

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Monday, August 21st, 2023**
4 **6:30 pm**
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6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Monday, August 21st, 2023 with the following
8 members present: Mayor Larry Bompiani, Vice-Mayor Peggy Harkness, Bob King, and
9 Peter Hughes, Scott Wymer, Daryl Watkins, and Janice Hannah.

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11 Town Attorney – Jason Ham
12 Interim Town Manager – J. Todd Walters
13 Town Treasurer – Teresa Green
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15 Mayor Bompiani called the meeting to order and established a quorum with 7
16 members present. The Pledge of Allegiance was recited in unison. Mayor Bompiani
17 welcomed all visitors and guests.
18

19 **Approval of the Agenda:**
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21 **Mr. Hughes moved to approve the agenda as presented and Mr. King**
22 **seconded the motion. With no further discussion, the motion carried with a**
23 **unanimous 6-0 vote.**
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25 Mrs. Hannah	Aye	Mr. King	Aye
26 Mr. Watkins	Aye	Mrs. Harkness	Aye
27 Mr. Hughes	Aye	Mr. Wymer	Aye

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30 **Consent Agenda:**
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32 **Mr. Hughes moved to approve the Consent Agenda which included the**
33 **minutes from July 17, 2023 Meeting of the New Market Town Council, minutes**
34 **from the August 10, 2023 Closed Work Session of the New Market Town Council**
35 **and the financial statements for July 2023. Mr. King seconded the motion, with no**
36 **further discussion, the motion carried with a unanimous vote of 6-0.**
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38 Mrs. Hannah	Aye	Mr. King	Aye
39 Mr. Watkins	Aye	Mrs. Harkness	Aye
40 Mr. Hughes	Aye	Mr. Wymer	Aye

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43 **Citizen Comments and Petitions:**
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45 Mr. Tyler Mongold, New Market Volunteer Fire and Rescue Department, was present to
46 give the monthly presentation on the behalf of his father, Jeff Mongold. Mr. Mongold
47 reported the call volumes and specific types of calls for both the fire department and the
48 rescue squad. He reported that most of the calls were in New Market. Mr. Mongold
49 discussed the training the volunteers participated in, and other community events such as

50 Woodstock Parade, Conicville Parade, and National Night Out. Membership has started
51 to host duty nights, and added a new member. Mr. Watkins inquired about driving
52 requirements for volunteers for the ladder truck. Mr. Mongold explained the driver
53 training and operations training that is required to be released to drive the ladder truck.
54 Mayor Bompiani inquired about the member recruitment and if they are seeing more
55 interest. Mr. Mongold reported that there has been an increase in the interest and
56 continued increase of membership.

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59 **Committee Reports:**

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61 There were no committee reports.

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63 **Staff Reports:**

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65 **1. Public Works Department Monthly Report – Mr. J. D. Fadley**

66 Mr. Fadley gave a power point presentation summarizing the projects on which
67 his department had worked over the past month. The Public Works Department replaced
68 a fire hydrant on John Sevier Road and Breckenridge Lane, replaced a water lateral from
69 the main to the meter at 166 Early Street, a 4” water main repair at 278 Shenvalee Drive,
70 and replaced a service valve and meter setter at 147 Clark St. The Public Works
71 Department replaced a sewer lateral at 9288 John Sevier Road. Large trash pickup was
72 conducted with 4.65 tons collected and disposed of. The Public Works Department
73 attended to their regular monthly maintenance job duties as well. The Water Department
74 attended to their regular monthly maintenance job duties, as well as: cleaning CMF 1 and
75 2 filters, repairing a 2” meter at Life Care Center and SVA, upgraded Well 6 SCADA
76 system, cleaned well and pump station buildings, rebuilt chemical feed pump at water
77 plant, and repaired bad wiring at Well 6 believed to be struck by lightning. A copy of
78 Mr. Fadley’s report is on file with the minutes.

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80 **2. Planning Department Monthly Report – J. Todd Walters**

81 Mr. Walters had two permits to approve this month, a fence permit at 216 Clicks
82 Lane and a citizen replacing a roof over existing patio at 9222 John Sevier Road.

83

84 **3. Public Safety Monthly Report – Chief Chris Rinker**

85 Chief Rinker gave a power point presentation highlighting the statistics for the
86 month of July 2023. Police Department staff provided police presence and conducted
87 traffic control at the Independence Day Celebration on July 5th, 2023. Chief Rinker spoke
88 at the Virginia Department of Education-EMT Workshop in Richmond, Virginia, and
89 also presented at the “Who Takes Care of You” at the Rockingham/Harrisonburg CIT
90 training. Benelli and Chief attended the Public Safety Day at Honey Run Elementary. An
91 increase in disturbances and suspicious persons/vehicles.

92

93 **4. Events & Marketing Monthly Report – Mrs. Amber Smoot**

94 Mrs. Smoot gave a brief power point presentation highlighting events and projects
95 she is currently working on. Mrs. Smoot announced the new Events and Marketing
96 Director will start in September. Cross Roads Music Fest finally started with great
97 attendance, and weather. Mrs. Smoot announced the Movie Night in Park is coming up
98 and the movie is The Goonies. She stated the Rt. 11 Yard Crawl was successful. Mrs.

99 Smoot is working on upcoming events such as the annual Puppy Pool Party, Cross Roads,
100 other movie nights and Fall Festival. Working with the RevUp committee to host a
101 Reunion event, and starting the RevUp classes in the late winter/early spring. Mrs. Smoot
102 is working with other groups to help entrepreneurs be successful.
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105 **Action Items:**
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107 The first action item is the discussion and consideration of the appointment of
108 a Zoning Administrator. Mr. Walters explained that it was discovered that he
109 was not made the Zoning Administrator when made the Interim Town
110 Manager. He asked council to appoint him as the Zoning Administrator as he
111 needs to approve a plat for a citizen.
112

113 **Mr. King made a motion to make Mr. Todd Walters the Zoning**
114 **Administrator. Mr. Hughes seconded the motion, with no further**
115 **discussion the motion passed on the following 6-0 roll call vote:**
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117 Mrs. Hannah	Aye	Mr. King	Aye
118 Mr. Watkins	Aye	Mrs. Harkness	Aye
119 Mr. Hughes	Aye	Mr. Wymer	Aye

120

121 The second item on the agenda was the discussion of the Conditional Use
122 Permit (CUP) Application by Creek Village Investments for the Village at
123 Smith Creek (Courtyard Terrace)-Todd Carr, Creek Village Investments. Mr.
124 Walters explained that Mr. Todd Carr submitted the Conditional Use Permit
125 with a request to be able to build townhomes and increase the lots from 26 to
126 37 which is an increase of 11 lots. This application went before the Planning
127 Commission and a Joint Public Hearing was conducted. The Planning
128 Commission recommended to council to allow the townhouses, but with a
129 maximum total of 30 lots. They recommended the group of townhouses be no
130 more than three units per group. Per our ordinance a townhouse must be a
131 minimum of three units. Mr. Walters further explained that if it were
132 approved, it would require a re-platting of the subdivision, which starts the
133 subdivision review process. It would go back to the Planning Commission for
134 their review. Mr. Walters also explained there would need to be some
135 revisions to the approved engineering drawings, in reference to the existing
136 utility lines and services. Mr. Walters also explained that the original CUP
137 was approved for courtyard homes in 2003 and that if Council approves the
138 requested CUP it does not eliminate the current approval of the courtyard
139 homes. Council invited Mr. Todd Carr to explain the CUP request, and answer
140 questions from council. Mr. Carr explained that price point is forecasted as
141 building trends and building prices change, but he is guessing high \$300.
142 Mayor Bompiani asked about the square footage per unit. Mr. Carr explained
143 about 1500-1800 square feet. Mrs. Harkness commented that she is a
144 proponent of the project, and this is the first time in 20 years that there has
145 been a subdivision to talk about. Mrs. Harkness stated that she is sensitive to
146 those that are not in favor of the project and requested that Todd consider
147 using brick instead of stone to coincide with the current homes built. She

148 stated it would help them blend in with the neighboring community, and add
149 shutters, and make the back of the homes inviting. Mr. Carr explained he
150 understood the request and has thought about how best to integrate the
151 townhomes. Mr. Carr explained the rising housing costs and trends and how
152 municipalities have been reacting to help. Mrs. Harkness stated again that she
153 is for the project and that New Market is need of housing. Mayor Bompiani
154 wanted clarification on the number of lots requested. Mr. Walters explained
155 that the Planning Commission recommended 30 units, in the addition to the
156 five that are already there, and Mr. Carr's request was for 37 lots to be
157 approved. Mayor Bompiani asked Mr. King his thoughts, as he is on the
158 Planning Commission. Mr. King explained how the Planning Commission
159 early on reduced the units to triplexes instead of the quadplexes. This takes
160 would take it down to 30 units. Mrs. Hannah inquired about the esthetics of a
161 four unit or three unit townhomes. Mr. Carr explained the difference is the
162 width of the total structure. Mrs. Hannah stated she didn't see in the grand
163 scheme of things why it mattered, but Mr. King explained the Planning
164 Commission was trying to keep the units as close to the original plan as
165 possible. Mrs. Hannah asked about the proposed trails in his proposals, and if
166 it were green space. Mr. Carr explained that that sight was in a flood plain,
167 and the plan would be utilized as green space, which is unchanged from the
168 original plan. Mayor Bompiani had Mr. Walters clarified that this project in
169 fact is bonded, as the last time it was not. Mr. Watkins stated that he would
170 ask that Mr. Carr be mindful of the esthetics when building. Mr. Carr said he
171 is sensitive to those requests, but also has to be mindful of what current buyers
172 want. Mrs. Hannah asked if there were a way to approve the Planning
173 Commission recommendations with the future ability to expand that. Mrs.
174 Hannah went on to state that she does not feel council should shut Mr. Carr
175 down with his plan. Mr. Walters explained that if it were approved with the 30
176 units, in order for him to extend it, he would have to go through the process
177 again. Mrs. Harkness asked Mr. Carr if he was comfortable with the use of
178 only triplexes. Mr. Carr stated he has not done a site plan with only triplexes,
179 but would prefer not to be limited to 30 units. He talked about different
180 scenarios, and how he would have to go back and reconfigure space. Mr.
181 Wymer stated he would be fine with 37 units. Mr. Hughes stated he would
182 like for the neighbors of that land to see it developed as they thought it would
183 be when they bought their homes. He stated he has faith in the Planning
184 Commission and they tried to find a way for both sides to be comfortable. Mr.
185 Hughes is supportive of the Planning Commission's recommendation. Mr.
186 Carr talked to the units proposed from the previous plan. Mr. Wymer brought
187 up the cost of infrastructure, and it may be more feasible financially to add
188 more units than less units. Mrs. Hannah stated that she understands the
189 numbers have to make sense, because if they don't then things start to not
190 looking esthetically pleasing. Mrs. Hannah stated she is in favor of the plan of
191 37 units. Mr. Walters said the difference between 30 units and 37 units is not
192 much of a difference. Mayor Bompiani asked Sherri Erbaugh, co-chair of the
193 Planning Commission, to give any thoughts. Mrs. Erbaugh stated that the
194 biggest concern was to that of the development being esthetically pleasing to
195 the golf course, and the other homes that current exist. She said she has heard
196 concerns from surrounding home owners that the development will be a hodge

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podge of units, and people piling things on the back porch and that is what the golfers will see. Mr. Carr stated he understands their concerns. Mrs. Erbaugh asked if VDOT has been involved, and Mr. Carr did state he would be working with VDOT. Mr. Walters explained that any change of the plan that it opens up Mr. Carr for review of VDOT and DEQ. Mrs. Hannah made a comment to Mrs. Erbaugh’s comment that the home owner should be held accountable for how they keep their home, and council cannot hold Mr. Carr responsible for that. Mrs. Erbaugh suggested there be an HOA formed. Mr. Walters inquired if an HOA is required due to the green space, and Mr. Ham stated that council could not require Mr. Carr to do that. Mr. Carr discussed the understanding for an HOA. Mrs. Harkness stated that the council need to settle on the amount of units. Mr. Walters reminded council that the recommendation of the Planning Commission was 30 units, with the use of 3 units per group. Mrs. Hannah stated that by changing the unit count from what was proposed by Mr. Carr will cost him more overhead. Mr. Carr stated he could work out the unit numbers if it were 36. Mr. Ham asked if Mr. Carr needed time to rework the numbers and come back next month. Mr. Carr explained the process and extra time would not help. Mayor Bompiani reiterated the ideas that have been discussed. Mrs. Harkness approved the CUP with 36 units with three per structure. Motion seconded by Mr. Wymer. Discussion was held, and Mr. King expanded on the open space and wanted to know more on who would be responsible for this area. Mr. Ham stated that it would be on the LLC that owns them. Mr. Carr stated he would start an LLC and HOA with dues that help with the upkeep. Mr. Carr is currently maintaining the green space. Mayor Bompiani asked if the HOA will include the current existing owners. Mr. Ham stated that it would not be in their deed therefore the HOA would not encompass the existing structures. With no further discussion, Mayor Bompiani asked for the roll call vote. The motion passed with a 4-2 vote

229	Mrs. Hannah	Nay	Mr. King	Aye
230	Mr. Watkins	Aye	Mrs. Harkness	Aye
231	Mr. Hughes	Nay	Mr. Wymer	Aye

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The third item on the agenda was the discussion and consideration of the professional services contracted with the Berkley Group. Mr. Walters explained that these services would be to help facility a community meeting on September 7th, 2023 in reference to the proposed amendment to the Voluntary Settlement Agreement. This would allow the town to address and answer any questions that citizens would have pertaining to this subject. The cost for this service is \$6,037.50.

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Mrs. Harkness made a motion to approve the contract with the Berkley Group for the meeting on September 7th, 2023. Mr. Hughes seconded the motion, with no further discussion, the motion passed on the following 6-0 roll call vote:

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247 Mrs. Hannah Aye Mr. King Aye
248 Mr. Watkins Aye Mrs. Harkness Aye
249 Mr. Hughes Aye Mr. Wymer Aye
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252 **Mayor's Comments:**

253 Mayor Bompiani stated his appreciation for the council their dedication, and also to the
254 Mr. Walters for helping out as interim Town Manager, and the staff.
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256 **Council Comments:**


257 Mrs. Harkness stated that as they all may not always agree, but they all make decisions
258 based on what they feel is in the best interest of New Market.
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260 **Staff Comments:**

261 Mr. Walters talked about all of the projects that are moving forward to include the public
262 works department building, the E. Lee Street sidewalk project, the water tower project,
263 and the Community Center.
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266 **Adjournment:**
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268 **With no further business to discuss, at 7:44 p.m. Mr. King made a motion to**
269 **adjourn the meeting. Mr. Hughes seconded the motion, with no further discussion**
270 **the motion passed on a unanimous 6-0 voice vote.**
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275 J. Todd Walters, Town Clerk


Larry Bompiani, Mayor

