most recent proffers, October 2015, states that changes as insignificant as a different color constitutes a different house plan. They go into great lengths saying that no two dwellings shall be of the identical model and elevation on the same side of the street within three building lots of each other. Facade reversal, color and material change shall be treated as a different elevation. Mr. Braunhardt asked for Council to imagine six houses of different colors where the porches are flipped as being different. That is not historical quality houses. Mr. Braunhardt stated that there is a lot more detail in the rest of his survey such as siding. Manmade, brick, wood, block or stone? The number of doormats? Fence material. Wood, steel, brick, stone? These are the things that he saw. Bay windows? How about Turrets? Where do you see these things in a suburb tract home? Mr. Braunhardt stated that he thinks the BHAR needs to readdress their recommendation and this time follow the ordinance and the law to better serve the citizens of Smithfield in the historic district. At best this was a bad decision and a noncompliant process. He stated that he does not think there was any ill will but he does not think that they did their job. They certainly did not do the walk around as he did to find out what Smithfield is really all about in the historic district.

2. Pinewood Heights Relocation Project Update – The Town Manager reported that Michael Dodson's update was included in the packet. He explained that the town did receive in writing a letter in regards to the town's interim compliance review by the state for Phase II that was completed October 6th and 7th. The town was found in compliance with no findings found. It does say that the town of Smithfield and its partners are to be commended for its commitment to improving the lives of the residents of the Pinewood Heights project area. Delays in completing acquisition and demolition activities have occurred because clouded titles, credit issues and difficulties in locating suitable rental units in Smithfield resulted in it taking longer than anticipated to relocate beneficiaries. Town Council has been updated on these challenges over the last several months. A complete copy of the review will be included in you Town Council packet. The Town Manager continued to explain that the town had requested an extension of Phase II until August 20th, 2016. The town is likely to get that however we will need to revise our project management plan and timeline. Mr. Dodson is working on getting those things completed to get our letter of approval. As far as Phase III staff is working on scheduling a Facilitated Management Session to go over the details of the next phase. Mayor

Williams stated that the town needs to sell some lots. Dr. Cook asked if there were some for sale signs on any lots as of yet. The Town Manager mentioned that Isle of Wight Economic Developer and planning Director have requested to meet with the town on Friday afternoon to discuss lots in Phase I. In Phase I it was agreed that because the County provided some funding for the project that they would have a right to some ownership of some lots in phase I. The agreement basically referenced that there would be lots , based on the value and the amount money the county contributed, in the back corner of the property near the Moody property. It does not list specific lots. Mr. pack asked if someone was interested in developing something who would they come to discuss property acquisition. The Town Manager replied that would be him. The town still needs to take some action of the infrastructure of the property. The Town Attorney stated that Mr. Livengood's building is almost finished and he seemed to be alright with letting people see his facility. It will probably be a good sales tool.

3. Closed Session: Vice Mayor Gregory stated that he makes a motion to go into closed session for the discussion of the acquisition/disposition of real property. Dr. Cook seconded the motion. Motion passed.

In Closed Session: 5:34 p.m.

Out closed Session: 6:00 p.m.

Meeting adjourned at 6:00 p.m.

**SMITHFIELD POLICE DEPARTMENT
MANAGER'S REPORT
OCTOBER 2015**

Committees and Projects:

- 09/22 Promotional Panel Interviews – Franklin Police Department – Lt. Rogers
10/01 Operation meeting regarding Hurricane Joaquin – Board of Supervisors room – Chief Bowman, Deputy Chief Howell, Lt. Rogers
10/06 – 08 VALEAC conference – Virginia Beach – Kristi Jenkins
10/07 Town Council – Center – Chief Bowman
10/13 TRIAD mtg – IOW Courthouse – Chief Bowman, Kurt Beach
10/14 HRCOPS mtg – Fort Monroe -5th Division VSP – Chief Bowman, Deputy Chief Howell
10/14 Department Head mtg – Center – Chief Bowman, Deputy Chief Howell
10/20 Crime Line mtg – Center – Lt. Valdez, Kurt Beach, Annette Crocker
10/22 C.H.I.P. mtg – PD – Officer Wright, Kurt Beach
10/23 Emergency Planning – Smdf Foods – Chief Bowman, Deputy Chief Howell, Lt. Rogers
10/26 Police Committee mtg – Center – Chief Bowman

Training

- 09/30 – 10/02 50th Annual Virginia State Crime Clinic Training Seminar – Virginia Beach – Officer Seamster (17 hrs.)
10/01 Defensive Tactics Recert – HRCJTA – Sgt. Brady (2 hrs.)
10/01 General Instructor Recert – HRCJTA – Sgt. Brady (2 hrs.)
10/05 – 09 FBINAA – Richmond – Sgt. Jones (35 hrs.)
10/15 VA FOIA training – James City Police Department – Lorrie Porter, Annette Crocker – (3 hrs.)
10/19 Virginia Gang Specialist Conference – Virginia Beach – Officer Bancroft (8 hrs.)
10/19 – 23 General Instructor School – HRCJTA – Officer Fordham (36 hrs.)
10/24 – 27 IACP Conference – Chicago, IL – Deputy Chief Howell (40 hrs.)
10/26 – 27 2015 Fall Business Meeting & Crime Prevention Training Symposium – Culpeper, VA – Kurt Beach (16 hrs.)
10/27 Female Enforcers – Chesterfield County PD – Officer Wright (7.5 hrs.)

In-House Training

- 10/14 VCIN class to Windsor PD officers – Smdf PD – Kristi Jenkins
10/22 Employee Training Day – Center – PD (8 hrs.)

Motorcycle Utilization

- 10/10 Motorcycle Utilization - Town and Country Day – Officer Phillips
10/23 Motorcycle Utilization – Smithfield High School Homecoming Parade – Officer Phillips

Bicycle Utilization

- 10/10 Bicycle Utilization – Town and Country Day – Officer Johnson, Officer Fordham

Community Relations

- 09/30 Homework Station – Jersey Park/Woods Edge Apts – Sgt. Miller
10/01 – 10 School Zone – Westside Elementary – Officer Fordham, Officer Wooley, Officer Powell, Officer Cook, Officer Seamster, Officer Johnson, Officer Bancroft, Officer R. Howell, Officer Wright
10/06 Pop Warner football – Smithfield High School – Officer Powell
10/07 Homework Station – Jersey Park/Woods Edge Apts. – Officer Powell
10/07 Pop Warner football – Smithfield High School – Officer Powell
10/08 Installation of car seat – PD – Officer Seamster
10/08 Residential security assessment – Middle Street – Officer Seamster
10/09 Ride Along – Rebecca Bozora – Officer Fordham
10/10 Town and Country Day – Smfd – Chief Bowman, Deputy Chief Howell, Lt. Rogers, Sgt. Brady, Officer Seamster, Officer Johnson, Officer Pittman, Officer Phillips, Officer Fordham, Officer Howell, Officer Adams
10/12 Visiting residence who requested list of families who have no food – Watson Drive – Officer Wright
10/13 Family of three - tour of PD – Lt. Valdez, Sgt. Meier, Officer Johnson, Kurt Beach
10/14 Ride Along – Rex Browne – Officer R. Howell
10/14 Homework Station – Jersey Park/Woods Edge Apts. – Officer R. Howell
10/17 Farmers Market – foot patrol – Officer Seamster
10/17 IOW Education Foundation Gala – Smfd Center – Chief Bowman, Officer Seamster
10/20 Playing basketball with kids – Kendall Haven – Officer Wooley
10/21 Safety & Security Assessment – Trinity UMC – Officer Seamster
10/23 Smfd Baptist Church Kindergarten (10 children) – tour of PD – Chief Bowman, Officer Seamster
10/23 Smithfield Homecoming Parade – Town – Lt. Rogers, Sgt. Brady, Sgt. Jones, Officer Pittman, Officer Seamster, Officer R. Howell
10/24 Fall Festival/Truck or Treat – Trinity UMC – Officer Wright
10/24 Family Day - Harvest Fellowship Baptist Church – Officer Seamster

Investigations:

Case#: 2015-00822
Location: Lane Crescent
Offense: Stolen Vehicle
Disposition: Pending

On 10/1/15 officers responded to 225 Lane Crescent for a stolen vehicle call. The victim stated that her 2014 Dodge Durango was missing. She left the vehicle unlocked with the key fob inside the vehicle. Officers contacted Dodge and were able to locate the vehicle using the UConnect service. The vehicle was found undamaged in the Eagle Harbor Apartments Nothing appeared to be missing from the vehicle. Case is pending.

Case#: 2015-00837
Location: Cool Wave
Offense: Commercial Burglary
Disposition: Pending

On 10/7/15 officers responded to the Cool Wave car wash on Main Street for a burglary call. The coin operated machines inside the car wash bays had been broken into and the cash was stolen. It is estimated that there was \$40,000 worth of damage done to the machines. Investigators are currently working on a lead. Case is pending..

Case#: 2015-00840
Location: Royal Farms
Offense: PWID Marijuana
Disposition: Cleared by Arrest

On 10/9/15 officers were called to Royal Farms for an individual selling drugs from his vehicle. Officers found a large amount of individually packaged marijuana. There was also a large amount of cash in the center console. The individual was arrested for PWID Marijuana.

Case#: 2015-00842
Location: Jersey Park Apts
Offense: Burglary Residential
Disposition: Cleared by Arrest

On 10/9/15 officers were called to Jersey Park for a domestic where the suspect broke into the apartment and is still inside. When officers arrived they found the suspect standing outside of the apartment yelling. The front door had been kicked in. The victim said she had kicked him out the day before. He kicked her door in and came at her so she grabbed a knife and he left. He was arrested for Burglary.

October 2015

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
				Courtney Off Senior Health Fair MHSu 200	Courtney Off	Courtney Off
4	5	6	7	8	9	10
	Candidate's Forum MH 100	Benefits Bootcamp C&D 30 WCFB Meeting A 10	Town Council A&B 20		Melissa Off Reavis-Stout Wedding & Reception MHSu 120	Town and Country Day Melissa Off O'Neal and Griffin Reception MH 100
11	12	13	14	15	16	17
Melissa Off Shelton and Holder Wedding and Reception MHSu 125	Columbus Day	Planning Commission A&B 20 Smithfield OSHA & STARS Training C&D 30	Smithfield OSHA & STARS Training C&D 30 Staff Meeting A&B 12 Waddy and Hinkle Rehearsal Deck 25	Amy Off Saunders and Jenkins Reception MH 90 Smithfield OSHA & STARS Training C&D 12	Amy Off	Amy Off Isle of Wight Schools Foundation Gala MHSu 210
18	19	20	21	22	23	24
Amy Off Howes and Lane Wedding and Reception MHSu 100		BHA&R A&B 20 Crime Line Meeting A&B 10 Schoolhouse Committee A&B 10		Town Training Day MH 70	Waddy and Hinkle Wedding and Reception MHSu 100	
25	26	27	28	29	30	31
Bowman-Waldrop Wedding & Reception MHSu 150	Committee Meetings C&D 20	Committee Meetings C&D 20 Continued Town Council Meeting A&B 20		Oaks Equine Banquet MH 150	Dunn and Ritter Reception MH 150	Halloween Hull and Johnston Wedding and Reception MHSu 150

Smithfield Center - October 2015 - Monthly Report

Booking Date	Building Code	Room Code	Group	Event Name	Group City	How did you hear about us	Pricing Plan	Discount Percent	Venues	Town Services
10/1/2015	Center	MHSu	Isle of Wight Commission on Aging	Senior Health Fair	Carrollton	Returning Client	g.) Sponsored	100.00%		
10/2/2015	Center	Kitchen	Smithfield VA Events	Bacon Fest Food Prep	Smithfield	Returning Client	Resident -Weekday	0.00%		
10/2/2015	WCP	Riverfront	Smithfield VA Events	Bacon Fest	Smithfield	Returning Client	Resident -Weekday	0.00%	\$375.00	
10/5/2015	Center	MH	Isle of Wight Citizens Association	Candidate's Forum		Returning Client	g.) Sponsored	100.00%		
10/6/2015	Center	A	Windsor Castle Foundation Board	WCFB Meeting		Town Event	h.) Town	100.00%		
10/6/2015	Center	C&D	Smithfield Foods Corporate a	Benefits Bootcamp	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$247.70	
10/7/2015	Center	A&B	Town of Smithfield	Town Council	Smithfield	Town Event	h.) Town	100.00%		
10/8/2015	Center	MHSu	Reavis-Stout Wedding & Reception	Reavis-Stout Set	Virginia Beach	Word of Mouth	A.) Standard-Fri, Sat, Sun	20.00%		
10/9/2015	Center	MHSu	Reavis-Stout Wedding & Reception	Reavis-Stout Wedding & Reception	Virginia Beach	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$2,338.00	
10/10/2015	Center	MH	O'Neal and Griffin Reception	O'Neal and Griffin Reception	Windsor	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$1,557.76	
10/11/2015	Center	MHSu	Shelton and Holder Wedding and Reception	Shelton and Holder Wedding and Reception	Seaford	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,900.00	
10/13/2015	Center	A&B	Town of Smithfield	Planning Commission	Smithfield	Town Event	h.) Town	100.00%		
10/13/2015	Center	C&D	Smithfield Foods Executive Office a	Smithfield OSHA & STARS Training	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$751.58	
10/14/2015	Center	A&B	Town of Smithfield	Staff Meeting	Smithfield	Town Event	h.) Town	100.00%		
10/14/2015	Center	Deck	Waddy and Hinkle Wedding and Reception	Waddy and Hinkle Rehearsal	Smithfield	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%		
10/15/2015	Center	MH	Saunders and Jenkins Reception	Saunders and Jenkins Reception	Newport News	Word of Mouth	C.) Standard-Weekday	0.00%	\$600.00	
10/16/2015	Center	MHSu	Isle of Wight Public Schools Education Foundation	Isle of Wight Schools Gala Set	Smithfield	Returning Client	Resident-Saturday	0.00%		
10/17/2015	Center	MHSu	Isle of Wight Public Schools Education Foundation	Isle of Wight Schools Foundation Gala	Smithfield	Returning Client	Resident-Saturday	0.00%	\$2,000.00	\$225.00
10/17/2015	WCP	Riverfront	Smith Wedding	Smith Wedding	Smithfield	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$300.00	
10/18/2015	Center	MHSu	Howes and Lane Wedding and Reception	Howes and Lane Wedding and Reception	Suffolk	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,850.00	
10/20/2015	Center	A&B	Town of Smithfield	BHA&R	Smithfield	Town Event	h.) Town	100.00%		
10/20/2015	Center	A&B	Town of Smithfield	Schoolhouse Committee	Smithfield	Town Event	h.) Town	100.00%		
10/20/2015	Center	A&B	Town of Smithfield	Crime Line Meeting	Smithfield	Town Event	h.) Town	100.00%		
10/22/2015	Center	MH	Town of Smithfield	Town Training Day	Smithfield	Town Event	h.) Town	100.00%		
10/23/2015	Center	MHSu	Waddy and Hinkle Wedding and Reception	Waddy and Hinkle Wedding and Reception	Smithfield	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$1,619.60	
10/24/2015	Outdoor	Clontz	Croman and Deutscher Ceremony	Croman and Deutscher Ceremony	Windsor	Word of Mouth	B.) Resident-Fri, Sat, Sun	0.00%	\$200.00	
10/24/2015	WCP	Riverfront	Isle of Wight Chamber of Commerce	Smithfield Century Blue Tour	Smithfield	Returning Client	B.) Resident-Fri, Sat, Sun	0.00%	\$300.00	\$360.00
10/25/2015	Center	MHSu	Bowman-Waldrop Wedding & Reception	Bowman-Waldrop Wedding & Reception	Hampton	Web-Center Website	Nonresident-Friday/Sunday	0.00%	\$1,490.80	
10/26/2015	Center	C&D	Town of Smithfield	Committee Meetings	Smithfield	Town Event	h.) Town	100.00%		
10/27/2015	Center	A&B	Town of Smithfield	Continued Town Council Meeting	Smithfield	Town Event	h.) Town	100.00%		
10/29/2015	Center	MH	Oaks Vet Clinic	Oaks Equine Banquet	Smithfield	Returning Client	D.) Resident -Weekday	0.00%	\$570.00	
10/30/2015	Center	MH	Dunn and Ritter Reception	Dunn and Ritter Reception	Chesapeake	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,726.50	
10/31/2015	Center	MHSu	Hull and Johnston Wedding and Reception	Hull and Johnston Wedding and Reception	Hampton	Word of Mouth	A.) Standard-Fri, Sat, Sun	0.00%	\$1,873.78	

\$19,700.72 \$585.00

Deposit totals for October 2015

\$13,782.32 Venue Rentals

\$00.00 Town Services

Smithfield/Isle of Wight Tourism Activity Report –OCTOBER 2015

- Director attended BOS meeting 10/15/15.
- Director attended Smithfield Town Council Meeting 10/6/15.
- Bacon, Bourbon & Beach Music Fest set-up 9/30-10/4. Fest was cancelled due to inclement weather but most set up had to occur anyway. Both a Town and a County State of Emergency was declared. Once Fest was cancelled, the committee switched into communication, breakdown and administrative mode to deal with the insurance claim. Work on the claim continued throughout the month. All sponsors and ticket holders will receive a refund. It is our hope that SVAE will also be able to fund the selected charitable organizations as well as at least partially fund some of the volunteer organizations. Follow up meeting 10/21/15.
- WCP Foundation Park Party Committee meeting held 10/1/15 and 10/29/15.
- County BOS Agenda Review Meeting 10/2/15.
- Attended Candidates Forum 10/5/15.
- Direct Report meeting with County Administrator 10/6/15.
- Smithfield 2020 meeting 10/7/15.
- Voices Executive Committee meetings 10/7/15; 10/20/15; 10/22/15; 10/23/15; 10/29/15.
- Monthly Tourism Staff meeting 10/8/15.
- Held first “live” HAM CAM tourism minute on the web 8/13/15. Museum will be broadcasting a Museum Minute on every Tuesday at 12:05 p.m. and Tourism will be broadcasting a Tourism Minute on every Thursday at 12:05 p.m. to highlight something special going on!
- Met with 300 Block merchant 10/8/15.
- Met with WTVZ regarding special event promotion 10/9/15.
- TOWN & COUNTRY DAY held 10/10/15. Excellent turnout for multiple events!

- Met with CoVA Mag 10/12/15.
- Christmas in Smithfield event meeting 10/13/15. Antique Show and Homes Tour to be held the first weekend in December.
- Attended Chamber Century Bike Tour meeting 10/14/15 and 10/20/15.
- Attended Historic Saint Luke's Board meeting 10/14/15.
- Earthquake Safety Drill held 10/15/15.
- Met 10/15/15 with Betsy Brantley with the upcoming Historic Garden Tour in IOW County in April 2016.
- Attended County-wide defensive driving instruction course on 10/15/16.
- Met with Tidewater News 10/19/15.
- United Way meeting 10/19/15.
- County Leadership Team meeting 10/19/15.
- Attended Chamber BAH at Historic Saint Luke's 10/20/15.
- Director is facilitating the Chamber Student Leadership Institute again this year. First class held 10/21/15. Class is held monthly and is for High School Juniors who were selected to be a part of the leadership program. October program focused on the WTRJ and local government from both an elected and staff perspective.
- Chamber Century Bike Tour held 10/24/15. Successful!
- Guest on SMITHFIELD TODAY show 10/28/15. Show features upcoming holiday events.
- Attended HSL Development Committee meeting 10/28/15.
- CVTA Digital Marketing Committee 10/29/15.
- Staff attended County Safety and Wellness Committee meeting 10/29/15.
- Stoup Property meeting 10/30/15.
- Happy Ham-o-ween Trick or Treating event 10/31/15. 2,000 kids attend!

- Staff attended Smithfield Staff Meeting 10/14/15.
- Tourism Facebook postings and tweets throughout month.
- Update website events and *Where the Locals Go* event promotion newsletter weekly. This e-newsletter combines tourist events and the Farmer's Market information.
- Weekly individual meetings with staff to address concerns and review projects.

Upcoming Events: See www.VisitSmithfieldVa.com for more details!

ZONING PERMITS SEPTEMBER 2015

PERMIT #	CONSTRUCTION TYPE	PROJECT	ADDRESS	CONTRACTOR/ OWNER
6537	DECK	WELLINGTON	245 GRANDVILLE ARCH	SKINNER MIKE TYNDALL'S CUSTOM DECKS AND FENCE
6538	SIGN PERMIT	O'REILLY AUTO PARTS	1281 BENNS CHURCH BLVD.	O'REILLY AUTO PARTS TALLEY ANCHOR SIGN CO.
6539	DEMOLISH PORCH AND ERECT NEW ENTRANCE	WATERFORD OAKS	203 WIMBLEDON LANE	HALLWOOD PROPERTIES LLC ASHETT CONSTRUCTION



Terence R. McAuliffe
Governor

Maurice A. Jones
Secretary of Commerce
and Trade

COMMONWEALTH of VIRGINIA

William C. Shelton
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

October 16, 2015

Mr. Peter M. Stephenson, AICP, ICMA-CM
Town Manager
Town of Smithfield
Post Office Box 246
Smithfield, Virginia 23431

RE: CDBG Contract #13-02 MY-2
Pinewood Heights Redevelopment Project
Interim Compliance Review

Dear Mr. Stephenson:

On October 6 - 7, 2015, Ms. Elizabeth Boehringer, Community Development Specialist, of the Virginia Department of Housing and Community Development (DHCD), conducted an on-site Interim Compliance Review (ICR) of the above-referenced Community Development Block Grant (CDBG). The ICR consisted of a detailed inspection of all files and materials related to the Town of Smithfield's management of this project to date. This review is a way of ensuring local compliance with federal and state laws and policies as well as gives DHCD an opportunity to make recommendations designed to improve the Town's administration of its project. Enclosed is a summary of what DHCD staff observed during this review.

PROJECT STATUS AND ACTIVITIES

The CDBG Agreement is intended to improve the living conditions of six (6) total households, all of which are low-to moderate-income (LMI) households, through the provision of permanent relocation assistance. This is the second contract of a multi-year project. The Town was awarded a \$375,280 CDBG contract on **March 28, 2014**. Additionally, the Town committed \$589,894 in non-CDBG funds toward the project. The grant expired on **August 27, 2015**. On August 7, 2015, the Town requested a contract extension until August 20, 2016. In response, DHCD requested that the Town submit a revised Project Management Plan and timeline. As of the date of this letter, DHCD has not received the requested paperwork.

At the time of the compliance review, the status of the required activities, per this contract, are as follows:

Partners for Better Communities



www.dhcd.virginia.gov

- A. Permanent relocation assistance for nine (9) owner households, of which four (4) households will be relocated with CDBG funds in MY-2. **Two (2) of four (4) households have been relocated. The third household will be relocated by the end of October.**
- B. Permanent relocation assistance for three (3) market-rate tenant households, of which one (1) tenant household will be relocated with local funds in MY-2. **One (1) of (1) tenant household has been relocated to a rental unit in Hampton.**
- C. Permanent relocation assistance for four (4) Section 8 households, of which one (1) will be done with local funds in MY-2. **One (1) of one (1) Section 8 household has been relocated to a rental unit in Smithfield.**
- D. Acquisition of two (2) vacant lots, both of which will be done in MY-2; **Two (2) of two (2) vacant lots have been acquired.**
- E. Demolition of sixteen (16) substandard building units, of which six (6) will be done in MY-2; **Two (2) of six (6) substandard building units have been acquired. Zero (0) of six (6) units has been demolished; and**
- F. Clearance of all junk, debris, weeds, inoperable vehicles and dilapidated structures from the project area. **The vacant area is being well maintained by the Town.**

BENEFITS STATUS

The CDBG Agreement requires that six (6) households, of which five (5) households are LMI, receive permanent relocation assistance. However, it was realized after the agreement had been signed that relocation assistance to the two households of one duplex had been divided between the MY-1 and MY-2 contracts. Because they share a common wall, the unit being acquired in MY-1 could not be demolished until the other unit was acquired in MY-2. Therefore, the MY-1 unit was switched out with another MY-2 unit so the duplex could be demolished in a timely manner. As a result, the total number of LMI households to receive permanent relocation was increased to six (6).

As of the date of the compliance review, four (4) of the six (6) households have been permanently relocated, with one (1) homeownership creation. As a result, seven (7) LMI persons have benefited from the project.

FINANCIAL MANAGEMENT

Ms. Ellen Minga, Town Treasurer, serves as the project's Finance Manager. The Town draws down on a reimbursement basis. As of the date of the ICR, the Town has submitted one (1) remittance request, which totaled \$81,000 of the \$375,820 in CDBG funds obligated for this project. A total of \$589,894 in leverage funds is committed to this project, of which \$109,052.31 was verified at the compliance review. The chart below outlines the expenditures that were reviewed and verified.

Documented Project Expenditures as of October 7, 2015

Activity	CDBG	Local	County*	Total
Administration		\$9,906.85		\$9,906.85
Acquisition	\$81,000.00	129,787.50		210,787.50
Relocation		50,052.31		50,052.31
Clearance & Demolition				0.00
Total	\$81,000.00	\$190,052.31	\$0.00	\$271,052.31
Budget Amount	\$375,280.00	\$589,894.00	\$0.00	\$965,174.00

* County funds are a combination of Section 8 and HOME funds.

The low number of remittance requests to date is because all administration and tenant-related activities are being funded with local dollars. The tenant-related relocations have taken place before those of the owner-occupied households. One of the CDBG-funded households purchased a new house, which received its certification of occupancy on October 2, 2015. Therefore, a second remittance request will be submitted by the end of the month.

DHCD staff reviewed invoices, checks and other support documentation for remittance request #1. The expenditure of all CDBG funds appeared to be adequately supported with costs incurred reasonable and eligible. Because this is a permanent relocation project, no active program income will be earned. Ms. Minga has done an excellent job of tracking and monitoring financial activities, resulting in a smooth compliance review. No financial management concerns or findings were noted during the compliance review.

PROJECT MANAGEMENT

The project has generally been implemented in accordance with the CDBG program guidelines. Ms. Lesley King, Town Clerk, is responsible for the grant files. They were very well organized and appeared to include all necessary project documentation.

The Town hired Community Planning Partners, Inc. to provide grant management services, with Mr. Michael Paul Dodson serving as the Grant Manager. He has done an excellent job of tracking project activities. Mr. Dodson also serves as the Acquisition and Relocation Specialist. Ms. Barbara Wiggins, Providence Credit Care Management, serves as the housing counselor. Mr. Steve Edwards, Isle of Wight Real Estate, has been procured as the appraiser. Mr. Art Berkley, County Director of Inspections, inspects all of proposed replacement units. At this time, no demolition activities have taken place so a demolition contractor has not been selected.

On August 30, 2015, the Claim for Moving and Related Expenses and the Claim for Rental Assistance or Down Payment Assistance were replaced and, on August 24, 2015, the Fixed Residential Moving Cost Schedule was revised. The Relocation Specialist knows that the new forms and schedule must be used when relocation expenses are provided to the remaining households.

DHCD staff conducted three (3) relocation inspections for the households formerly living at 52 Carver Avenue, 53 Carver Avenue and 110 Carver Avenue. The housing units were found to be decent, safe and sanitary. The former occupants of 53 and 110 Carver Avenue both expressed satisfaction with their new housing units.

PERMANENT RELOCATION

The relocation process has been slower than originally anticipated. The primary reasons are clouded titles, credit issues and the limited number of rental units in Smithfield where many of the households wish to remain. Another unfortunate issue was that two (2) of the four (4) homeowners died during the project. This resulted in their heirs moving into the houses, paying rent to the other heirs. The final issue has been the limited cooperation with the Suffolk Redevelopment and Housing Authority (SRHA), the new agency overseeing the Section 8 program in Smithfield. The Town plans to shortly contact SRHA and try to resolve the matter.

To date, four (4) households have been relocated. They are the households who originally occupied 52, 53, 54 and 110 Carver Avenue. Two of the households were market-rate renters and, as a result of the relocation assistance they received, have become homeowners.

This leaves one household which still needs to receive relocation assistance. Unfortunately, this household has severe credit issues due to a serious illness of one household member. While the household has received extensive counseling from Ms. Wiggins, additional

assistance is required. The Town has requested a contract extension so this household can be assisted and acquisition and demolition activities can be completed.

Acquisition activities have started. The town has acquired and boarded up 43 Carver Avenue, which shares a common wall with 44 Carver Avenue. This will be the last unit to be acquired.

The town has acquired 51 Carver Avenue, which shares a common wall with 52 Carver Avenue. Unfortunately, this unit has an old title which can only be removed through condemnation procedures. Once this happens, the Town can acquire 52 Carver Avenue and the duplex can be demolished.

The town has also acquired 53 Carver Avenue, which shares a common wall with 54 Carver Avenue. The household at 54 Carver Avenue is in the process of moving her belongings from her original house to her new one. Once this is completed, the Town can acquire 54 Carver Avenue and the duplex can be scheduled for demolished.

The duplex consisting of 110 and 111 Carver Avenue is tentatively scheduled to be acquired during the week of October 12, 2015. Both units are owned by the same individual.

COMPLIANCE STATUS

The following table lists the regulatory topics reviewed and indicates the status of your compliance in each area.

Area Reviewed	Finding	Concern	Compliance
Project Management			10/6/2015
Files and Contracts			10/6/2015
Citizens Participation/Complaints			10/6/2015
Equal Opportunity Compliance/Fair Housing			10/6/2015
Benefits			10/6/2015
Financial			10/7/2015
Acquisition			10/6/2015
Relocation			10/7/2015
Relocation Inspections			10/6/2015

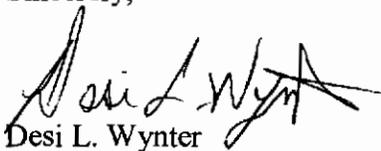
Mr. Peter M. Stephenson, AICP, ICMA-CM
Page 6
October 16, 2015

CONCLUSION

The Town of Smithfield and its partners are to be commended for its commitment to improving the lives of the residents of the Pinewood Heights project area. Delays in completing acquisition and demolition activities have occurred because clouded titles, credit issues and difficulties in locating suitable rental units in Smithfield resulted in it taking longer than anticipated to relocate beneficiaries. Five (5) of the six (6) households will be relocated by the end of the month allowing acquisition and demolition activities to proceed. This compliance review is considered closed and no response is required.

We appreciate the cooperation and assistance that Ms. Minga, Ms. King, and Mr. Dodson provided DHCD staff during the course of the review. Please extend our thanks to them. If you would like to discuss any of the report's findings, please contact your Community Development Specialist, Ms. Elizabeth Boehringer, by phone at (804) 371-7065 or by e-mail at elizabeth.boehringer@dhcd.virginia.gov.

Sincerely,



Desi L. Wynter
Community Development Associate Director

cc: Ellen Minga, Town of Smithfield
Lesley King, Town of Smithfield
Michael Paul Dodson, Community Planning Partners, Inc.
Elizabeth Boehringer, DHCD
Joanne Peerman, DHCD



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
HAMPTON ROADS DISTRICT
1700 NORTH MAIN STREET
SUFFOLK, VIRGINIA 23434

Charles A. Kilpatrick, P.E.
Commissioner

October 27, 2015

Mr. Peter M. Stephenson
Town Manager,
Town of Smithfield
315 Main Street
Smithfield, Virginia 23431

Subject: 2015 Fall Transportation Meetings

Dear Mr. Stephenson:

The Commonwealth Transportation Board will conduct nine public meetings across the state in November 2015 to give stakeholders the opportunity to review and provide comments on transportation projects and priorities. Specifically, information will be provided on projects and strategies submitted for consideration through the HB2 prioritization process. I will co-host the Hampton Roads area meeting with our local CTB representative, John Malbon, and Secretary of Transportation, Aubrey Layne. The meeting will be held on Tuesday, November 10, 2015, at The Regional Building, located at 723 Woodlake Drive in Chesapeake. We want to build on the efforts during last year's fall meetings, and it is important that we hear from you and your constituents about those projects you feel are the highest priority for the state's limited transportation funds.

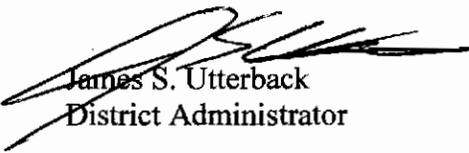
Our format will be a little different from last year's meetings. This year's meetings will consist of an Open House format beginning at 4:30 p.m. where attendees can review and provide feedback on the projects and strategies submitted for consideration for both the High-Priority Projects Program and the Construction District Grant Program during HB2 application phase. Following the Open House, an opportunity to engage with the Secretary will be provided in a town hall style format for the public and transportation stakeholders. These meetings are intended to be interactive; there will be no formal public comment. Meeting materials will be available on the web at <http://www.virginiadot.org/2015fallmeetings> starting November 2nd.

Representatives from the Virginia Department of Transportation, Virginia Department of Rail and Public Transportation, Office of Intermodal Planning and Investment, and Office of Transportation Public-Private Partnerships will be available to provide information on current initiatives and to answer any questions.

WE KEEP VIRGINIA MOVING

I encourage you to come and speak with our transportation agency representatives. If you cannot attend the meetings, you may send your comments to Infrastructure Investment Director at 1401 E. Broad Street, Richmond, VA 23219 or e-mail them to Six-YearProgram@vdot.virginia.gov by December 11, 2015. Comments on rail and public transportation projects may be sent to DRPT Public Information Officer at 600 East Main Street, Suite 2102, Richmond, VA 23219 or e-mail them to drptpr@drpt.virginia.gov. If you have any questions prior to the meeting, please contact Dawn Odom at (757) 925-1581.

Sincerely,



James S. Utterback
District Administrator

The Commonwealth Transportation Board will host nine public meetings across the commonwealth so that the public may provide comments on transportation projects and priorities. This year's meetings will consist of an Open House format where attendees can review and provide feedback on the list of proposed local and regional projects that were submitted for consideration for both the High-Priority Projects Program and the Construction District Grant Program during the HB2 application phase. Following the Open House, a town hall style format will be provided where the public and transportation stakeholders can engage in discussion and ask questions about the projects. There will be no formal public comment.

HB2 or Virginia House Bill 2, signed by Governor Terry McAuliffe on April 6, 2014 and effective as of July 1, 2014, requires the development of a prioritization process and directs the CTB to develop and use a scoring process for project selection by July 2016. For more information on HB2 please visit <http://www.virginiahb2.org/>.

You are invited to participate in a meeting near you. The meeting dates, locations and times are listed below.

Meeting Dates, Locations and Times

Monday, Nov. 2, 2015

4 pm to 6 pm
Holiday Inn
3005 Linden Drive
Bristol, VA 24202

Monday, Nov. 9, 2015

4:30 pm to 6:30 pm
The Kirkley Hotel
2900 Candler's Mountain Road
Lynchburg, VA 24502

Tuesday, Nov. 10, 2015

4:30 pm to 6:30 pm
Hampton Roads Transportation Planning
Organization Boardroom
723 Woodlake Drive
Chesapeake, VA 23320

Thursday, Nov. 12, 2015

5 pm to 7 pm
Germanna Community College
Center for Workforce &
Community Education
10000 Germanna Point Drive
Fredericksburg, VA 22408

Monday, Nov. 16, 2015

6 pm to 8 pm
NOVA District Office
4975 Alliance Drive
Fairfax, VA 22030

Wednesday, Nov. 18, 2015

4:30 pm to 6:30 pm
Holiday Inn Valley View
3315 Ordway Drive NW
Roanoke, VA 24017

Thursday, Nov. 19, 2015

4:30 pm to 6:30 pm
Augusta County Government Center, South
Boardroom
18 Government Center Lane
Verona, VA 24482

Monday, Nov. 23, 2015

4:30 pm to 6:30 pm
Germanna Community College
Daniel Technology Center
18121 Technology Drive
Culpeper, VA 22701

Monday, Nov. 30, 2015

4:30 pm to 6:30 pm
Eastern Henrico Recreation Ctr.
Strawberry Hill Ballroom
1440 North Laburnum Avenue
Henrico, VA 23223



DATE: October 26, 2015

TO: Town of Smithfield Planning Commission

FROM: Richard Rudnicki, AICP – Isle of Wight County Assistant Director of Planning & Zoning

RE: **Cary & Main Comprehensive Plan Amendment and Change in Zoning Classification**

Isle of Wight County would like to provide the following updated comments pertaining to the Proposed Cary and Main development based on a thorough review of the most up-to-date information available and the newest school enrollment numbers received from the Schools on October 7, 2015. Please note the following concerns with the Cary & Main Development.

- The cash proffer amount of \$2,496.13 is woefully short of the cash proffer study and neglects multiple areas of impact from this development.
- No cash proffers have been identified for schools. Based on the cash proffer study this development will generate 27 elementary school aged children, 10 middle school aged children, and 20 high school aged children. Based on current enrollment numbers (September 2015) both Hardy and Smithfield Middle are currently over capacity while being expected to accommodate children from this development. Therefore the full elementary and middle portions of the cash proffer, \$4,504.00 per unit for elementary and \$2,518.00 per unit for middle is appropriate, for a total of \$7,022.00. Smithfield High is currently under their capacity based on current enrollment numbers and the additional students will not trigger the school to reach capacity, therefore based on Isle of Wight's proffer policy those portions of the cash proffer should not be offered.
- The proffer statement says the proffers are going to the Town of Smithfield to offset the impacts incurred, including \$1,386.27 for EMS (\$299.00) and Fire (\$1,087.27) services. These services are provided by the County and it should be clarified that this proffer should be paid directly to the County or distributed to the County by the Town of Smithfield upon receipt.
- The proffer statement does not account for impacts to Libraries (\$285), Animal Control (\$43.08), or Courts (\$347.48), all services which will be impacted by this development and which are administered by the County. The addition of proffers in this amount, \$675.56, should be offered and distributed directly to the County or distributed to the County by the Town of Smithfield upon receipt.

- Based on these changes the total cash proffer amount should be \$10,193.69, with the Town receiving the amounts stated in the proffers previously of \$511.94 for Recreation and \$597.92 for Police, for a total of \$1,109.86; and the County receiving \$299.00 for EMS, \$1,087.27 for Fire, \$285.00 for Libraries, \$43.08 for Animal Control, \$347.48 for Courts, and \$7,022.00 for Schools, for a total of \$9,083.83. The appropriate proffer amount is paramount in providing continued quality services to all citizens of Isle of Wight.
- After review of the TIA the County does not have any significant concerns on the developments impact to County (VDOT) roads. The peak hour trips identified, under 100, are not significant in nature, additionally no impacts are identified on the immediate road network. With the distribution of those trips through the Town onto County (VDOT) roads the volume at peak hours is so small it would be unlikely that any impact on the Level of Service (LOS) on a County (VDOT) road or intersection would occur.
- The addition of some affordable housing units should be considered for this project. The price range identified in the narrative exceeds any reasonable expectation of affordability.
- Design Considerations - The Conceptual design of the site lacks creativity and fails to mesh with the character of any surrounding development. A design which more directly reflects an orthogonal street grid on the eastern side of the site and transitions to larger lot sizes on the western side of the site would be more appropriate.
- Design Considerations - The architectural designs provided do not appear to meet the character of the historic district at this time. In order to ensure the development is a quality addition to the Town additional work should be done by the applicant to enhance the aesthetic quality of the proposed product. An example of this would be attached front load garages on multiple proposed units.

Additionally it should be noted that even after being made aware of these shortcomings in August, the applicant has offered no changes addressing these concerns in their new proffer statement dated October 20, 2015. The applicant is still proffering funds to the Town for services that are directly provided by the County and ignores impacts on vital public services, most notably schools.

Therefore, the County respectfully requests that the Town Council take these concerns under advisement when acting on this development, understanding that if this development is approved, it will have lasting effects on the County's (and Town's) continued ability to provide services and maintain the quality of life the citizens of the Town of Smithfield and Isle of Wight County have come to expect.

Please feel free to contact me at rudnicki@iwus.net or 757-365-6276 if you have any questions pertaining to these comments.

CC: Smithfield Town Council, Peter Stephenson – Town Manager, William Saunders – Town Planner, IOW Board of Supervisors, IOW Planning Commission, IOW School Board, Anne Seward – IOW County Administrator, Mark Popovich – IOW County Attorney, Beverly Walkup – IOW Director of Planning and Zoning