PLANNING COMMISSION MINUTES

AUGUST 11, 1997

Planning Commission Members Present: Andy Dixon, Larry Baugher, Benny King, Barry Ream, Gene Kite and Tom Weyrick

Staff Present: Gerald Monger, Kenny Flick and Julia Smith

Council Present: Lee Dearing and Randall Snow

Mr. Weyrick called the meeting to order at 7:37 PM.

PUBLIC COMMENTS:

Betty Fridley: Resident of Elkwood. Define the rational deleting of concrete curb, guttering and sidewalks. Would like to know who the benefactors will be for this to go into place. Address the fact that Elkwood cannot support another 75 perhaps more vehicles with one entrance. Mrs. Fridley doesn't believe the answer is to put another entrance directly into Elkwood and neither feels its fair to put this on another part of the community. Mrs. Fridley wants to know why we are here rehashing this. If this is to save money on the sale of lots and the development of this area then why are people in Harrisonburg and Rockingham County area paying as much as $100,000. For lots. If grass swells will take care of efficient evaporation of water then why do we have riff raff at "F" and North.

Ken Whittington: Resident of Elkwood. Mr. Whittington stated that recently there have been a lot of rumors and a lot of hearsay in the Elkwood Subdivision area. He hoped all of these rumors could clarified tonight. With Mr. Nicely not being present he felt sure the rumors would not clarified. If the reasons to change is for the purpose of expanding or enlarging the subdivision then Mr. Whittington is opposed. Primarily because of the possibility of substandard structures being allowed and generating an increase in traffic flow. Mr. Whittington is not opposed to change or progress as long as its for the best and existing standards are maintained or improved. At the present time there are approximately 50 or more single family dwellings in the existing subdivision. All of these families are happy and satisfied with the existing environment. The residents of Elkwood are proud of their neighborhood. On behalf of these families the through his prayers Mr. Whittington hopes the Planning Commission will exercise their authority and utilize their professional ability to protect this environment.

Wayne Weaver: Mr. Weaver stated he didn't realize letters could be submitted. He has 2 letters to present to endorse Victorian Haven.

Minutes: Gene Kite motioned to approve; Benny King second. Minutes were approved.

Special Exception Request:
Expansion of Victorian Haven to an eighty-one (81) bed facility and lot line vacation.

Benny King read from the minutes of the November 13, 1995 meeting. Mr. King noted that at that time there was no opposition to Victorian Haven. Mr. King also reviewed original provisions given in the minutes of Nov. 13, 1995.

Mr. Weyrick read the 2 letters submitted by Mr. Weaver. (Copies attached)

Mr. Weyrick referred to the drawings presented by Mr. Weaver for changes to be made at Victorian Haven. These were reviewed and discussed by the Commission.

Barry Ream asked if the previous conditions established by council had been met.

Mr. Monger read the minutes from the November 20, 1995 council meeting which stated conditions on which approval of Victorian Haven was passed.

Mr. Weaver stated that he has complied with all commitments.

Barry Ream stated he was concerned after hearing from neighbors about residents of Victorian Haven wandering through yards, the alley being blocked, sewer line problems and concerns expressed by the Rescue Squad.

Larry Baugher stated that there should be adequate yardage for residents to have recreation and exercise.

Benny King commented on problems with sewer lines. This was discussed with Mr. Monger.

Gene Kite stated that he had lived next door to an adult home for 2 ½ years. He has great passion for the elderly but can understand the concerns of the neighbors.

Wayne Weaver stated the there was one man over 90 years of age that took a turn for the worse shortly after arriving at Victorian Haven. This is the gentleman who was wandering through yards and knocking on neighbors doors. The problem with this gentleman was solved within 30 days when he was moved to another facility. In response to a question about staffing Mr. Weaver stated he has 10 - 11 employees on his staff.

Andy Dixon asked if the alley was being maintained by the town. Mr. Flick responded to this and stated that it was not being maintained by the town on a regular basis. Mr. Flick also commented that if Victorian Havens expansion is approved that the rest of the alley should be paved.

Mr. Dixon asked what type of people resided at Victorian Haven. Mr. Weaver responded that these residence are ambulatory and can take care of themselves.

Hazel Crider: Resident of Elkwood. Mrs. Crider stated she has two letters from Elkwood residents and requested permission to read them. Mr. Weyrick stated he would read the letters. If Mrs. Crider read them it would be counted against her allotted time to speak. Mrs. Crider presented the letters to Mr. Weyrick. Mrs. Crider thanked Mr. Weyrick for accepting the letters.

Mrs. Crider state that the residents of Elkwood have had a problem with the entrance into Elkwood for years. Mr. Nicely stated after the last council meeting that the entrance was dangerous, hazardous and would not hold up to anymore traffic. Mr. Nicely also stated that there be another entrance made into Elkwood. Mrs. Crider suggested that at the back of Elkwood area is Mt. Paran Rd. and that this could possible be used for another entrance. Another suggestion is to come into Sweetgum off of Highway 340. Mrs. Crider feels that anyone that comes into our town to develop wants to have the ordinance changed to make their revisions. Then they want the specks changed so as not to put in concrete sidewalks, etc., etc. When the residents built up at Elkwood they understood when lots were sold that is was planned to bo build a park, playgrounds, etc, etc. Mrs. Crider stated that they have a good neighborhood in Elkwood and fellowship with all neighbors. Mrs. Crider stated that the residents of Elkwood would like to keep it that way. The council had turned this down once before. One reason being that the roads could not handle the extra traffic. The streets have still not changed. Mrs. Crider feels the Planning Commission should give this some consideration, specs. should not be changed. Who has the right to come in here and take town ordinances and take out and revise it. Mrs. Crider didn't know we could do that. Mrs. Crider is not against homes coming into our area as long as people need homes. Consideration should be shown to the 50 some residents that have been living there now for years and keeping their property up.

Tom Weyrick: In response to statements made by Mrs. Crider. Anybody in town can take an ordinance and make any recommendations to the governing body. The planning commission looks at the best plan for the town and what the people want.

Mr. Nicely was on the agenda for tonight to present plans but he didn't show up. These are very complex changes and will require a lot of study.

Mr. Weyrick then read the letters Mrs. Crider presented. (Copies attached)

Mildred Shifflett: Mrs. Shifflett feels that the Entertainment Center will be a wonderful place for our children. Children have nothing to do and no place to go unless the parents can afford to take them to Harrisonburg.

Mrs. Shifflett also was concerned about the Elkwood changes and wanted to know where the water was going to come from. We already have a water pressure problem. Mrs. Shifflett stated that she can't take a shower if her washing machine is running due to low water pressure. Mrs. Shifflett stated that our towns water lines were popping like popcorn with leaks everyday.

Phillip Workman: Elkwood Resident. Mr. Workman stated that he is 100% for progress. His concerns are traffic, water pressure, and neighborhood stability. Mr. Workman stated that he will reserve his comments for the time being since he does not know all the facts. Mr. Workman stated that he would like to see a map of the changes to see where this is going and the entrances. Would like for Mr. Nicely to give us help instead of leaving us hanging.

Barry Ream asked what kind of doctor, Dr. Showalter was. If was responded that Dr. Showalter is Chief of Psychiatry at RMH.

Benny King again expressed his concern over the sewer lines and asked how the additional bathrooms at Victorian Haven would affect the current sewer lines. After some discussion it was decided that the current sewer lines are sufficient.

Mr. Weaver stated that the bathroom fixtures to be added would only be replacing what originally existed in the houses to be torn down.

Larry Baugher asked about the current parking. Mr. Flick responded that satisfactory parking is currently present and will adhere to the addition.

Mr. Dixon asked if the parking lot had to met the set back. Mr. Flick stated that the parking lot can run right on the property line.

Mr. Weyrick asked for a motion.

Barry Ream stated he was undecided due to the neighbors concerns and complaints.

After much more discussion Mr. Weyrick called for a motion.

Gene Kite motioned that they recommend rejection of the special exception and lot line vacation to Victorian Haven. Larry Baugher second and the motion was carried.

Review and discussion of proposed revision to the Elkton Zoning Ordinance presented by Ray Nicely of Copper Mars Nicely & Associates.

Mr. Nicely was not present. Mr. Flick will contact him to attend next months meeting.

Other Business

Recommendation was made to ask Phillip Workman to join the Planning Commission to fill the vacancy of Lou Ellen Kirkendall.

Adjournment

9:50 PM

Elkton Planning Commission
Elkton Va.

as I cannot make this meeting tonight, I would like to let you know that I am against the proposed revision to the Elkton Zoning Ordinance, we would like to keep our subdivision as peaceful and quite as it is now - along with the additional traffic increase it is going to cause a problem down at the intersection interance on and off Rt 340 we have problem there now. there could be an interance coming in on Mt. Parhan road in New Town with a deadend burrower, and there is ~~one~~ another way an interence could be put coming in off Rt 340 in back of the wooded

Area behind Sweet Gum St
I feel that this subdivision
be build to the specification
of the town ordinance as is-
we Elkewood residence
do not need this additional
problems of having our town
ordinance revised

signed by two residence
of Elkwod subdivision
Richard R Armstrong.
Dorothy M. Armstrong
104- Maple Leaf Lane.

early

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[illegible] concerned [illegible]
[illegible] and [illegible]
[illegible] and [illegible]
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residents are [illegible]
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of [illegible] [illegible]
the appearance of
[illegible] [illegible].

[illegible] [illegible] [illegible]
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[illegible] [illegible]

LAST [illegible]
change [illegible] the
integrity of the community.

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that most of us will [illegible]
in a [illegible]

We are glad to see you
afford the power of the
Ministerial Association.

This morning to all only
a corporation, the
Association is a blessing
[illegible] while
decreasing sin.

We should know and
[illegible] the original
[illegible] of Zechariah

Caroline M. Bird
Aug 11. 97

Dr. Robert Showalter
1031 South Main Street
Harrisonburg, Virginia 22801

Donna King
102 North Stuart Avenue
Elkton, Virginia 22827

August 11, 1997

Dear Donna,

I am writing today in response to your conversation with me regarding plans to expand Victorian Haven bed space to accommodate those patients who fit the category of "custodial care".

I am very supportive of your planned expansion, which will enable us to find appropriate living situations for our clients. I think this expansion will enhance the community and open the door to individuals in need of assistance but who do not meet criteria for nursing home placement.

I will continue to use your facility to place our patients as I have been very pleased with the quality of patient care our residents receive at Victorian Haven.

Please let me know if there is anything I can do to help you in this process.

Thank you,

R. Showalter M.D.

Dr. Robert Showalter

ROCKINGHAM
MEMORIAL
HOSPITAL

Donna R. Delisle, LCSW and Richard Provenzano, LCSW
Rockingham Memorial Hospital Mental Health Center
235 Cantrell Ave.
Harrisonburg, Virginia 22801

Donna King
102 North Stuart St.
Elkton, VA 22827

August 7, 1997

Dear Donna,

Rick Provenzano and myself were very pleased to hear about your plans to expand your bed space to accommodate those patients who fit the category of "custodial care". As you know, it is getting more and more difficult to find appropriate living situations for those individuals who are in need of assistance but do not meet the criteria for "skilled care" in a nursing home. We will continue to use your facility to place our patients as we have been very pleased with the quality of patient care the residents receive.

Please let us know if there is anything we can do to help you in this process.

Thank you

Donna R Delisle

Donna R. Delisle, LCSW and Richard Provenzano, LCSW

TOWN OF ELKTON

VISITORS' REQUEST TO SPEAK BEFORE THE MAYOR AND COUNCIL

DATE:_____

ALL SPEAKERS WILL BE LIMITED TO FIVE MINUTES

Please Print

Speaker	Address	Topic of Discussion
Betty Fridley	147 Sweetgum ST, ELKTON	Elkwood Revisions
KEN WHITTINGTON	100 MAPLE LEAF LN. ELKTON	PARA 2 SUB PARA D OF AGENDA
~~Gail B. Putnam~~	~~Rt 2 Box 121 - 100 Stuart Ave~~	Zone for Wayne Wilson
Gail Fridley	114 Hillside	ELKTON - Wayne Wilson
~~Melanie L. Suffletto~~	~~Spotswood Ave.~~	~~Elkwood Center~~
Philip Workman	454 Sweetgum Elkwood	ELKWOOD
DONNA King	PO Box 204 Elkton VA	Home Administrator
Cathy W. Murphy	110 N. Stuart	Opposition
Larry Kite	108 N STUART	OPPOSITION
Wayne T. Miller	Rt. 2 Box 1159 McGaheysville	
Greg Rion	ELKTON Squad	
Lucille Wilson	Elkton	
Anita Scott	ELKTON	

JOINT PUBLIC HEARING PLANNING COMMISSION AND TOWN COUNCIL

AUGUST 11, 1997

Planning Commission Members Present: Andy Dixon, Larry Baugher, Benny King, Barry Ream, Gene Kite and Tom Weyrick

Council Members Present: Mayor Charlie Dean, Richard Davis, Lee Dearing and Randall Snow

Staff Present: Gerald Monger, Kenny Flick and Julia Smith

Mr. Weyrick called the Joint Public Hearing to order at 7:02 PM.

Wayne Weaver special exception for Victorian Haven; expansion onto new properties and lot line vacation.

Wayne Weaver - Mr. Weaver stated that he has contracts on three (3) pieces of property for the expansion. He feels he has maintained a good public image and will be glad to answer questions or address concerns.

Mr. Weyrick asked that citizen limit their comments to three (3) minutes.

Hazel Crider - Mrs. Crider stated that the advisory committee feel Stuart Avenue's flow of traffic is a safety hazard. This concern has been brought to council.

Donna King - Ms. King is the administrator at Victorian Haven. She feels the facility is an enhancement to the community. Ms. King also presented letters of support from Dr. Robert Showalter and Donna R. Delisle of Rockingham Memorial Hospital. (Letters are attached)

Cathy Murphy - Ms. Murphy resides at 110 N. Stuart Avenue. Ms. Murphy would like to review the stipulations placed upon Mr. Weaver when Victorian Haven was approved originally. Her understanding was that residents were to be ambulatory and mentally stable. Complained that she had an elderly man try to break into her residence and car. The same elderly man was continually knocking on her door late at night. She had witnessed residents of Victorian Haven wandering onto 340 highway and being apprehended by the police. Another complaint Ms. Murphy stated was the trash that was maintained in one of Mr. Weavers pickup trucks. The trash would be piled up over the cab of the truck and would remain there for 3 to 4 days at a time. Commented that the alley was frequently blocked by delivery trucks to Victorian Haven. Stated that staff trespasses onto other peoples property to walk their dogs. Ms. Murphy doesn't feel Victorian Haven is safe, is an eyesore and finds Mr. Weaver untrustworthy.

Larry Kite - Mr. Kite resides at 108 N. Stuart Avenue. Mr. Kite lives next door to where the proposed expansion will be. Mr. Kite has concern due to the fact that he found an elderly gentleman urinating in his yard in front of his four year old daughter. Has gotten this same elderly gentlemen out of 340 highway on numerous occasions and returned him to Victorian Haven. Commented that parking is already a problem on Stuart Avenue without adding the potential of additional cars parking there due to the expansion. Alley is frequently blocked. Mr. Kite feels that with visitors and staff the neighbor is unsafe due to the fact you don't know who is a stranger and who really belongs there. Mr. Kite stated that he and wife cannot let their four year old daughter play in their own yard due to the problems stated above. Complained about rescue squads and police constantly in and out of alley all hours of the night.

Wayne Miller - Mr. Miller lives at Massanutten Village. Mr Miller stated that he has an uncle in residence at Victorian Haven and is happy with what he has seen. Mr. Miller feels is uncle is very happy there and thinks the home is beautiful and an asset to Elkton.

Greg Ryan - Mr. Ryan was present to represent the Elkton Rescue Squad. Mr. Ryan stated that the Rescue Squad averages 5 calls per week to Victorian Haven. This is more calls than all the other retirement homes in the area. Mr. Ryan stated that the Rescue Squad wonders if all the calls are necessary and is concerned about an increase in calls if the expansion should occur.

Bertha Williams - Ms. Williams resides on Washington Avenue however owns a home on Stuart Avenue. Ms. Williams was concerned due to the continuous problems with the sewer lines backing up on Stuart Avenue. Feels that the sewer lines should be upgrade if Mr. Weavers expansion is approved. Ms. Williams stated that she felt a Registered Nurse should be on staff at Victorian Haven. Ms. Williams also expressed concern that if Mr. Weaver closed the retirement home one day that Elkton would have another large building left empty.

Anita Scott - Ms. Scott is in charge of nursing. Ms. Scott stated that she left her job in Charlottesville to work at Victorian Haven because it was only 2 minutes from home. She feels that the facility is a asset to the community.

Virginia Hebler - Kenny Flick read a letter from Ms. Hebler who resides at 98 Stuart Avenue. Ms. Hebler stated in her letter that she has no objections to the expansion of Victorian Haven. She is elderly and could not attend the meeting. (Letter attached)

Benny King - Mr. King resides across the street from Victorian Haven. Mr. King expressed concern about the sewer lines. Mr. King stated that he recently had problems with the town sewer lines. Mr. King also stated that he feels the town should make a decision to zone Stuart Avenue business or residential due to growth in that area.

Joan Sigafoose - Ms. Sigafoose resides on Rockingham Street. Ms. Sigafoose is a member of the Neighborhood Watch in Elkton. She expressed concern over parking for Victorian Haven and the time police were having to spend on apprehending the residents from the home who were out wandering the streets.

Wayne Weaver - Mr. Weaver asked to speak to address the comments he had heard. Mr. Weaver stated that out of the 81 beds to placed in Victorian Haven that only about 60 would be occupied. Mr. Weaver informed the public that 340 highway is not currently and will not in the future be used for parking. Mr. Weaver addressed the public about the residents who walked around town stating that these people were on fixed incomes and could not afford vehicles and stated that just because they were old did not mean that they didn't have rights. Mr. Weaver stated that he was trying to help the elderly and reminded everyone present that they too would be elderly one day. Mr. Weaver stated that he currently has 31 residents at Victorian Haven.

Donna King - Ms. King asked to also address comments and complaints. Ms. King stated that the trash was hauled to the dump daily except for weekends. The only deliveries made to Victorian Haven is made at 1:00 PM and therefore should not be causing any problems with the alley being blocked. Ms. King stated that the issue with staff walking their dogs on other peoples property had been addressed and if the problem was continuing she had not been informed. In response to the elderly gentleman that Ms. Murphy and Mr. Kite complained about she stated the gentleman was 91 years old and had been removed from Victorian Haven. Ms. King says her staff work with Social Services, Rockingham Memorial Hospital and the Police Department where problems with residents are concerned. Ms. King stated that any issues brought to her attention would be addressed. Ms. King stated that there are 3 registered nurses on staff and has been since Victorian Haven opened. Ms. King said that the have an open door policy at Victorian Haven.

Gene Kite asked Mr. Weaver about having a dumpster brought in to maintain the trash. Mr. Weaver stated that he had checked into this and they are not allowed to have a dumpster on the property.

Cathy Murphy - Ms. Murphy again stated that the trash was piled up for 3 to 4 days in see thru bags. Ms. Murphy also complained that tractor trailers blocked the alley and caused potholes. Ms. Murphy again commented on the 91 year old gentleman stating that she had witnessed 2 staff members getting the man out of 340 highway.

Larry Kite - Mr. Kite stated that he has sympathy for old people but doesn't feel that gives them the right to roam onto other peoples property. Mr. Kite also stated that he feels Victorian Haven will cause a decrease in property value.

Public Hearing was closed at 7:37 PM.\