

**Irvington Town Council
Regular and Public Meeting
December 8, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Baptist Church at 7:30 P.M., on December 8, 2005.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III Garry J. Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	Gilbert Unangst
Legal Counsel	Matson C. Terry, II

Absent:

Council	Richard Pittman
---------	-----------------

Guests & Visitors: Listed on a separate page.

Call to Order:

The Mayor called the meeting to order and led the group in prayer. He introduced Gil Unangst, as the new Zoning Administrator.

Public Hearings:

CUP: Mr. and Mrs. Randolph Stephens: Allow Three (3) Horses on Property – 300 King Carter Drive, Map 33, Parcel 447: Kathleen Pollard made a motion to go into public hearing and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0. There were no objections by the neighbors or by those present at the meeting to horses being kept at 300 King Carter Drive. The Planning Commission's recommendation to the Town Council was to approve the CUP application. Kathleen Pollard made a motion to come out of the public hearing and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mrs. Pollard made a motion to approve the Conditional Use Permit application and Ralph Ransone seconded the motion. Vote - Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Amendment to the Ordinance regarding lot sizes and setback regulations: Garry Luckham made a motion to go into a public hearing and Williams Evans seconded the motion. Proposed changes to the Zoning Ordinance were: (1) sizes of new lots for a one-family dwelling be increased from 1 acre to 2 acres in the R-1 residential district and from 2 acres to 4 acres in the R-2 residential district, (2) the minimum lot size for a two-family dwelling be increased from 1½ to 3 acres, (3) the minimum side yard for each main structure be fifty (50) feet as measured from the closest point of the main structure to the nearest property line or to the edge of any private right of way, and the side yard on the side facing the side street be fifty

(50) feet or more for both main and accessory buildings. Mr. Unangst read the Planning Commission's recommendation that there be no changes to existing setback regulations and further consideration be given to lot size. The Mayor said that the Vineyard Development will now come under existing lot size and is considered a new subdivision that can be developed under the old regulations. Dr. Bob Westbrook stated that he thought that there was a need to look at the Comprehensive Plan now rather than wait, and have citizen involvement. Mr. Ed McMahan, who has spoken to the residents of Middlesex County recommends that increasing lot size requirements "eats more land." Jackie Brown stated that rushing into changing the regulations is wrong. She would rather look at volume restrictions.

Mr. Sanders had submitted a memorandum to the Town Office. He believes that the present setbacks are fine and that 50 foot setbacks would be a hardship to many of the owners of existing lots. He suggested that the Town work with the Arris (developer of Southworth/Mitchell property) to obtain some open space and make the development more attractive. Non conforming areas can be expanded, but not increased.

The Mayor said that nothing can be done with the Mitchell Property as long as crops are in the field.

Steven Reid, who owns the "horse farm", stated that it seemed to him the proposal was trying to keep the Town from growing and asked if it would better to group the houses in a development to make it more attractive. He feels that he should be able to do what he wants with his property.

Mr. Westbrook stated that he thought changing the regulations was precipitous and not something to go into lightly. He said to plan and let some planning principles be the guide and use proven growth principles to be more enlightened. He stated that the four acre parcels would inhibit the mingling that he observed after Isabel.

Dudley Patteson believed the Council was well intentioned and should have taken action sooner about the Mitchell property.

Scott Vail likes the density and ambience of Irvington and likes to talk with neighbors. He is not in favor of making the Town less dense and likes the irregularity in the way in which it has grown.

George Lidicker said that changing the density and setback is inappropriate and that there was more to take into consideration. He encouraged people to come to see the DVD.

Seth Ahlborn said that he would like to see more young people here for the sake of Chesapeake Academy.

Paul Carlson established the time to show the DVD for Thursday, December 15, 2005, at 5:30 P.M., at the Tides Inn.

William Evans made a motion to come out of the public hearing and Kathleen Pollard seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Discussion: Mr. Mosher said that he did not support the proposal. He thinks that a vision for the community needs to be developed. Garry Luckham said the proposal was too reactionary, that maybe they needed to have a committee with representatives from various groups, and maybe there should be more houses and more open space. William Evans said that there were a lot of people not present at the meeting. He said that many were fearful and feel threatened. Mrs. Pollard thanked the people for their comments and expressed appreciation for their ideas. She thought that the Council needed to step back and study the issue more. Mr. Ransone said that the reaction was that the look or feel of Irvington was threatened. He said that not everyone develops as Mr. Westbrook does. He said the Council did not want to put a hardship on people and that the Council will go along with what people want.

The Mayor stated that Mrs. Julie Harris, who owns property in town, and for whom the proposed increase in setback distance would have an effect on her plans for adding to her home, had called and her letter and that of her cousin, who also owns property, were included in the folders for the Council.

He said that he thought there were seven parcels of property with nine acres or more which could be developed in town.

Mr. Evans made a motion to table the proposal to increase lot sizes and setback requirements. Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Streetscape Committee:

Mr. Patteson reported that a committee composed of Kathleen Pollard, the Town Administrator, representatives from the VIA, representatives from the IBA, and three architects, had been steered by Jerry Davis of the Northern Neck Planning District to apply for a grant from the VDHCD to start the process of planning to keep the economy vibrant. It was recommended that the Town apply for a grant to study what it wants in Irvington, what is needed in Irvington, and zoning/business districts vs. residential districts. He does not think this will harm Irvington. It will dovetail with other efforts and place Irvington in the pecking order for funds. He wants the Town Council to craft a letter to get the process started. The letter should come from the Administrator. It would involve having an independent person to conduct a focus group. This grant would not involve matching funds. He wants a letter of intent authorizing the committee to go forward with the planning. The Mayor wants to make sure there is no commitment at this time. The interest is in enhancement and revitalization. Kathleen Pollard made a motion and Garry Luckham seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Legal Counsel:

Police: Mr. Terry said that he had discussed with the Lancaster County Sheriff stationing a deputy in Irvington during his off hours and he would be paid by the Town, but would still be under the Sheriff's office, its direction, and its insurance. He would not be a Town Constable. He wants a letter of agreement so the insurance situation is clarified: that the County insurance would be covering the deputy while he is on duty in the Town. Mr. Terry does not think that this will allow Irvington to legislate for golf carts, as the deputy would still be under the Sheriff. The alternative to this arrangement for the Town to have police is for the Town to purchase a car and provide necessary insurance coverage. The Mayor thinks that employing County deputies is a reasonable way to start. Mr. Terry needs input on when to have him work. Suggestions were Friday, Saturday nights and early mornings. The problem with this arrangement is finding a deputy who is willing to work in Irvington during his off hours. The money from the fines will come to Irvington after the administrative costs are deducted. It was questioned whether or not his time and from time (from the Sheriff's office to Irvington) would be part of his hours worked. William Evans made a motion for Mr. Terry to draw up the agreement with the Sheriff. Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Minutes:

Garry Luckham made a motion for the minutes to be approved and Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Unangst responded to Mrs. Pollard's question, of whether or not Mr. Heidsieck had been notified the result of his CUP application to build a swimming pool, that he had notified him by e-mail and Mr. Heidsieck had responded repeating the additional information that he would be required to submit.

The Clerk is to notify members of the Planning Commission that Ed McMahon's film will be shown on Thursday, December 15, 2005.

Kathleen Pollard made a motion to approve the treasurer's report and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0.

New Business:

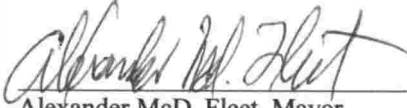
Subdivision Application Fees: Mr. Unangst stated that in surveying the neighboring localities, that Irvington charge the least for the subdivision application fee - \$100.00. He stated that in the past the fee structure had been changed by a simple motion. He recommended that the application fee be as follows: \$200 for the application fee and \$30.00 for each lot being created. Norman Mosher so moved and Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pollard, and Ransone. Nay: 0. This will affect those in the future rather than those in progress.

Judging Home/Business Decorations: It was decided that judging the home and business decorations would be done December 20th.

Questions Regarding the Pilot House and Generators: Mr. Mosher questioned what was going to be done about the Pilot House when the Commons is regraded and the status of the generators for the water pumps.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Residents Present at Public Hearing
December 8, 2005**

Andy Smith
Bob and Fran Westbrook
George Lidicker
Ellen and Steve Reid
Jackie Brown
Bill Westbrook
Jimmy Carter
Scott Vail
Cheryl Mihills and Brent Mihills
Dudley Patteson
Seth Ahlborn
Bruce Sanders
Randy Stephens
Paul Carlson

**Irvington Town Council
Regular and Public Meeting
November 10, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office at 7:30 P.M., on November 10, 2005.

Present:

Mayor	Alexander Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans Garry J. Luckham Richard Pittman Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Absent:

Council	Norman G. Mosher
---------	------------------

Guests:

Mr. Whitlow	K.D. Poore & Associates
Mr. Poore	K.D. Poore & Associates

Visitors:

Curtis Smith	Randy Reeves
Lee Capps	Robert Morrison
Dave Raffetto	David Jones
Lloyd B. Hubbard	

The Mayor called the meeting to order and led the group in prayer. He expressed appreciation to the Zoning Administrator, John C. Fitzpatrick, who is leaving. The Mayor welcomed the visitors.

Zoning Administrator:

Mr. Fitzpatrick reported that VDOT has installed more "No Parking" signs on Steamboat Drive. He has notified the Headmaster at Chesapeake Academy.

Mr. Fitzpatrick will send a letter to Aqua asking them to notify the Town when they are going to turn off the water.

K. W. Poore & Associates: Boundary Line Adjustment.

Mr. Ken Poore, whose company performs feasibility studies regarding boundary line adjustments for small towns, was invited to make a presentation in what is involved in these feasibility studies. He gave

pros and cons as to why a town would want to adjust its boundaries and the process involved. He cited the cost of recent studies done by his company for other small towns in Virginia. He stressed that a Town needs to be comfortable about why it wants to adjust its boundary and must consider what it will provide later regarding density, watershed, services, and proximity. A study could take as little as six months. It took the Town of Richlands (in Tazewell County), which had discussed adjusting its boundaries for ten years, one year, from start to finish.

PSA:

Mr. Lloyd B. Hubbard and Mr. David Jones, the Mayor and a Councilman from White Stone respectively, wanted to know the follow-up from the hearing for forming a PSA. Mr. Fleet said that the PSA question had been tabled indefinitely. Mr. Curtis Smith said that there were unanswered variables with the PSA and that Kilmarnock was not willing to commit at this time. He thinks that Kilmarnock can work with the other entities.

Mr. Lee Capps of Kilmarnock:

Mr. Capps, Town Manager for Kilmarnock, expressed interest in working with Irvington in trying to advance the Bike Path. He said that Kilmarnock is going to experiment with a trolley program during the holiday season to serve the three areas and that the IDA has expressed interest in providing seed money.

He expressed appreciation to Mr. Fitzpatrick.

Aqua Virginia – Generators:

Mr. Morrison and Mr. Fitzpatrick have met with Cliff Parker of Aqua Virginia regarding placing generators on the West Irvington Pump (Mr. Parker prefers this location rather than the East Irvington Pump.) They discussed who will pay the cost of the generators – Irvington all or Irvington 50% and Aqua 50%. Mr. Parker thinks that Aqua would take over the service and maintain the generator regardless of who pays for it. Mr. Parker discussed the concept of connecting the two towns, Irvington and White Stone, so that one could serve the other if one fails. Mr. Terry thinks the Town would have to lease the generator to Aqua if it purchases the generator.

Mr. Parker also informed Mr. Fitzpatrick that they (Aqua) can provide water/sewage service in lieu of there being an authority.

In response to the Mayor's question, Mr. Terry said the Town could own the generator and have a contract with Aqua. It was stated that White Stone has found a grant that would pay for the transfer switch, which could cost as much as \$10,000.

Old Business:

Commons: Mrs. Pollard said that the work on the Commons needed to be completed before May. Mr. Ransone said if the Commons is done before the ditch is improved, then there could possibly be a problem later with the ditch. The design for the ditch has been completed. Mr. Ransone asked if the VIA could use the Chesapeake Academy if the Commons is not ready by the Spring. Mr. Ransone explained his idea of moving water to the ditch/Chesapeake Road area. Mr. Fitzpatrick stated that he had had a call from someone to whom he had sent a proposal. The Mayor suggested that the person, who does the ditch could perhaps do the Commons or they could do the Commons another year.

Planning Commission Reappointment: Kathleen Pollard made a motion to reappoint Mr. William Wright to the Planning Commission and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

New Business:

Christmas Decorations: Christmas decorations will be installed on November 20th between 2:30 P.M. and 3:30 P.M. by Paul Elbourne. Council members should come earlier to check the lights. The raindate will be the Sunday after Thanksgiving.

Boat Parade Donation: There was no objection when the Mayor asked if the Council members would agree to donating \$500.00 to the Boat Parade again this year. (The Clerk later contacted the members by phone to determine if they would agree to donating an additional \$250.00 to the Parade. Council persons contacted and who agreed were: Pollard-11/17th, Ransone-11/18th, Evans-11/18th, and Luckham-11/18th.)

Auto Tags: The County will begin including the cost of the sticker in the property tax bill. The Clerk will survey Town residents regarding their preference when they purchase their tags in 2006.

Town Police: The Town can hire County deputies during their off hours to work in Irvington. The rate is \$15.00 per hour. Mr. Terry will draw up a contract for use of the equipment. The Mayor asked the Town Attorney to work with the Zoning Administrator.

The Mayor appointed William H. Evans and Ralph D. Ransone to the Public Safety Committee to determine where police coverage was needed.

Public Hearing:

Garry Luckham made a motion to go into public hearing and Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0. Garry Luckham made a motion to come out of public hearing. Bill Evans seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

CUP: Mr. and Mrs. Heidsieck – Swimming Pool @ 423 King Carter Drive: After reviewing the plat, the Town Attorney questioned the location of the septic system. The Zoning Administrator said that when Mr. Heidsieck applies for a zoning permit, he needs to provide measurements with setbacks drawn to scale. Mr. and Mrs. Heidsieck also plan to build an addition to the house. Mr. Luckham made a motion to table action on the CUP application until the location of the septic system is confirmed and the exact setback measurements are provided. Bill Evans seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Garry Luckham made a motion to approve the minutes and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Richard Pittman made a motion to approve the treasurer's report and Ralph Ransone seconded the motion. Vote– Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Mrs. Pollard questioned whether or not John C. Bellows had applied for an in-house occupation permit. Mr. Fitzpatrick will contact Mr. Bellows. Mr. Fitzpatrick said Mr. Bellows said he was going to other people's homes.

Planning Commission Update:

A quorum was not present at the meeting; therefore, no recommendation for Mr. and Mrs. Heidsieck's CUP application was forwarded to the Town Council.

Executive Session:

Mr. Terry read the following motion: "I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the subdivision moratorium and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1.3711A." (7). Ralph D. Ransone so moved. Garry Luckham seconded the motion. Vote— Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

After the closed session, Mr. Terry read the following motion for certification: "I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered." Garry Luckham made a motion for a roll call and Ralph Ransone seconded his motion.

I, Richard Pittman, so certify.
I, Kathleen Pollard, so certify.
I, William H. Evans, so certify.
I, Garry Luckham, so certify.
I, Ralph D. Ransone, so certify.
I, Alexander McD. Fleet, so certify.

Ralph D. Ransone made a motion that subdivision applications be accepted and to explore changes to land use regulations in the Town of Irvington to control growth. Garry Luckham seconded the motion. Vote— Yea: Evans, Luckham, Pittman, Pollard, and Ransone. Nay: 0.

Adjournment:

Ralph D. Ransone made a motion to adjourn the meeting and Richard Pittman seconded the motion.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
October 13, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Baptist Church at 7:30 P.M., October 13, 2005.

Present:

Mayor	Alexander McD. Fleet
Council	William H. Evans, III Garry J. Luckham Norman G. Mosher P. Richard Pittman, Jr. Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick

Absent:

Vice-Mayor	Ralph D. Ransone
Legal Counsel	Matson C. Terry, II

The Mayor called the meeting to order at 7:30 P.M., and led the group in prayer.

Public Hearing:

PSA: The public hearing was scheduled to receive public input regarding Irvington's participation in the formation of a public service authority to provide water and sewage to the residents of Irvington and to operate the system. Similar hearings have been held in Lancaster County and the Town of White Stone, which are also considering participating in the PSA. Garry Luckham made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Mr. Fitzpatrick, who has been attending the committee meetings, traced the history of the effort to provide public sewage for the Towns of White Stone and Irvington, Rappahannock-Westminster Canterbury, and Sedonna managed property. The County of Lancaster has also participated in the discussions. Mr. Fitzpatrick stated that an authority can enter into contracts, cannot tax the citizens, raises its money by the services that it provides and it can issue bonds. The current plan is that there will be seven appointed members to the authority board, of which, one will represent tourism, one will represent the retirement community, and three will come from the County. The Towns of White Stone and Irvington will provide the remaining two members of the Board. Mr. Fitzpatrick stated that Rickman & Associates of Williamsburg has been doing the feasibility study and it is at a point where it needs direction from the Authority. Mr. Fitzpatrick said that public support was essential to there being public sewage.

Questions and comments from residents and those present were:

1. How many Board members of the PSA will come from Irvington?
2. How are Board members selected?
3. Advantages versus disadvantages.
4. How will the sewer system be financed?
5. Why does the PSA have to exist before the residents receive information about sewage?

6. Doesn't the County have the authority to receive the information without an authority being formed?

7. Mr. David Jones said that the entities would like to participate at the table before being told that they have to put in sewage. He noted the number of septic tank deficiencies in Irvington.

8. Mr. Rawleigh Simmons said that the problems revolve around development and Irvington's soil in places prevents development because of its not being good for septic systems. He thinks that the Zoning Ordinance and the Sub-division Ordinance must be addressed before public sewage is created.

9. Mr. Gosse said that he had not heard, read, or seen anything that would prevent the Towns or County from receiving information before the Authority is formed. He would like the information to be available before the authority is formed.

Mr. Evans made a motion to come out of the public hearing and Richard Pittman seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0.

Richard Pittman made a motion to table the decision about voting for a Public Service Authority until more information is available. Kathleen Pollard seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0.

Regular Meeting:

Call to Order, Minutes, and Treasurer's Report:

The Mayor called the regular and public meeting to order.

Garry Luckham made a motion to approve the minutes and Kathleen Pollard seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0.

Norman Mosher made a motion to approve the treasurer's report and Garry Luckham seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0.

Zoning Administrator: No report.

Planning Commission: No meeting: no report.

Legal Counsel: No report.

Old Business:

Irvington Farms: Norman Mosher made a motion to remove from the table the consideration of sub-dividing Irvington Farms because the application was not complete (locations of primary and reserve septic systems were not sited on the lots) and had no standing or merit. Richard Pittman seconded the motion. Vote — Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. The application process, with notices given, will have to be repeated when the requirements of the Ordinance are met.

Water Fountain: Mr. Pittman said that Mr. Arnold will do the water fountain, but he is not sure when he will pour the concrete.

Christmas Street Lights and Tree: The Clerk reported Mr. Leroy Wood's price to put up the lights. He is not licensed, but is insured for one million. Garry Luckham made a motion to accept the bid contingent on the approval of the Town Attorney. Kathleen Pollard seconded the motion. Vote — Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. (The Town Attorney later said that the Town should hire a licensed electrician to install the lights and subsequently Mr. Paul Elbourn was contacted. Mr. Wood was notified of the Town Attorney's recommendation.)

Police Update: The Town Manager, the Mayor, and Mr. Evans have learned in talking with Mr. Crockett, the Sheriff of Lancaster County, that the Town of Irvington can hire County deputies in their off hours to work in Irvington for an hourly wage of \$15.00. The County will provide the deputy, car, uniform, and insurance coverage. The Town can keep the money from tickets minus the amount of the administrative costs which the County will keep. Garry Luckham made a motion for the Town Manager and the Town Attorney to pursue the arrangement with the County. William Evans seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Mr. Terry has stated that a part-time policeman would constitute having a police force which would satisfy the State Code in allowing golf carts, which some residents would like to have permitted in the Town. (During the New Business portion of the meeting, the Mayor asked Mr. Fitzpatrick to work on the golf cart issue.) Dr. Westbrook asked if the Town had determined if the Town needed a policeman and was it because of speed. He asked why the Town could not petition the County to provide this coverage. Mr. Evans said that the County did not have the manpower.

New Business:

80%/20% Ratio for Development: Mr. Mosher questioned whether or not water/sewage drives zoning or whether or not zoning drives sewage. He made a motion that the Council agree not to consider any application for subdivision development until the 80% open space/20% development of property ratio issue is resolved with the Town Attorney and the Council resolves the issue. Mr. Evans seconded the motion. Mr. Costello suggested that the Council be sure that it is talking about buildable land and not canyons (ravines). Higher density than is currently allowed would be considered for the 20% if this ratio for development is considered. Mr. Unangst stated that the Comprehensive Plan needs to be checked. Mr. Fitzpatrick said that when the Comprehensive Plan was last reviewed (in 2001) that the Council discussed 80%/20% ratio of open space to development of a property in the Town and the Council rejected it. He said including it as part of the Ordinance would be require a public hearing before it could be approved.

PSA: Dr. Westbrook asked for clarification on what was the next action for the PSA issue. He was told the status of the formation of a PSA by the other involved entities. There will be another public hearing before the Council takes any action on the PSA for Irvington.

Development: Dr. Westbrook asked if the Council needed to revisit the Comprehensive Plan in terms of development and if the ordinances for development needed to be tightened before the PSA is approved. Mr. Fitzpatrick said that the Zoning Ordinance eliminates high density development in Irvington.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

Residents Attending Public Hearing – October 13, 2005

Greta Kirkbride
Jackie Brown
Mr. and Mrs. Jimmie Lee Crockett
Rhonnie Kerr
Sonny Hearold
Mr. and Mrs. Bill Howard
Dr. Bob Westbrook
Mr. and Mrs. Tommy Turlington
Tom Gosse
David Jones – White Stone
Lloyd Hubbard, Mayor, White Stone
William Wright
Clarke Winner
Mr. & Mrs. Harry Walter Anderson
Frances Simmons
W. R. Rowe, Jr.
Rawleigh Simmons
Mr. and Mrs. Jeff Bishop
Larry McAfee
Phillip Thomas' son
Gil Unangst
Mr. Costello and Friend, Barbara
Bob Hardesty
Mr. Biddle
Mr. and Mrs. David Check
Tom Richardson
Doug Power
Laura Rose Brush & husband
Mary Jane Allen
Mr. and Mrs. Leland James
Robin Hundley
Suzanna Collins
Lovey Long
Mr. and Mrs. Mike Merrill
Phillip Williams
Robb Hoff
7 additional persons, not Irvington residents

**Irvington Town Council
Regular and Public Meeting
September 8, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on 9/8/2005.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Norman G. Mosher Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Absent:

Council	William H. Evans, III P. Richard Pittman, Jr.
---------	--

Guests:

Lloyd B. Hubbard, Mayor of White Stone
Paul Elbourn, White Stone Fire Dept.

Visitors:

Jimmie Lee Crockett
Gil Unangst

The Mayor called the meeting to order at 7:34 P.M., welcomed the guests and visitors, and led in prayer.

Public Hearing:

Subdivision: Irvington Farms – Arris LLC -3989 Irvington Road, Map 28 Lot 208: Ralph D. Ransone made a motion to go into public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Fitzpatrick said that application had been made to subdivide the former Southworth/Mitchell property. The soil work cannot be completed to meet the Ordinance requirements until the beans have been harvested. It was not certain when all the requirements could be completed; therefore, Mr. Terry stated that notices would have to be given again and the application process would need to be repeated. Norman Mosher made a motion to come out of public hearing and Kathleen seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Mosher moved to table the application indefinitely and Garry seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

White Stone Volunteer Fire Department:

Mr. Lloyd B. Hubbard, Mayor of White Stone, and Mr. Paul Elbourn, a member of the White Stone Fire Department, discussed the financial needs of the department. They are trying to raise money to buy a new tank truck to replace the one damaged in Hurricane Isabel. Mr. Elbourn would like Irvington to match the annual contribution of the Town of White Stone, which gives \$2500.00. In addition this year, they have donated \$10,000.00 toward the purchase of the truck. Both Irvington and White Stone receive State Fire Grants in the amount of \$6000.00 each, which are passed on to the Fire Department. Norman Mosher made a motion to donate \$2500.00 to the White Stone Fire Department and Kathleen Pollard seconded the motion. Garry Luckham amended the motion that the \$250.00 that was not given in 2004-2005 (pending this meeting with Mr. Elbourn) and \$250.00 for 2005-2006 be added to the \$2500.00 to make a total contribution of \$3000.00 at this time. Ralph D. Ransone seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Generator – Water Pumps: White Stone has applied to FEMA for a transfer switch to put a generator on the water pump. They want Aqua Virginia to provide the electrician which would eliminate the liability problem. Mr. Mosher would like a generator with a transfer switch and it would be fueled by propane. A timer could trigger the pump to run periodically for maintenance purposes. Mr. Terry suggested that Irvington and White Stone have a joint meeting with Aqua. Mr. Fitzpatrick will contact Cliff Parker with Aqua to schedule a meeting.

Minutes and Treasurer's Report:

Kathleen Pollard made a motion to approve the minutes and Garry Luckham seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the treasurer's report and Ralph D. Ransone seconded the motion. Vote: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

The Zoning Administrator announced the following:

- 1.) Jeff Schroeder will serve another term on the Board of Zoning Appeals. Matson Terry will prepare the order.
- 2.) The public hearing for the PSA will be October 13, 2005. The notice for the meeting appeared in the Rappahannock Record on this date.
- 3.) He is still trying to reach Mr. Cliff Parker, the engineer with Aqua Virginia.

Old Business: None.

New Business:

Boundary Line Adjustment: A committee composed of Ralph D. Ransone, John C. Fitzpatrick, Kathleen Pollard, Richard Pittman, and Norman G. Mosher decided on three areas where the boundary line of the Town could be adjusted. These are:

- 1.) Including the areas managed by Sedona, (The Lodge area, including most of the Tartan Golf Course, RWC, and the Golden Eagle), and take in Ring Farm area off Salem Road.
- 2.) Including Sedona's Golden Eagle Golf Course, not taking in Ring Farm Road, but take in the Thompson Farm beyond RWC, go to the headwaters beyond Pittman's Corner, but not go as far as Christ Church.

3.) Take in the area that White Stone does not take on Old Salem and go to a physical boundary toward the Lodge and the Tartan Golf Course.

The Mayor recommended that Mr. Fitzpatrick and Mr. Terry investigate the pros and cons of the proposed adjustments. Mr. Terry recommended that the Town have a professional such as Mr. Whitlow of Poore & Associates make a proposal. He described the procedure for boundary line adjustments and obtaining approval by the County and the Department of the Justice. Mr. Mosher said the Town would like to have control over the development of the open space beyond the Town's current boundary lines. Garry Luckham made a motion to have K.W. Poore & Associates present a proposal of what is entailed in a study of boundary line adjustments. Norman Mosher seconded the motion. Vote - Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

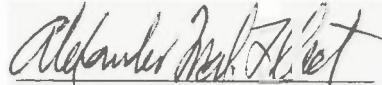
Architectural Review Board: Mr. Mosher asked that there be a discussion of an architectural review board in Irvington in the future.

Katrina Hurricane Relief: Ralph Ransone made a motion that the Town donate \$1000.00 to the Red Cross for Katrina Hurricane Relief. Kathleen Pollard seconded the motion. Vote - Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Resolution for Mr. Fitzpatrick: Mr. Terry read the resolution that will be presented to Mr. Fitzpatrick at the October meeting.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**RESOLUTION
OF
THE TOWN COUNCIL
OF
THE TOWN OF IRVINGTON, VIRGINIA
ADOPTED SEPTEMBER 8, 2005**

WHEREAS, JOHN C. "Jack" FITZPATRICK, has served as Land Use Administrator of the Town of Irvington, Virginia, since September, 1996; and

WHEREAS, John C. Fitzpatrick, has had to relocate to Richmond, Virginia, and can no longer discharge his duties as Land Use Administrator; and

WHEREAS, during his tenure as Land Use Administrator, Jack Fitzpatrick, has performed his duties with energy and courtesy; and

WHEREAS, Jack Fitzpatrick, has done so much more for the Town of Irvington beyond his obligations as Land Use Administrator;

NOW, THEREFORE, upon motion duly made, seconded, and unanimously carried, it was

RESOLVED, that the Town Council of the Town of Irvington hereby acknowledges, with great gratitude, the many contributions of John C. Fitzpatrick, to the Town of Irvington during his tenure as Land Use Administrator of the Town of Irvington, Virginia; his unselfish willingness to do more than was asked for the Town; his good common sense, courtesy and impartiality in all his efforts for the Town; and his wisdom that comes from age and his vigor that comes from his continued youth; and

FURTHER RESOLVED, that a copy of this resolution be presented to John C. Fitzpatrick, and that a copy be spread upon the minutes of the Town Council.

Witness the following signatures:

**Irvington Town Council
Regular and Public Meeting
August 11, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office at 7:30 P.M., on August 11, 2005.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Norman G. Mosher Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Council	Matson C. Terry, II

Absent:

Council	Richard Pittman William H. Evans, III
---------	--

Visitors:

Jimmie Lee Crockett
Robert Morrison

The Mayor called the meeting to order, welcomed the visitors, and led those present in prayer. He expressed sympathy to Jimmie Lee Crockett for the death of his mother, Mrs. Doris Crockett, who had worked at the Town Office for many years.

Minutes:

Ralph Ransone made a motion to approve the minutes and Garry Luckham seconded the motion. Vote-- Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Treasurer's Report:

Garry Luckham made a motion to approve the treasurer's report and Kathleen Pollard seconded the motion. Vote : Luckham, Mosher, Pollard, and Ransone. Nay: 0. The treasurer is to check with Gary Conrad in White Stone, to see if the Town could have a better rate if the Town's money were to be invested with LGIP.

Zoning Administrator:

BZA Appointment: Mr. Fitzpatrick will ask Mr. Jeff Schroeder if he would like to serve on the Board of Zoning Appeals for another term. His term expired in May, 2005. Mr. Fitzpatrick will provide names at the next meeting if Mr. Schroeder does not want to serve.

Home Signs: Mr. Fitzpatrick announced that the County has home resident's house number signs that they are to deliver to the Town Office for the home owner to erect if the owner so chooses to use the provided sign.

Tavern Road: Mr. Fitzpatrick announced that VDOT will do no more work. He said that VDOT's position is that the drainage problem on Tavern Road at this point is the Town's problem. Mr. Ransone believes that if they do additional grading, it might help. Mr. Harper at VDOT-Brookvale, thinks that the Bank entrance is too high and more concrete should have been laid in the immediate area to allow the free flow of water.

Aqua Generators: Mr. Fitzpatrick has been told by Aqua, that there are a limited number of generators, which in event of an emergency, will be deployed first to the larger communities, and then smaller communities, based on need. He said he was told by "Ernest" that there are no plans to increase the number of generators. Later in the meeting, Mr. Mosher asked if the Town could put its own generator on the water pumps. Mr. Terry said that White Stone had asked the same question and Aqua Virginia had told them, "no."

Crosswalk from Post Office to Jim & Pat Carter Real Estate Office: Mr. Fitzpatrick reported that the Council did not need to pass a resolution, but the Town Council must approve a crosswalk being placed in the location and Mr. Fitzpatrick needed to write a letter. The location of the school is not pertinent to the location of the crosswalk.

The Ditch: Requests for Proposals to add inserts and laterals to the The Commons' ditch have been sent to 8 contracts with requests for replies by August 19, 2005. Don James will supervise the additional work on the ditch.

Zoning Administrator: Mr. Fitzpatrick announced that Mr. Gilbert Unangst would return as the Zoning Administrator when he leaves the position this fall.

Public Sewer Authority (PSA): Norman Mosher made a motion to publish a notice of a public hearing on October 13 to receive public input whether or not Irvington should participate in the PSA for sewers and water. Kathleen Pollard seconded the motion. Vote: Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

2nd Reading of the Amendments:

Article 2.123 Sunset for Zoning Permits: Ralph D. Ransone made a motion to approve this amendment that the zoning permits be valid for two years and Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

Article 5A-1-4.b. Size of Winery Gift Shop Restriction: Garry Luckham made a motion that this restriction be removed from Ordinance and included in the site plan approval process. Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0.

The Council decided these amendments will become effective immediately: August 11, 2005.

Planning Commission Report: No report.

Old Business:

Commons Grading: Mr. Ransone said that he will try to talk with Mr. Cundiff Simmons about a site plan for the Commons. Mr. Terry advised the Council to have VDOT review the site plan. Mr. Fitzpatrick will discuss it with Mr. Don James, the engineer, who developed the plans for The Ditch. Mr. Morrison said that whoever does the site plan needs to do an on site grade survey. Mr. Ransone recommended that the grade stakes need to be set after the last Farmers' Market. Mrs. Pollard reminded them that the Turkey Trot would be after the Farmers' Market if they choose to eliminate the December

Market. Mr. Ransone questioned if they could have the Turkey Trot at Chesapeake Bank or one of the Churches. Mr. Ransone said they could still have problems for a while on the Commons after big rains, even after it is regraded.

Appropriation to Museum: Mr. Mosher said that he has no objection to the appropriation of \$10,000.00 (1/3 of the amount allocated for 2005-2006 fiscal year) being appropriated for the first quarter, but he would like to see the remaining 2 appropriations of \$10,000.00 each be matched with money raised. Ralph Ransone seconded this motion. Vote- Yea: Luckham, Mosher, Pollard, and Ransone. Nay: 0. Mr. Mosher said that a letter from the President of the Board that they had raised the matching amounts from whatever source necessary for the two appropriations would be sufficient and no further documentation would be necessary.

Boundary Adjustment: It was decided that there would be a discussion of the boundary line adjustments possibilities on the September agenda for the Town Council.

Announcements:

There was an announcement of upcoming events in the Town.

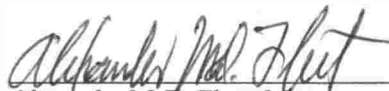
New Business:

Irvington Business Associations - Streetscapes: Kathleen Pollard reported on the meeting that the IBA had with Jerry Davis of the Northern Neck Planning District to discuss submitting a grant for streetscapes. The IBA has decided that because the next grant deadline is November 1st, 2005, they will wait to apply in November, 2006, and they will have more time to do the necessary preparations before submitting grant application. In the meantime, they will meet with the Community Housing Development Group to discuss procedure. Dudley Patteson would like to see the electrical lines buried at the same time the water and sewer lines are buried. Next Thursday, they will meet with Dominion Power on August 17, 2005.

Master Plan for the Commons: Norman Mosher commented on the need for a master plan for the Commons.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

August 11, 2005

Amendments to Town of Irvington Ordinance

In accordance with Section 2-1 of the Irvington Code, the required second reading of the following amendments to the Irvington Town Ordinance (Ordinance) confining the reading to the title only, was approved by the affirmative vote of four (4) members of the Town Council as follows:

- 1.) The amendment to the Ordinance, Article 2.123 limits the life of a zoning permit to two (2) years.
- 2.) The second amendment to the Ordinance affects Article 5A-1-4-b by having all uses referred to in this Article addressed in the required conditional use permit.

The above two amendments had been approved by the Town Council at its Regular & Public hearing held on July 14, 2005.

By motion, the Irvington Town Council at its Regular & Public hearing held on the 11th day of August, 2005, unanimously approved the above two amendments, effective immediately.

**Irvington Town Council
Regular and Public Meeting
July 14, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on July 14, 2005, at 7:40 P.M.

Present:

Mayor	Alexander Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III (arrived late) Garry J. Luckham Norman G. Mosher Richard Pittman, Jr. Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick

Absent:

Legal Counsel	Matson C. Terry, II
---------------	---------------------

Guests:

Jimmie Carter

Visitors:

Tommy Turlington Robert Morrison	Jimmie Lee Crockett
-------------------------------------	---------------------

Public Hearings:

Ralph Ransone made a motion to go into public hearing and Kathleen Pollard seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Amendments to the Ordinance: Winery Sign and Restriction of 600 Square Feet for Size of Gift Shop: Mr. Fitzpatrick said that the notices had been published. He summarized that farm wineries were able to be placed on farms in a residential zoned (R-2) area, when the Town Council on 2/114/02, approved Article 5A amending the Town Ordinance to allow the activity, rather than rezoning a parcel for this purpose. He said when this amendment was approved, it stated that the gift shop would be limited to 600 square feet. At that time, Article 5A provided that the buildings and accouterments would be addressed in a conditional use permit process. By the proposed amendment, the size of the gift shop will also be addressed in the conditional use permit approval process rather than restricted by the Ordinance. He stated that the Planning Commission had unanimously (with only 3 members present) recommended that the Town Council approve 5A-1-4b (size of gift shop) and reject 5A-1-4c (size of the winery sign). Jimmie Carter said a gift shop with larger space than 600 square feet was needed. He said that the winery sign was already 55 feet off the road and he did not think that people driving by could see the sign.

Mr. Jimmie Carter said that Carter White of VDOT has not given approval for the proposed winery sign, which will be the size (approximately 48 square feet) of the temporary sign that is located at the entrance. Jimmie Lee Crockett asked if they wanted a sign bigger than anyone else in Town. He noted

that six wineries that he had visited in CA had small signs. Mrs. Pollard said that she had made measurements and all the information would fit on a 2 X 8 sign whose face could be placed parallel to the road. The sign will be lighted. Kathleen Pollard made a motion to come out of public hearing and Norman Mosher seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Discussion and Vote on the Proposed Amendments:

Proposed Amendment 5A-1-4b.: Garry Luckham made a motion to eliminate the size restriction of 600 square feet for the gift shop from the Ordinance. The size of the gift shop will be part of the site plan, which will require a conditional use permit approval process. Ralph Ransone seconded the motion. Vote– Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Proposed Amendment 5A-1-4c.: Kathleen Pollard said that she preferred to stay within the Ordinance in view of the experience with “The Local.” Mr. Ransone said in view of the Council’s requiring Mr. Reed of “The Local” to remove his sign, he could not support a larger sign for the winery than is currently permitted by the Ordinance. Mr. Mosher said that an exception should not be allowed, but if the Ordinance is too restrictive, then the Ordinance should be changed. (Mr. Evans arrived.) Kathleen made a motion not to approve the proposed amendment 5A-1-4c that would allow the sign size for wineries to be a part of the site plan approval process. Richard Pittman seconded the motion. Vote: Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Abstain: Evans.

Amendment 2.123 Zoning Permit Life of 2 years: Ralph Ransone made a motion to go into a public hearing and Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Fitzpatrick gave the time limits for the life of zoning permits in other localities. He thinks that the life of the zoning permit should be two years and he said that the Planning Commission had unanimously approved this recommendation. Norman Mosher made a motion to come out of public hearing and Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Mr. Fitzpatrick stated that obtaining a building permit would be sufficient to meet the requirement. If a person has not commenced building and has to come back to apply for a zoning permit, then any new regulations would apply. Ralph Ransone made a motion to approve the proposed amendment. William Evans seconded the motion. Vote - Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

There will be a second reading of the amendments at the August meeting of the Town Council.

Minutes and Treasurer’s Report:

Garry Luckham made a motion to approve the minutes and Norman Mosher seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the treasurer’s report and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard and Ransone. Nay: 0.

Zoning Administrator:

Tavern Road: Mr. Fitzpatrick said there was more work to be done on Tavern Road.

Planning Commission:

No additional report and no vacancies on the commission now.

New Business:

Crosswalk for Irvington: Mr. Fitzpatrick will check to see if VDOT has standards as to how far a crosswalk can be placed near a school sign. The Council tabled consideration of a resolution requesting

VDOT to paint a crosswalk area on Irvington Road extending from the Post Office to the Jim & Pat Carter Real Estate Office.

White Stone Fire Department: The decision to donate money to the White Stone Fire Department which is usually made in June, was tabled in June, because a representative from the Fire Department, who had planned to come to the meeting for several months, did not come to discuss the department's financial needs. It is hoped that he will attend the August meeting.

Announcements of Events: The Mayor read the dates of the upcoming events.

Improved visibility at Events at the Commons: There was a discussion of ways to improve the visibility for the people at the Air Force Band Concert: such as other parking arrangements and elevating the Band.

July 4th Parade: The Mayor thanked those who worked on the July 4th Parade.

Movie Schedule: The movie schedule will be terminated because of small attendance. Showing a movie will be tried in another type of family evening at the Commons.

Generators on the Aqua Water Pumps: Mr. Fitzpatrick is to call Aqua about the availability of generators for the pumps in case of bad weather.

County Policing in Irvington: Richard Pittman asked why the County could not do more policing in Irvington. Mr. Evans said he had not received a clear answer to that question.

Appropriation to the Museum: The Mayor asked if the Council would appropriate at this time one-third (\$10,000) of the allocation to the Museum. Mr. Mosher said that he would prefer to consider this after he sees how much the Board has raised. Therefore, this decision was tabled until the August meeting.

Executive Session:

Kathleen Pollard read the motion: "I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the ditch between King Carter Drive and Chesapeake Drive and Town Employment regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7)." Ralph Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

After the session, Mrs. Pollard read the following motion for certification: "I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered.

- I, Kathleen Pollard, so certify.
- I, Garry Luckham, so certify.
- I, William H. Evans, so certify.
- I, Norman G. Mosher, so certify.
- I, Ralph D. Ransone, so certify.
- I, Richard Pittman, so certify.
- I, Alexadner Fleet, so certify.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

Town of Irvington

235 Steamboat Road

Post Office Box 174

Irvington, Virginia 22480

Telephone (804) 438-6230

Fax (804) 438-6865

e-mail: townofirvington@rivnet.net

COUNCIL MEMBERS

Ralph D. Ransone
Vice-Mayor

William H. Evans, III
Garry J. Luckham
Norman G. Mosher
P. Richard Pittman
Kathleen F. Pollard

Alexander McD. Fleet
Mayor

John C. Fitzpatrick
Town Manager
Zoning Administrator

Matson C. Terry, II
Town Attorney

Jacqueline H. Burrell
Clerk of Council
Treasurer

June 8, 2005

Mr. William E. Westbrook, Jr.
3952 Irvington Road, Post Office Box 677
Irvington, Virginia 22480

RE: Conditional Use Permit
No. 2005-9, White Fences

Dear Mr. Westbrook:

The scheduled hearings on the above application requesting authorization to begin construction of the winery facilities were held before the Irvington Planning Commission on May 3, 2005, and the Irvington Town Council on May 12, 2005.

The Planning Commission recommended approval of the application, with the further suggestion that the Ordinance's limitation of the gift shop's size of 600 square feet is impracticable and should be eliminated in the most expeditious manner possible.

The Town Council thereafter considered and approved the submission as follows:

Three buildings are to be constructed approximately 1000 feet from Route 200:

- a.) The main structure will be the largest at fifty (50) feet by eighty (80) feet, one and a half stories with a wrap around porch, and will have a basement. It is to house the gift shop, wine tasting area conference room, market, and storage area.
- b.) The second building is to be approximately 2100 square feet and is to house the facilities for the production and bottling of wine with additional storage space.
- c.) The third structure will be, at approximately 1500 to 2100 square feet, the smallest of the three buildings. It is where a kitchen and catering facilities are to be located.

The size of the gift shop is regulated by Article 5A-1-4 and as stated therein, is to be no more than 600 square feet. Any change in the size requires an amendment to the Ordinance. As you well know, the amendment process provides that notices of the scheduled hearing be given to designated neighbors, as well as the publication requirements of the Code of Virginia. It entails three hearing, one before the Irvington Planning Commission and one before the Irvington Town Council, and if the Council approves the amendment, a second hearing before the Town Council.

The Town Council at the hearing suggested that I confer with the Town Attorney, Mr. Terry, to review the restriction contained in the above Article 5A and the best way to amend it. This is being done in time to entertain an amendment at the July, 2005, regular and public hearing (Planning Commission meets on July 5, 2005, and the Town Council meets on July 14, 2005). Also, at this time a review of the signage ordinance will be on the agenda.

Concerning the approval that has been given you to proceed on the construction of your buildings as authorized above, please note that before any construction may begin, you must first obtain a zoning permit from this office.

Sincerely,

John C. Fitzpatrick
Zoning Administrator

Copy: M. Hollingsworth

June 23, 2005

Proposed Amendments to the Irvington Town Ordinance; the proposed amendments are underlined:

1.) Article 2-DEFINITIONS

2.123 Zoning Permit: A permit issued by the Zoning Administrator to the applicant before the applicant may proceed with any work affected by any provision of this ordinance. A permit is invalid if the work is not commenced within two (2) years of issuance of the permit.

2.) Article 5A- Residential District R-2

5A-1 Use Regulations

In Residential District R-2, in addition to the uses set forth in Article 5, the following uses and activity are permitted at a farm winery with a Conditional Use Permit and the prior approval of a site plan.

5A-1-4 Use permitted by Conditional Use Permit Only

- b. The permitted number, dimension, and location of winery structures, and the allocation of space for each use as shown on the site plan.
- c. The type, dimension and location of any type sign or sign structure as shown on the site plan.

**Irvington Town Council
Special Meeting
July 14, 2005**

A special meeting of the Irvington Town Council was held at the Irvington Town Office on July 14, 2005, at 7:00 P.M. to receive public input regarding the budget for 2005-2006.

Present:

Mayor	Alexander Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Norman G. Mosher Richard Pittman Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick

Absent:

Council	William H. Evans, III
Legal Counsel	Matson C. Terry, II

Guests:

Camille Bragg - Playground
Elizabeth Gardner - Playground
Jeff Arnold - VIA
Gene Edmonds - VIA

Visitors:

Jimmie Carter	Robert Morrison
Tommy Turlington	Jimmie Lee Crockett

Norman Mosher made a motion to go into a public hearing for public input on the budget. Garry Luckham seconded the motion. Vote: Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0.

VIA/The Commons:

The Mayor noted that Dave Raffetto had spoken to the Planning Commission regarding the drainage problem at the Commons.

Gene Edmonds, representing the VIA, stated that there is an issue with drainage on the Commons which after rains, presents problems for the Farmers' Markets and other activities. The VIA asked the Council for support in correcting the problem. Mr. Ransone said the drainage problem area was in the front and toward the bank. He thought it would be better if it were draining to the back. Mr. Arnold said that the VIA was willing to forego the December and April Farmers' Markets in order to have the drainage problem corrected. Mr. Ransone estimated that it could cost \$10,000 to \$15,000 for time and materials. He stated that an engineer was needed to determine the grade at the front that would create a fall to the back of the Commons. He said that shade grass would need to be planted in the problem areas.

Playground:

Elizabeth Gardner, a resident of the Ring Farm area, stated that the current playground at the Commons is unsafe. She would like to replace it with two new pieces of equipment and a safe ground surface material under the equipment that would be suitable for ages 2-12. There would be a border around the playground area to keep the surface material contained. The equipment would be same type as now: swings, sliding board, and a crawler. She does not think that the price would be over \$25,000. At this time, she wants only the Town's blessing so that when she approaches the Department of Conservation and Recreation for a matching grant she would like to be able to tell the Department that the Town is interested in applying for a grant. She feels that this would be an economic stimulation to the Town. The VIA and IBA support the playground improvement.

Norman Mosher made a motion to come out of public hearing. Richard Pittman seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Vote On Regrading Commons and Modernization of the Playground:

Norman Mosher, recognizing the ground was the first priority, said there were other questions regarding the Commons – the playground, future of softball field, and future plans for the Commons. Kathleen Pollard questioned the status of the Commons Master Plan. The Mayor appointed Mr. Fitzpatrick, Mr. Ransone, Mrs. Pollard, and Mr. Mosher to look at the Commons and report in August.

Mr. Mosher made a motion to budget an allocation of \$15,000 for improving the drainage of the Commons. Kathleen Pollard seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.


Norman Mosher made a motion to approve in principle the modernization of the playground. At this time, Mrs. Gardner is not asking for financial support. She is interested in applying for a grant from the Department of Recreation. Garry Luckham seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Budget for 2005-2006:

In the discussion of the budget, Mr. Mosher asked about differences in allocations from 2004-2005 to 2005-2006. After discussion of the drainage problem, it was decided to transfer \$15,000 from Miscellaneous in the proposed budget to the Commons Master Plan line item to improve the drainage at the Commons. Ralph Ransone made a motion to approve the proposed budget and Kathleen Pollard seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Adjournment:

The special meeting of the Town Council for the public hearing on the budget was adjourned.


Alexander McD. Fleet, Mayor

2005-2006 IRVINGTON BUDGET

DISBURSEMENTS	2005-2006
Gross Wages	\$26,000.16
Employees' Federal Withholding	
Employees' FICA	
Employees' Med. B.	
Employees' State Withholding	
Total Employees' Withholding	
 Net Wages	
 Employer's FICA	
Employer's Med B.	
Employer's Unemploy. Tax	
Total Payroll Tax	\$2,108.00
 Utilities - Town:Elect.Fuel, Phone, Water	\$9,400.00
Elect. - Ches. Acad.	\$22,000.00
Office Equip & Supplies	\$3,000.00
Office Main. - Furn. Clean. Garbage	\$2,000.00
Ground Maint. - Grass/Rec	\$3,000.00
Auto Tags	\$1,200.00
Rappahannock Record	\$500.00
Insurance	\$3,600.00
Dues	\$500.00
Legal/Acct/Survey	\$1,000.00
Xmas Light. & Wiring/Flags/7/4 Parade	\$2,000.00
Elections	\$600.00
Miscellaneous	\$22,371.84
Disaster/Emergency	\$1,000.00
Police	\$0.00
Contributions	
Fire Dept.	\$250.00
Rescue Squad	\$250.00
Air Force Band Concert Dinner	\$300.00
Museum	\$30,000.00
VIA/ICC	\$5,000.00
Museum T-21 Grant	\$148,000.00
Fire Grant/State	\$6,000.00
Infrastructure Improvements	
Water & Sewer	\$0.00
Sidewalks/Streets	\$0.00
Street Lighting/Signs	\$0.00
Bike/Hike Paths	\$0.00
Real Estate Acquisitions	\$0.00
Underground Power Lines & Cables	\$0.00
Commons Master Development Plan	\$0.00
Commons - Ground	\$15,000.00
 Totals	 \$305,080.00

2005-2006 IRVINGTON BUDGET

RECEIPTS	2004-2005
Sales Tax	\$35,000.00
Auto Tags	\$9,500.00
Sale of Books	\$25.00
Zoning Permits	\$1,000.00
ABC	\$800.00
Tennis Permits	\$100.00
VA Power	\$22,000.00
Maps, Copies, & Pewter	\$0.00
Ground Rent	\$480.00
Interest on CD's	\$100.00
Interest- Checking	\$75.00
Bank Franchise	\$9,500.00
Cable	\$2,500.00
Contributions	\$0.00
Miscellaneous	\$0.00
Income from Occupancy Tax	\$70,000.00
Fire Grant/State	\$6,000.00
Museum-T-21	\$148,000.00
Infrastructure	
Water & Sewer	\$0.00
Sidewalks/Streets	\$0.00
Street Lighting/Signs	\$0.00
Bike & Hike Paths	\$0.00
Real Estate Acquisitions	\$0.00
Underground Power Lines & Cables	\$0.00
Commons Master Develop. Plan	\$0.00
TOTAL	\$305,080.00

**Irvington Town Council
Regular and Public Meeting
June 9, 2005**

The regular and public meeting of the Irvington Town Council was held at the Memorial Hall of the Irvington Baptist Church at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans, III (arrived late)
	Garry J. Luckham
	Norman Mosher
	Richard Pittman
	Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Guests:

Catherine Crabill
Virginia Henry

The Mayor called the meeting to order and led the group in prayer.

Kathleen Pollard made a motion to go into a public hearing and Norman Mosher seconded the motion. Vote— Yea: Luckham, Mosher, Pittman, Pollard and Ransone. Nay: 0.

Public Hearing:

Rezoning from Residential R-1 to Business B-1: King Carter Drive – Mrs. Virginia Henry: Mr. Fitzpatrick reported that the administrative requirements for the rezoning application had been completed. The Planning Commission, with one member absent, had unanimously recommended that the application be denied. A petition with 101 signatures of residents opposing the rezoning had been received. Two residents, one, an immediate neighbor and one, living elsewhere in Irvington, had written to approve the rezoning. Mr. Fitzpatrick stated that no response from a neighbor or a resident, is considered approval of the application. In response to questions, Mr. Fitzpatrick explained the Business B-2 designation, distinguishing it from the B-1 application. Mr. Tetrick was concerned about maintaining the integrity of the Comprehensive Plan. He said that the Town needed to maintain a balance between business and residential. He thinks that the attractiveness of King Carter appeals to visitors and feels that this would be spot zoning. Larry McAfee said that although he was very pro business in Irvington, he feels that the residential community ambience is very appealing. Dr. Westbrook asked for a show of hands opposed to the rezoning. Mrs. Crabill, a realtor and sister of Mrs. Henry, said that she was disappointed and thought there was grasping at straws and that it was mean spirited. She responded specifically to comments that had been made by certain individuals in Town. She had felt that some of the comments were petty and personal. Marybeth Sisson said that it was not personal, but it was opposing changing a piece of property from residential to business. Mrs. Henry withdrew her application. By withdrawing her application, she can resubmit her application at any time.

Norman Mosher made a motion to come out of public hearing and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. The Public Hearing was closed.

Regular Meeting:

Museum:

Larry McAfee, President of the Steamboat Era Museum, spoke about the Museum saying that it was important for Irvington and the Tides Inn to preserve the history of the area, especially the oral histories. He said the steamboats contributed greatly to this area. Next year, the exhibit will be on the Civil War in the area. Terri Thaxton said that the Museum was happy with the support from the community and they have joined with the Northern Neck Internet Association marketing tourism for the area. The Civil War exhibit will be a 3D interactive exhibit. There will be outreach to the communities. There are now 320 members. They will try to get local grants for the Civil War Exhibit. (Mr. William Evans arrived.) Mr. Mosher questioned the fundraising efforts and servicing the debt. He thought that the Museum should pursue “people with deep pockets” to build a fund to sustain the Museum and asked what the Board was doing to raise funds. Mr. McAfee said that the Museum’s focus had been to meet its obligations and they had restructured the debt. He said that they have appointed people such as Bob Montague and Dick Wilson, who have knowledge and contacts, to the Board. Mrs. Thaxton commented that the Museum had had an increased number of visitors when there was a Farmer’s Market and Mr. Mosher stated that the more activity on the Commons, the more visibility for the Museum.

Golf Carts:

Mr. Peyton Pittman would like to ride golf carts in Irvington and questioned why there were vehicles on the streets, such as the handicap scooters and lawn mowers, without the proper signage. He said that he had been told that residents could ride golf carts if there were a Town policeman. The Town Administrator will investigate having a policeman.

Minutes and Treasurer’s Report:

Norman Mosher made a motion to approve the minutes and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the treasurer’s report and Garry Luckham seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Tavern Road: Mr. Fitzpatrick reported that the Tavern Road drainage problem was not corrected. VDOT plans to widen the ditches and use more gravel.

Hardsurfacing Pine Circle: Mr. Fitzpatrick said that in order to hardsurface Pine Circle, five houses must be located on the street and then the Town would have to authorize the road to be hardsurface with a resolution. Currently, there are four houses on Pine Circle.

Street Light on Pine Circle: Mr. Fitzpatrick said that easements may be needed from Turlington, owners of the vacant lot, and Mongano for a street light to be put on Pine Circle.

New Business:

New Business: The Mayor announced that the proposed budget had been sent to the Council members. Ralph Ransone made a motion to hold a public hearing for the budget at 7:00 P.M. on July 14, 2005, before the regular and public meeting of the Town Council. Richard Pittman seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Appropriations: Mr. Evans made a motion to donate \$300.00 to the VIA to help with the cost of the Air Force Band Concert dinner, \$250.00 to the Kilmarnock/Lancaster Rescue Squad, and the White Stone Fire Department appropriation will be discussed in July, when a representative from the Fire Department comes to discuss its financial needs. Richard Pittman seconded the motion. Vote – Yea: Evans, Luckham, Pittman, Pollard, Ransone. Nay: 0.

Announcements:

The following announcements were made:

1.) There would be a movie shown on 6/15. The ten week schedule is posted on the Town of Irvington's website.

2.) Concerts are scheduled for June 20th and July 2nd.

3.) The Parade is 7/4 at 11:00 A.M. Children's bicycles will be decorated behind Mike Merrill's house at 924 King Carter Drive.

Police Department:

Mr. Fitzpatrick has discussed the Town's having a police department with Ronnie Crockett.

Executive Session:

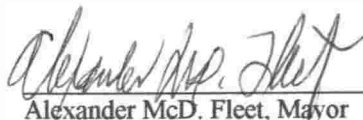
Kathleen Pollard read the following motion: "I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to existing litigation concerning the ditch between King Carter Drive and Chesapeake Drive and the partition suit and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7)." Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Kathleen Pollard read the following motion for certification: "I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) public business matters lawfully exempt from public from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered."

I, Kathleen Pollard, so move.
I, Norman G. Mosher, so move.
I, William H. Evans, so certify.
I, Richard Pittman, so certify.
I, Garry J. Luckham, so certify.
I, Ralph D. Ransone, so certify.
I, Alexander Fleet, so certify.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

Residents Attending the Town Council Meeting– June 9, 2005

Bob Morrison
Luliane & Mike Merrill
Eric Von Mueller
Judy Rutherford
Dick & Marybeth Sisson
Bob Westbrook
Bob & Barb Hardesty
Jackie Brown
Ray Burrell
Rhonnie Kerr
Terri Thaxton
LarryMcAfee
Candy & Bill Howard
Mary Ellen & Frank Tetrick
Mary Anne Campbell
Roberta Peek
Susan Munro
Dave & Kate Raffetto
Jimmie Lee Crockett
Robb Hoff
Peyton Pittman
Beverly Watts
Garbriella Heidseick

**Irvington Town Council
Regular and Public Meeting
May 12, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office May 12, 2005, at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone (arrived late)
Council	William H. Evans, III Garry Luckham Norman Mosher Kathleen Pollard Richard Pittman

Absent:

Zoning Administrator	John C. Fitzpatrick
----------------------	---------------------

Guests:

Robert Morrison William E. Westbrook, Jr. Mark Hollingsworth	Chairman, Planning Commission
--	-------------------------------

Visitors:

Kristin Mitchell
Giles Scott
Another student

The Mayor opened the meeting with a prayer.

Public Hearing:

CUP. White Fences Vineyard: Kathleen Pollard made a motion to go into a public hearing. Richard Pittman seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. (Ransone arrived.) Mr. Westbrook is applying for a CUP as required when the Ordinance was amended (February 14, 2002) to allow him to operate a farm winery on his farm in the R-2 Residential/Agricultural Zone. This is permitted by State Statute, which also states that the buildings associated with wine production and sales cannot be built until there are grapes growing on the vines.

In explaining his plan, Mr. Westbrook said that the grapes to the left of the entrance would be white grapes and those to the right would be red grapes. He wants to build three buildings behind the white grapes: building for public/retail: market, gift shop, conference room, and wine tasting - 50 feet x 80 feet, building for wine production and case storage - 2100 square feet, and a building for the catering kitchen - 1500-2100 square feet. He would like to erect two corkscrews (each approximately 20 feet in height). He thinks there will be 75 parking spaces. There will be a man-made lake and sunken garden with outdoor seating in a park like setting. He anticipates that it will take 18 months to build the buildings. He will have 1000 bottles to sell at the Stomp this summer. Norman Mosher made a motion to come out of the

public hearing and Garry Luckham seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

The Mayor read from the minutes of February 14, 2002, and Bob Morrison read the Planning Commission's recommendation that the Town Council approve the Conditional Use Permit Application with either an exception being made regarding the size of the gift shop or the Ordinance being amended expeditiously to allow a shop larger than 600 square feet. He said that the Planning Commission members thought that the 600 square feet was not large enough for a gift shop. The Mayor said that if changes are made, then they have to begin the amending process and that could take several months. Mr. Westbrook said that he would like to get approval of what he could receive at this meeting.

Mr. Terry said that the Council should at this time consider those parts of the C.U.P application that do not conflict with the Winery Ordinance, i.e., the Council should exercise its responsibility in reviewing the overall Master Plan of the C.U.P. He believes that the space allocation for a gift shop should be part of the C.U.P. provision and not addressed (limited) in the Ordinance. If the Council wants to remove the 600 square feet from the Ordinance, that would be part of the amending process. The building for wine production would be part of the master plan in the CUP process.

The Mayor said that the Council needs to act on the CUP application as recommended by Mr. Terry. The process to amend the ordinance for the size of the gift shop may then be considered. The Ordinance could be amended to include the consideration of a gift shop as part of the overall review process. Under the existing Ordinance Mr. Westbrook can build the buildings. Then the next step would be an application to amend the ordinance to address the shop size. Norman Mosher made a motion to approve the CUP as proffered except for the allocation of space in the interior of the building. William Evans seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Mr. Westbrook will meet with Mr. Fitzpatrick and Mr. Terry regarding deleting the size of the spaces from the Ordinance. The Town will pay the cost of the notices.

Mr. Westbrook said that he wanted to start the process to get a bigger sign than is permitted. He said the sign Ordinance should be adjusted for acreage larger than 2 acres. Mr. Westbrook would like to have a sign 4 feet x 12 feet long which will be placed in the median. The lettering will be eleven inches tall. It would be set back from the utility easement 100 feet. Mr. Terry said the sign amendment would be a separate amendment from the Ordinance amendment for interior space allocation at the Winery.

Minutes and Treasurer's Report:

Norman Mosher made a motion to approve the minutes and treasurer's report and Williams Evans seconded the motion. Vote: Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Old Business:

Tavern Road: VDOT has hardsurfaced the road, but more work is needed to improve the drainage between the bank entrance and King Carter Drive. The Mayor will schedule a meeting with VDOT.

Potholes: Richard Pittman stated that there were two potholes in front of Trick Dog.

Commons: Kathleen Pollard asked if more dirt could be put on the Commons. The bank parking lot and sidewalk are higher than the surrounding area making the Commons ground a basin that collects water. Mr. Ransone said that the Commons needs more dirt put on it, must be re-graded, and be re-seeded. This should be done about December, so the grass will have time to grow before the Farmers' Markets begin next Spring. The Mayor said this should be a project for the Town.

Water Fountain: Richard Pittman has talked with Steve Towns of Northern Neck Mechanical. He says a new concrete floor with exposed aggregate needs to be poured to make the base of the fountain flush

with the floor. The exposed aggregate would prevent slipping in the fountain. There would be a gradual slope to the exit and there would be a low ramp entering the fountain area. George Arnold from White Stone gave a quote between \$500.00 and \$700.00 to do the work. Ralph Ransone made a motion to get a new floor and repair the brick wall with the cost not exceeding \$700.00. Garry seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Tennis Court: The tennis net is being repaired and the tennis lock is being welded.

Willow Oak and Pine Trees at the Commons: The Mayor is going to have someone trim the lower limbs on these trees at the Commons.

Town Police: Mr. Evans said that he wanted a motion on the floor to hire a deputy sheriff for \$15.00 an hour to serve as the Town policeman. He said that the Sheriff wanted the Town to authorize him to enforce the State Code regarding the regulations for golf carts. Mr. Terry said that the issue needs to be put on the agenda so the Town Council can address all issues associated with hiring a Town Constable including the cost of taxes, insurance, and equipment. He said that his clients have expressed concern about the driving speed particularly by truck drivers in Town. Mr. Evans would like it on the agenda to work on immediately. The Mayor said that Mr. Evans, Mr. Fitzpatrick, and Mr. Terry will meet to research what is involved.

New Business:

Water Lines at End of The Lane: Mr. Pittman said that a resident at the end of The Lane wanted to know what the flushing schedule is for the water lines. The Clerk is to contact Aqua Virginia.

Budget: Mr. Mosher wants a discussion of items that would be in the budget next year. He said that budgets reflect philosophies.


Announcements:

Fourth of July Activities: The Mayor announced the Fourth of July activities.

Planning Commission Members: Mike Molineaux will not leave the Commission until his home elsewhere in the County is completed. Mr. Winner will remain on the Commission for a while.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Regular and Public Meeting
April 14, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on April 14, 2005, at 7:30 P.M.

Present:

Vice-Mayor

Ralph D. Ransone

Council

Garry J. Luckham
Norman G. Mosher
P. Richard Pittman, Jr.
Kathleen F. Pollard

Zoning Administrator

John C. Fitzpatrick

Absent:

Mayor

Alexander McD. Fleet

Council

William H. Evans, III

Legal Counsel

Matson C. Terry, II

H.S. Gov't Students

Philip Shahan

Tracie Hundley

Public Hearing:

Norman Mosher made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

C.U.P. Inground Swimming Pool: Wayne Enroughty@ 76 Galley Hook Lane: Mr. Fitzpatrick reported that the fees had been paid, notices were given and he had heard of no objections from neighbors. No members of the public were present. There are no problems with the boundaries or setbacks. The Planning Commission unanimously approved the C.U.P. Norman Mosher made a motion to come out of public hearing and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Norman Mosher made a motion to approve the C.U.P. Garry Luckham seconded the motion. Vote– Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Call to order, Minutes, and Treasurer's Report:

Ralph D. Ransone called the meeting to order. He welcomed the students, who were present.

Richard Pittman made a motion to approve the minutes and Kathleen Pollard seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Norm Mosher made a motion to approve the treasurer's report and Richard Pittman seconded the motion. Vote: - Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Zoning Administrator:

The Zoning Administrator reported:

- 1.) Tavern Road was scheduled to have been completed the last week of March or first of April, but the schedule has been revised and they do not know when it will be completed.
- 2.) Water/Wastewater meeting is scheduled for April 27th and a report on the feasibility study is expected.
- 3.) Police: He had talked with Lloyd B. Hubbard, Mayor of White Stone, and plans to continue the discussion the following week.
- 4.) His resignation from the Town Office to move to Richmond.

Legal Counsel: Absent, no report.

Planning Commission: No report as Richard Pittman had not attend the meeting.

Old Business:

Boundary Line Adjustment Committee: The Committee has met and considered boundary changes, but is not making a decision at this time. The map of the Town will be in the Town Office.

Tennis Court Lock: The tennis court lock is being replaced because it was broken.

Water Fountain: The new water fountain has arrived, but the plumber is not available until the first of May.

New Business:

Paul Elbourn, who was scheduled to discuss the White Stone Fire Department's financial needs, was not present.

Pine Circle Light: Tommy Turlington, who lives on Pine Circle, requested that a street light be installed in the cul-de sac. Information about the cost, obtained from Virginia Power, was given the Council members at the meeting. Mr. Ransone said that he preferred to know how the neighbors felt about the light. Mr. Luckham made a motion to table the decision until the Town Manager could talk with the neighbors. Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Announcements:

VIA Town Cleanup: April 16, 2005
Activities for 4th of July Weekend: Farmers' Market– July 2nd
Concert – July 2nd
Parade– July 4th

Adjournment:

Norman Mosher made a motion to adjourn the meeting and Richard Pittman seconded the motion. Vote – Yea: Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Ralph D. Ransone, Vice-Mayor

**Irvington Town Council
Special Meeting
March 18, 2005**

A special meeting of the Irvington Town Council was held at the Irvington Town Office on March 18, 2005, at 12:00 P.M. for the purpose of having a second reading of the amendment to rezone the Baptist Church Parsonage from R-1 to B-1 at 4504 Irvington Road- Map 33 Parcel 332.

Present:

Vice-Mayor

Ralph D. Ransone

Council

William H. Evans
Garry J. Luckham
Norman G. Mosher
Richard Pittman

Zoning Administrator

John C. Fitzpatrick

Legal Counsel

Matson C. Terry, II

Absent:

Mayor

Alexander McD. Fleet

Council

Kathleen Pollard

Mrs. Burle Phillips Taylor, Realtor

The Vice-Mayor called the meeting to order.

Public Hearing:

Norman Mosher made a motion to go into a public hearing, seconded by Garry Luckham. In accordance with the Town Ordinance that required a second reading when the Council approves an amendment, Garry Luckham made a motion, seconded by Norman Mosher, for approval of the amendment and to limit the approval procedure by only a recitation of the amendment as follows:

The herein amendment to the Irvington Town Ordinance rezoning the Baptist Parsonage, 4504 Irvington Road (Map 33 Parcel 332) from Residential R-1 to Business B-1, was approved by the Town Council at its Regular and Public hearing held on March 10, 2005, effective immediately.

Vote - Yea: Evans, Luckham, Mosher, and Pittman. Nay: 0. Ransone did not vote. Norman read the title. He moved that the amendment be approved and Richard Pittman seconded the motion. Vote - Yea: Evans, Luckham, Mosher, and Pittman. Nay: 0. Ransone did not vote.

Garry Luckham made a motion to go out of public hearing and Richard Pittman seconded the motion. Vote: Yea: Evans, Luckham, Mosher, Pittman, and Pollard. Nay: 0. Ransone did not vote.

Adjournment:

The meeting was adjourned.

Ralph D. Ransone, Vice-Mayor

File No. 2005-5

3/18/2005

In accordance with Section 2-1 of the Irvington Code, the second reading of the following amendment to the Irvington Town Ordinance, confining the reading to the title only, was approved by the affirmative vote of at least two (2) members of the Town Council:

“The herein amendment to the Irvington Town Ordinance rezoning the Baptist Parsonage, 4504 Irvington Road (map 33 Parcel 332) from Residential R-1 to Business B-1, was approved by the Town Council at its Regular & Public hearing held on March 10, 2005, effective immediately.”

By motion, unanimously approved.

**Irvington Town Council
Regular and Public Meeting
March 10, 2005**

The regular and public meeting of the Irvington Town Council was held at the Irvington Town Office on March 10, 2005, at 7: 30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	William H. Evans Garry J. Luckham Norman G. Mosher Richard Pittman Kathleen F. Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry, II

Guests:

Mr. and Mrs. Frederick Marle, Purchasers of Baptist Parsonage
Mrs. Burle Phillips Taylor, Realtor
Mr. David Raffetto, VIA
Mr. Gene Edmonds, VIA

Visitors:

Miss Tracey Hundley, H.S. Gov't Student

The Mayor called the meeting to order and led the group in prayer.

Public Hearing:

Mrs. Kathleen Pollard made a motion to go into a public hearing and Richard Pittman seconded the motion. Vote— Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Rezoning Baptist Parsonage from R-1 to B-1 at 4504 Irvington Road—Map 33 Parcel 332: Mr. Fitzpatrick announced that the fees had been paid, the notices had been given, there were no objections, and the Planning Commission had unanimously approved the rezoning of the property with the caveat that there be provisions for off street parking. The Ordinance requires space for 1 car for each 100 sq. feet of building. The parking area is to be covered with gravel or stone. If the Town Council approves the rezoning, a second reading of the amendment is required. Garry Luckham made a motion to come out of the public hearing and Richard Pittman seconded the motion. Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. In discussing the parking space requirement, Mr. Fitzpatrick stated that parking spaces could be created off the circular drive and on an area back of the Parsonage, and the Baptist Church parking lot could be used when necessary. Mr. Luckham made a motion to approve the rezoning contingent on meeting the parking requirements of the Zoning Ordinance in any way allowed by the Zoning Ordinance. Mr. Fitzpatrick will work with the applicant to meet the requirement. The Parsonage has 2473 square feet. Mr. Evans seconded the motion. Vote — Yea: Evans, Luckham, Mosher, Pittman,

Pollard, and Ransone. Nay: 0. Mr. Evans made a motion that the second reading be scheduled for March 18th, at 12:00 P.M. Ralph D. Ransone seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

VIA Calendar:

Mr. Dave Raffetto presented the proposed VIA calendar which included several Town sponsored events. The VIA would like to install a sound system in the top of the gazebo. They will be responsible for the system, maintain it, and will pay for it. As an experiment, they would like to present a series of PG or G rated movies to be shown on the Commons, running from 8:15 P.M. to 10:15 P.M. from mid June to the end of August. The VIA will continue to place signs that state parking is prohibited on one side of Chesapeake Drive during the Farmers' Market and these special events. Norman Mosher made a motion to approve the VIA 2005 calendar and the sound system. Richard Pittman seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. The Mayor complimented Mr. Raffetto and Mr. Edmonds on the work of the VIA.

Public Hearing:

CUP: Inground Swimming Pool – Mr. and Mrs. Klaus Schaschek – 394 King Carter Drive: Ralph Ransone made a motion to go into a public hearing and Kathleen Pollard seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard and Ransone. Nay: 0. Mr. Fitzpatrick stated that the fees had been paid, the notices had been given, and the Planning Commission had unanimously recommended approval of the CUP. Norman Mosher made a motion to come out of the Public Hearing and Garry Luckham seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Ralph Ransone made a motion to approve the CUP contingent on their compliance with the fencing requirement. Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Minutes and Treasurer's Report:

Garry Luckham made a motion to approve the minutes and Richard Pittman seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Richard Pittman made a motion to approve the treasurer's report and Ralph Ransone seconded the motion. Vote– Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Tavern Road: The Zoning Administrator reported that VDOT has said that they will hard surface Tavern Road the last week in March or the first week in April. If VDOT determines the work cannot be completed by the end of the week prior to the first Farmers' Market in April, then the work will start the following week. The grade will be raised by the Bank entrance so that the water will flow and they will do the best they can on the Hope and Glory side.

Planning Commission:

Parking: Richard Pittman asked if the Town Council can make an exception for parking for businesses. He was told that he could ask the Planning Commission to make a recommendation regarding parking for businesses.

Announcements:

The Mayor announced that the Town Tags are on sale until March 31st.

Garry Luckham will ask Paul Elbourn from the White Stone Fire Department to speak at the next Council meeting regarding the Fire Department's financial needs.

Chesapeake Bay Act Overlay District Revision: 2nd Reading.

The Zoning Administrator read the title of the amendment to the Chesapeake Bay Act Overlay District revision as a second reading was required by the Town Ordinance. Ralph Ransone made a motion to approve the revision and Richard Pittman seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Mitigation of Hazards: FEMA Guidelines

Mr. Evans asked that the Council complete FEMA's Assessment of Hazards in Town by rating the top five hazardous areas in Town. This assessment will help to obtain funding. Council members are to return the forms to the Town Office and Mr. Evans will pick them up within a week of the meeting.

Executive Session:

Mr. Terry read the following motion to go into closed or executive session: I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the ditch between King Carter Drive and Chesapeake Drive, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3.711A. (7) Garry Luckham so moved and Norman Mosher seconded the motion. Vote- Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Mr. Terry read the following motion for certification: I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered. Richard Pittman so moved and Garry Luckham seconded the motion.

I, Alexander Fleet, so certify.
I, Ralph D. Ransone, so certify.
I, Kathleen Pollard, so certify.
I, Norman G. Mosher, so certify.
I, William H. Evans, so certify.
I, Garry Luckham, so certify.
I, Richard Pittman, so certify.

"The Local" Sign Variance:

Mr. Fitzpatrick announced that the repeal of the variance for The Local will be heard in April.

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor

**Commonwealth of Virginia,
County of Lancaster, to-wit:**

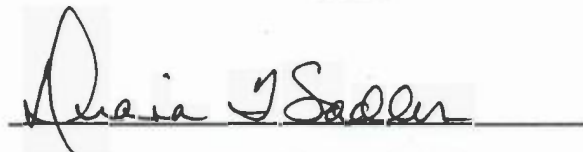
I, ROBERT HILL FLEET, JR., do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as a member of the Town of Irvington Board of Zoning Appeals for a term beginning May 8, 2004, and ending May 8, 2009, according to the best of my ability, (So help me God.)



I, Constance L. Kennedy, Clerk of the Circuit Court in and for the County of Lancaster, in the Commonwealth of Virginia, do certify that Robert Hill Fleet, Jr. this 10th day of March, 2005, personally appeared before me in my County aforesaid and took and subscribed the above oath.

CONSTANCE L. KENNEDY

Clerk



Deputy Clerk

**Irvington Town Council
Regular and Public Meeting
February 10, 2005**

The regular and public meeting of the Irvington Town Council was held on February 10, 2005, at the Irvington Town Office at 7:30 P.M.

Present:

Mayor	Alexander McD. Fleet
Vice-Mayor	Ralph D. Ransone
Council	Garry J. Luckham Norman G. Mosher Richard Pittman (arrived late) Kathleen Pollard
Zoning Administrator	John C. Fitzpatrick
Legal Counsel	Matson C. Terry (arrived late)

Absent:

Council	William H. Evans, III
---------	-----------------------

Guests:

Jimmie Lee Crockett

The Mayor called the meeting to order and led the group in prayer.

Public Hearings:

Kathleen Pollard made a motion to go into public hearing. Norman Mosher seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

CUP: Crocketts Landing: Relocation of Pier with 12 Wet Slips and Addition of 5 Wet Slips: Mr. Fitzpatrick explained that the notices have been given and the fees paid. He explained that the Crocketts' Landing pier had been built on the riparian rights of the Howard Barrack property (now owned by Bruce Sanders). (Richard Pittman arrived.) This application is to demolish that pier with the 12 slips and to rebuild it on the riparian rights of Crocketts' Landing and add an additional five wet slips for a total of 17 wet slips. The Wetlands, Corp of Engineers, and VMRC have approved this change. The septic field for Crockett's Landing is not sufficient and it has been agreed in perpetuity that their overflow sewage can be pumped into Bruce Sanders' system. Approval of this CUP and the pumping is contingent on the Health Department's (David Fridley) approval. Norman Mosher made a motion to come out of the public hearing and Garry Luckham seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay:0.

Mr. Mosher brought up the issue of dust caused by traffic into Crocketts Landing (a private road). Mr. Crockett said that the road is private and the upkeep is their expense. They smooth it four times a year. All neighbors have given their approval. The boats now kept at Crocketts' Landing will be stored at Mr. Sanders while the pier work is being done. Work will probably not start until Fall, 2005.

Norman Mosher made a motion to approve the CUP contingent on the Health Department's approval of the arrangements. Kathleen Pollard seconded the motion. Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to go into a public hearing and Garry Luckham seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard and Ransone. Nay: 0.

Amendment to the Ordinance – Chesapeake Bay Act Overlay District Revision: Mr. Fitzpatrick explained that if the amendment is approved, that a second reading of the amendment is necessary and it can be at the next Town Council meeting. Mr. Fitzpatrick explained that the revision is necessary to make the town's ordinance conform to the revision of the Bay Act. Also, in the past where the Zoning Administrator has exercised the authority to grant permits for non-conforming structures, in keeping with the setbacks if there is to be no additional encroachment into the setback, this administrative review process will now be handled by the Planning Commission. (Mr. Terry arrived.)

Mr. Mosher made a motion to come out of the Public Hearing and Garry Luckham seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0. Norman Mosher made a motion to approve the amendment and Kathleen seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

New Business:

Lancaster County Chamber of Commerce: Garry Luckham made a motion to renew the Town's membership in the Lancaster County Chamber of Commerce and Richard Pittman seconded the motion. The cost is \$75.00. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Contribution to White Stone Fire Department: Garry Luckham asked if the Town could contribute more to the White Stone Fire Department this year as they need a new tankard truck.

Minutes and Treasurer's Report:

Norman Mosher made a motion to approve the minutes and Kathleen Pollard seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Norman Mosher made a motion to approve the treasurer's report and Garry Luckham seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Zoning Administrator:

Lighthouse Towing: Mr. Fitzpatrick stated that he had informed Mr. Davis that he would have to apply for a CUP to do welding at his towing shop.

Boundary Line Adjustment: The Committee will meet.

The Local v. Irvington Board of Zoning Appeals: Mr. Fitzpatrick reported that a hearing date has not been set.

Old Business:

Town Office Improvements: The Mayor told the Council, that the wiring had been updated with more outlets and the service had been upgraded with a larger box. He mentioned installing shutters at the windows, but there was no action.

Executive Session:

Matson Terry read the following motion: I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the ditch between King Carter Drive and Chesapeake Drive and the partition suit of Thomas vs. Campbell, and regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7). Richard Pittman so moved. Mosher seconded the motion. Vote- Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

Matson Terry read the following motion for certification: I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered. Richard Pittman so moved and Garry Luckham seconded the motion.


I, Kathleen Pollard, so certify.
I, Richard Pittman, so certify.
I, Alexander Fleet, so certify.
I, Ralph D. Ransone, so certify.
I, Norman, G. Mosher, so certify.
I, Garry Luckham, so certify.

Announcements:

The Mayor announced that the Tenches plan to subdivide their property (formerly Del Fabrio property).

Adjournment:

Ralph Ransone made a motion to adjourn the meeting. Richard Pittman seconded the motion. Vote - Yea: Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.


Alexander McD. Fleet, Mayor

**Irvington Town Council
Closed Session
January 10, 2005**

The Irvington Town Council met in a closed session with Mr. Jim Cornwell, Attorney for the Town Council, to discuss petitioning the Circuit Court to rescind the action of the Board of Zoning Appeals on December 13, 2004, when it granted a variance to allow Mr. Douglas Reed to keep his sign (attached to the building) for his business, "The Local." The sign is approximately 50-55 square feet and the maximum size of signs attached to the building allowed by Town Ordinance is 36 square feet. The Virginia Supreme Court decided in the matter of Cochran vs. the Fairfax County Board of Zoning Appeals that variances can be granted only when the property would otherwise be rendered useless without a variance. Notice of the meeting was published in the Rappahannock Record and a notice was placed on the door of the Town Office.

Mayor

Alexander McD. Fleet

Vice-Mayor

Ralph D. Ransone

Council

William H. Evans, III
Garry J. Luckham
Norman G. Mosher
P. Richard Pittman, Jr.
Kathleen Pollard

Absent:

Legal Counsel

Matson C. Terry, II

Guests:

Jim Cornwell, Attorney

Mrs. Shirley Crockett, Chairman of Board of Zoning Appeals

The Mayor opened the meeting.

Kathleen Pollard read the following motion to go into executive session:

I hereby move that the Town Council of the Town of Irvington go into closed or executive session, to consult with legal counsel pertaining to probable litigation concerning the ditch between King Carter Drive and Chesapeake Drive and the appeal of the BZA action on December 13, 2004, regarding specific legal matters requiring the provision of legal advice, pursuant to *CODE OF VIRGINIA*, Section 2.1-3711A. (7). Norman Mosher seconded the motion. Vote – Yea: Evans, Luckham, Mosher, Pittman, Pollard, and Ransone. Nay: 0.

When the Council came out of executive session, Kathleen Pollard read the following motion for certification:

I move that there be a roll call or other recorded vote, to be included in the minutes of this meeting, certifying that (1) only public business matters lawfully exempt from public meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed session; and (2) only such public business as was identified in the motion to convene a closed session was heard, discussed or considered.

I, Kathleen Pollard, so move.

I, Bill Evans, so move.
I, Alexander Fleet, so certify.
I, Ralph D. Ransone, so certify.
I, Norman G. Mosher, so certify.
I, Garry Luckham, so certify.
I, Richard Pittman, so certify.

The Council authorized Mr. John C. Fitzpatrick to inform the Museum that they need to put in its drop inlet into the ditch pipe at the end of its property. Mr. Fitzpatrick will compile a list of contractors, who can repair the ditch

Adjournment:

The meeting was adjourned.


Alexander McD. Fleet, Mayor