Joint Public Hearing
October 17, 2005
Elkwood Development

The Elkton Town Council and the Elkton Planning Commission held a Joint Public Hearing on October 17, 2005 in Council Chambers to receive comments on the proposed Angler development of Elkwood. Mayor Wayne E. Printz presided and was joined by the Elkton Planning Commission Chair Daniel Talbot. The following Council members were present:

PRESENT
J. Dean
C. McDaniel
T. Pence
S. Sigafoose
R. Snow
P. Workman

Planning Commission members in attendance were: Dan Talbot, Madelyn Dixon, Jeremy Ream, Marty Shifflett, and Council Representative Mayor Printz.

Town Attorney Nathan Miller, Town Manager Dennis R. Donachy, Director of Public Works Marty Shifflett, Economic Development Director Emily Burner, Sergeant James Morris, and Clerk of Council Richard Carey were also present, as well as Mike Stumpo and Steve Vinto, representing Angler.

Ronnie Shifflett, 16821 Kite's Drive, asked for additional information regarding the green area and water run-off.

Hazel Crider, 114 Hillside, stated that she understood from Council discussions that "old" Elkwood and "new" Elkwood "would not merge," in that "new" Elkwood would have an entrance at Countryside Market. She was concerned that Sweetgum would be opened from Route 340, which would lead to a "racetrack through Elkwood." She favored a gated emergency entrance if Sweetgum had to be opened and have it contracted as such.

Mike Shifflett, 127 Sweetgum Street, was concerned about the danger to Elkwood children if Sweetgum became a second entrance into Elkwood.

Joe Hammer, 141 Sweetgum, stated Elkwood was an asset to Elkton. "I want it to stay the way it is. If you want to put another development in, all well and good. Leave us alone," stated Mr. Hammer.

Caroline Brill, 148 Sweetgum, viewed the Angler Master Plan and found the connection to Persimmon, which connects to Sweetgum, "very vague." She cited safety reasons for keeping Sweetgum as it is.

Lee Dearing, 124 North Street, offered that "Council was asking the residents of Elkwood to comment on something they had not yet see," as "tonight was the first time they saw the plan." According to the Master Plan presented by Randell Dean 20 years ago, there were to be lakes and parks in Elkwood. He hoped the new plan was similar to the old plan and asked Council to table action until the residents had time to study the plan.

Robert Wimer, 159 Sweetgum, also asked about the opening of Sweetgum.

Dominick Aiello, 101 Elkmont Drive, worked 40 years in construction, and asked if Elkton had studied traffic impact, should RT. 340 be widened, sediment control, and a second entrance and exit.

Jennie Hansbrough, 102 Persimmon, explained that children ride their bicycles and play at the cul-de-sac. For safety reasons, she said a second entrance and exit were necessary.

Rick Workman, 154 Sweetgum, was aware when he purchased in Elkwood that expansion would occur. Mr. Workman said, "I knew there would be houses back behind me. I knew there would be houses all around me. I knew there would be lanes coming in and out. I knew all this, and to come in here and say you didn't know it…is unreasonable. This is a huge development. It has been setting there the whole time. I have been on this Council for 3 ½ years. This Council has never voted on closing the street, or blocking the street, or promising people there would be an entrance closed or an entrance left open. Someone may have told you that, but this Council never discussed it and this Council never voted on it. I'm here to tell you that if someone told you that, go back to that person that told you that and ask them where it came from."

Theodore Pence, 142 Sweetgum, agreed with what he saw with Persimmon but disagreed with "the right that goes up into the new section."

Ron Englemyer, 162 Sweetgum, wanted to know if sidewalks would be built on Sweetgum before development started.

Don Dean, 104 Persimmon, stated he never saw the Master Plan and asked that a decision be tabled. He, too, wanted to know if curb and gutter would be installed "ahead of time."

Steve Kite consulted with the engineer, Angler, the Mayor and Council and, for the record, he stated that erosion and water control would be addressed.

Lisa Gooden, 115 Maple Leaf, was concerned about school overcrowding. She stated, "There is no room in the inn."

Joe Hammer stood and took exception to Mr. Workman's statements. Mr. Hammer stated that Randell Dean and Warren Denton told him "the development where we are at now is the way it is. If they ever get a new development coming in there it will be brought before the Planning Commission, the Town Council, and the people of Elkwood (inaudible)…"

Lee Dearing was recognized a second time and discussed Virginia's disclosure law and the Master Plan for Elkwood. He stated some buyers in Elkwood "were told that no future development was going to happen." He added, "The word was given that we would protect the people in Elkwood without opening the second place." He pleaded to give the residents more time to study the plan because right now "it is being thrown in their face."

Dan Talbot explained the Planning Commission's role. "The Planning Commission's role is to verify that the development meets the Code of the Town of Elkton. Its role is not to determine whether or not the subdivision takes care of all the issues of the people who live around the area. It is the job of the Planning Commission to make sure that it meets the Code and it abides by the laws that are applicable to the State of Virginia. This plan does meet all the Codes that are in the Town of Elkton…I was really disappointed that nobody has looked at this because I personally know it has been in the paper at least for three weeks because I've read the articles myself."

There were three points the Planning Commission asked Angler to clarify: lighting, construction schedule, what percent of development would be required for the Property Owners Association to take over the care of the green space, and hydrants.

The Planning Commission's recommendation to Council was approval of the Master Plan with Option B.

Mr. Ray Nicely, Director of Planning for Valley Engineering, met with Angler and discussed the issues addressed by the Planning Commission:

1. Home owners take over the green space "as soon as a reasonable number of people bought lots, enough to have a viable organization." No percentage was given by Angler but Mr. Nicely spoke of "35, 40, 45, or 50."

2. Street lighting was not addressed because "there is no provision in the Ordinance." Angler will work with the Town to "provide adequate street lighting."

3. A water systems consultant form Richmond attended the Friday meeting with Angler. His responsibilities include geological exploration, drill test wells and monitor, drill production wells and monitor, and test and determine the type of treatment that needs to be done to make the water adequate and safe for the public under Department of Health guidelines. The process could take a minimum of six months and possibly as long as a year, just to establish a production well to connect to Elkton's system and increase Elkwood's water pressure. Angler committed to a well and a storage tank. The consultant made the statement that one well may be sufficient for volume and pressure.

4. Development schedule was added. Angler was not sure how long the above approval process would take. Once final approval is obtained, it will be a minimum of five years build out. "They would never consider building more than 100 lots a year. It is a market dictated schedule. I think 100 lots a year is pretty ambitious." Mr. Nicely believed even 65 homes a year was also "ambitious."

Mayor Printz read a letter from Fire Marshal John Huddle in which he stated a gated road for emergency vehicles would be acceptable, with certain provisions.

As the time was approaching the 7:00 P.M., hour (the time of the regularly scheduled Council meeting) **Council member Dean moved, second by Vice Mayor Snow, and carried to postpone the Council meeting in order to conclude the Public Hearings.**

YEAS: J. Dean, C. McDaniel, T. Pence, S. Sigafoose, R. Snow, and P. Workman

Motion carried (6 – 0 roll call)

Mr. Nicely explained all the steps in the process to develop a subdivision.

As there were no additional comments, Mayor Printz closed the Public Hearing at 7:12 P.M.

Mayor: _____
Wayne E. Printz, Mayor

Recorder: _____
Richard D. Carey, Clerk