

Clifton Town Council Meeting
Tuesday, January 2, 1995
New Town Hall
7:30 pm

The January Town of Clifton Town Council Meeting was called to order at 7:30 pm by Mayor Jim Chesley. All members of the Town Council were present as was the Town Attorney and the Town Clerk. The Town Treasurer was not in attendance. The Pledge of Allegiance was not said because the flag was not in the Hall.

1. Minutes for December meeting were unanimously approved as presented.
2. The Treasurer's report was not given since neither the Treasurer nor the assistant Town Treasurer were present.
3. Chesley noted that the Fairfax County Board of Supervisors special election was being held on Saturday January 7th, at the Falls Church High School from 10 to 4. He noted that Elaine McConnell was running against Ernie Burger in a "Fire House" primary. This primary was open to participation by members of any political party. Chesley noted that McConnell asked for the Town's help in securing the nomination for the Board of Supervisors position. Chesley encouraged residents to vote in the primary and noted that McConnell has been and would continue to be a voice for Clifton if nominated.

Chesley also asked for volunteers with 4WD vehicles to assist in transporting people to the polling place if there was snow on the day of the primary.

4. Planning Commission

A. There was one application to the PC this month by Raymond Van Lienden. The application was for a Veterinary Clinic in the Achor's old house. The business would only utilize 400 square feet of the house. The PC recommended approval, but changed the hours to M-F 7pm to 9pm, Sat. 1pm to 6pm, and Sun. 12pm to 5pm, with occasional emergency appointments as necessary. There will be no general boarding at this veterinary clinic. Nickum moved that the application be approved and the Council unanimously agreed.

B. Kathy Baber sent comments on the Chesapeake Bay plan back to CBLAD. The Town is waiting for CBLAD's reply.

C. Town Sewer - Chesley read a letter from Elaine McConnell to the County Attorney's office regarding the Town Sewer. She requested that the County consider any possible changes to current policy regulations governing hook up of lots to the sewer line in Clifton. The letter asked for information on whether the Board of Supervisors could change the policy

governing Clifton's hooking up to the County sewer line. Nickum noted that if the County changed that policy, it is likely that the County would defray some of the cost of hook up by asking the Town to contribute. Chesley noted that the County is looking into possible alternatives. One such alternative is a small sewer plant that would only service the Town's needs.

Chesley noted that he would like the Town to be proactive on this issue. Other Towns in Virginia have received Federal funding for installation of sewer systems. The Town needs to investigate these sewer issues more fully. Chesley requested that the Sewer committee, consisting of Mac Arnold, Bill Warren, Richard King, and Jim Hricko, starting looking into these issues again.

5. ARB

The ARB had nothing to report.

Hricko did report the siding on the Primitive Baptist Church started going up and the outside looks great. The foundation is completed and the floor is braced. The final color of the roof will be dark green.

6. Committee Reports

A. Community Hall -

1. The County informed the Town that no footings were poured under the porch of the New Town Hall. Therefore the County will tear up all of the porch except for the portion in front of the door and the handicap access ramp. The County noted that this would happen sometime in the Spring.

Chesley noted that there is some graffiti on the front columns near the phone. The Council discussed moving the phone to the inside of the building. Nickum suggested putting up a sign notifying users that the phone will be removed if loitering by the phone, graffiti, and the leaving of trash does not stop.

2. Fundraisers - Christmas in Clifton attracted approximately 152 visitors and netted approximately \$1250 for the Town. The Crafters inside the Hall raised another \$85 for the CBA and \$75 for the Town.

3. Chesley noted that he got an estimate of \$1265 from the County to provide and install a PA system for the Town Hall.

4. Helen Buller noted that there is a lot of talk of the Clifton Bypass. Some of Clifton's neighbors are very concerned about the Bypass and they feel that the Town is not taking their concerns into consideration. Buller noted

these neighbors provide a lot of help for community activities and turn to the Town for guidance and representation. We should not advocate disrupting their lives so those in the Town will not be disrupted. Helen Buller stated that Clifton's neighbors should not be impacted by a Bypass. The Council should be against any road improvement in the area that could impact these neighbors.

Chesley noted that he thinks the Town is being very aggressive on these issues and that every County resident has two places where they can express their concerns, the Town of Clifton monthly meetings and the Transportation meeting held the second Wednesday of every month at the Town Meeting Hall. Chesley personally feels that the traffic through Town is killing the Town and that we must do something. He feels that we should not be concentrating on improving current roads but should instead be building new roads, since existing roads are overburdened. Warren noted that the Town is only asking the County to look at possible alternatives at this time. Nickum noted that Clifton forced the transportation issue on the County and that the County is considering alternatives, not choosing answers at this time.

Arnold is the Town's representative to the Tri-County Transportation committee and Richard King is working with the Occoquan Watershed Collation committee, which is a coalition of homeowner associations from all over the area. The next meeting of the County's transportation committee is at 4pm next Wednesday in the County Government Center.

5. Chesley noted that the Dell Avenue project is finally complete. The storm drainage is in and the road was widened at an approximate cost of \$235,000. Clifton Creek Road was tarred and stoned.
7. Community Development Block Grant - Appointment of Lev Buller ran out last March. Nickum moved that Buller be reappointed. The Council unanimously agreed.
8. Corrective Action Plan - Clifton Store Site.

Chesley released two copies of the clean-up action plan (CAP) for review. All comments from the Town need to be in by January 31, 1995. Department of Environmental Quality (DEQ) has tentatively approved the CAP as it is. If you have any comments please refer them to Chesley. Nickum asked if the Town should look into compensation from Quarles for the owners of businesses who will be affected by the clean-up work? Chesley will ask Quarles to come to the February meeting to discuss these issues.

9. Management of the New Town Hall - Brenda Ference

Brenda Ference addressed the Council about the possibility of her managing events held at the New Town Hall. She first approached the Council at the November meeting. She noted that events held at the Hall could be scheduled which had little impact of the Town and its residents and still provide enough money for the Town to break even or possibly make money. To manage these events she would take 20% of any gross revenues.

David Ralston, the Town Attorney noted that there were political and legal issues governing use of the Hall. If the Town was willing to deal with the political issues separately, he noted that the legal issues were easily handled. He noted that the term "commercial", in terms of the Town's lease with the County, could be broadly interpreted. He did not feel that the County had any interest in defining the term any more narrowly than would the Town. The Town should be cautious about entering into any usage where the Town has an incentive to promote the event so that they realize a greater revenue from the renter holding the event. However, the Town was free to use the facility in the same way that County facilities are currently used. He noted that the County could hardly argue that the Town's lease should be more restrictive than County facilities. Ralston noted that the lease would allow the Hall to be used for more things than the political climate of the Town would allow. The Town should not enter into a rental of the building where the Town makes money depending on how well the function does.

Chesley noted that he felt more comfortable now that Ralston explained the issue. Ference noted that classes could be held in the building during the week and a few events a month could take place on the weekends. It was noted that the lease does not restrict use of alcohol, but that the renter had to secure proper permits.

Buller noted that there should be a cap on the number of events per week. Ference noted that she would seek approval prior to renting the property and that the rental would be agreeable to both the Town and her.

Arnold noted that if there was a need for a new fee schedule as Ference noted, she should rewrite the fee schedule. The new fee schedule would have to be submitted to the County. It was also noted to Ference that the Town is required to provide free usage to Federal, State or Local Governing bodies for official functions. Ference noted that she would handle all of the free events for official purposes.

Ralston recommended that the Town move forward with this plan.

Nickum asked if Ference would be considered part of the Town's Staff? Arnold asked what Ference's projected usage of the building was? She anticipates one activity per weekend and 11 to 12 class hours per week. Arnold noted that he thought the plan was worth a try, and Warren, Nickum, and Chesley agreed. Nickum moved that Ference's plan be approved in concept with the details being presented at the next meeting. The Council unanimously approved.

9. Board of Zoning Appeals Reappointment - Diane Dygve's appointment expired. Warren moved that she be reappointed and the Council unanimously upheld the motion.
10. Ralston asked if the Town would sign a resolution that would allow Town employees to join a health care plan designed by the Federal government for employees of small jurisdictions. Warren moved that the Town approve the resolution for health insurance for all eligible employees according to the details of the plan. The motion was unanimously approved.
11. Braddock Road Proposal: Go-Kart Track and Bumper boats

A plan to put Go-Karts and bumper boats in Braddock Road Park near the road is being discussed in the County. Chesley asked if this was an issue that the Council wished to take a stance on. The plan is an attempt by the Park Authority to generate more money. Chesley noted that he felt this was an extreme use of the park and that other people were starting to take positions on this issue. Nickum made a motion that the Town not support these types of activities in County Parks and that the proper officials be made aware of the Town's position. The motion was approved by the Council with Buller and Arnold voting against the motion.

12. Legal Update

Ralston noted that he has heard nothing from Mr. O'Donnell. The Council moved approval of the November 28th special meeting of the Town Council. The motion was unanimously approved. Ralston noted that the ARB should deny Mr. O'Donnell's garage permit (the reason for denial being that this is not an ARB issue but a PC easement issue).

With the business of the Town concluded, Nickum made a motion to adjourn. The motion was unanimously approved.

Note: Ralston needs a certificate of resolution (a certified copy of these minutes).

James Chesley
Mayor

Date

January 3, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|---|----------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. CBLAD | Buller |
| b. Town Sewer | McNamara |
| c. Application - Raymond Van Lienden | Nickum |
| 3. ARB | Warren |
| 4. Committee Reports | Barton |
| a. Community Hall | Barton |
| -Porch Repairs | Kubiak |
| -Graffiti on Building | Ralston |
| -Management | |
| b. Community Fundraisers | |
| -Christmas in Clifton - Results | |
| 5. Braddock Park Proposal: Go-Kart Track | |
| 6. Board of Zoning Appeals Reappointment | |
| 7. Corrective Action Plan - Clifton Store Site | |
| 8. Community Development Block Grant - Appointment | |
| 9. Transportation Issues | |
| 10. Legal Update | |
| 11. Fairfax Board of Supervisors Election - January 7 | |
| 12. Other | |

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accommodation or auxiliary aid, please call Jim Chesley at 830-2129. A request should be made five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Posted, Post Office and Store

TOWN OF CLIFTON

HEALTH INSURANCE PLAN RESOLUTION

WHEREAS, the Commonwealth of Virginia offers a health care group plan to municipalities, and

WHEREAS, participation is in that plan is offered to ^{eligible member} ~~staff~~ on a basis that the ~~staff member~~ pays the entire cost of the policy and coverage, now therefore,

BE IT RESOLVED by the Clifton Town Council that the Mayor, Town of Clifton is authorized to contract with the Commonwealth's group health plan to offer health insurance to Town staff on the basis that the staff member pays all costs of the health insurance and coverage, and agrees to indemnify the Town for any costs incurred by the Town with respect to the staff member's health insurance policy.

ADOPTED this 3rd day of January, 1995

Clerk

*according to
the plan document.*

NOTE: VOTE FOR CHAIRMAN OF THE BOARD OF SUPERVISORS
TUESDAY, FEBRUARY 7, 1995

Clifton Store On-Site Meeting with Quarles @ 6:45 P.M.

February 7, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

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| 1. Treasurers Report | Chesley |
| | Arnold |
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| | Barton |
| 3. ARB | Barton |
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| | Ralston |
| 4. Committee Reports | |
| a. Community Hall | |
| -Porch Repairs | |
| -Public Phone | |
| -Management | |
| b. Town Sewer | |
| - Application - Dell Avenue | |
| 5. Corrective Action Plan - Clifton Store Site | |
| 6. Transportation Issues | |
| 7. Legal Update | |
| - Reward Fund | |
| 8. Clifton Primitive Baptist Church Restoration Update | |
| 9. Other | |

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Posted, Post Office and Store

Clifton Town Council Meeting
Clifton Town Hall
February 7, 1995
7:30 p.m.

The February 7th Clifton Town Council meeting was called to order at 7:30 p.m. All members of the Town Council were in attendance, as was the Town Attorney, the Treasurer and the Recording Clerk. The business of the Town was handled in the following order.

1. Corrective Action Plan - Clifton Store Site

Eric Hiltner of Quarles Petroleum, Mike Robertson of ESE, and Randy Chapman of DEQ attended the Council meeting to update the Council and Town residents on the corrective action plan for the petroleum spill at the Clifton Store. Eric Hiltner began by explaining that the contamination at the site has greatly decreased. The most practical method to conduct the clean-up is to excavate the contaminated soil and remove it. Mike Robertson told the Town that the plan was to excavate soil from an area roughly in front of the Clifton Store. The excavation will not extend into Main Street, but will impact Ford Lane. The removal will most likely not close Ford Lane but restrict it to one lane. If it is necessary to close Ford Lane, Robertson believes it will be possible to re-route Ford Lane traffic around the telephone pole. The estimated project completion time is two to three days, however excavation of the contaminated soil and back fill the hole with crushed stone will probably be completed in one day and therefore, limit the impact on traffic. ESE will notify residents on Ford Lane and the businesses or other impacted people. The Council asked ESE to send a letter to residents and other impact parties notifying them of the date of the cleanup, and asking them to notify ESE if there was a problem with the proposed cleanup dates ESE establishes.

Warren asked why this project was not done last year? Robertson replied that by the time the contamination site was reported, the spill damage was no longer increasing so there was no need to clean-up the site immediately.

Chesley asked what has been done so far? Randy Chapman replied that five years ago DEQ considered using pump and treatment cleanup system to rectify the spill. They recently determined that pump and treat is not very cost effective method. Excavating the soil is more cost effective. He noted that the impacted wells will not be cleaned up immediately but over time this excavation method proves to be the best.

McNamara asked if the weather could cause delays? Hiltner replied that extreme weather could cause delays, but that the crew would work through any inclement weather that was not extreme.

Nickum moved that the cleanup proceed based on the State's approval and based upon the approval of the impacted people on Ford Lane. The motion also stated that the Clifton Store be compensated for any loss of revenue resulting from the forced closure of the store. The Council unanimously approved the motion with McNamara abstaining

from the vote.

2. January minutes - were unanimously approved.

3. Letters to the Town

A. Donna Netschert sent a letter to the Town to resign as Chairperson of the Park Committee.

B. Karen Arnold resigned from the Planning Commission.

C. Randy Thompson sent a letter which expressed his interest in serving on the Planning Commission. The Planning Commission noted that they now only have five members.

4. Treasurer's Report -

Barton distributed copies of the final audit reports for Fiscal Years 1991-1994 (see attached). The Town's financial statements were reviewed by Angela A. Emery, CPA, PC. The audits took a while because she reviewed a four year period. She found no problems, and no changes to the end of year statements that the Council approved at the end of each Fiscal Year. Barton recommended that this audit be done on an annual basis from now on. If there are any specific questions regarding the audits, Barton asked that she be contacted at home.

Barton provide the Council a verbal statement of cash balances. The Town has \$12,134.06 in its savings account, \$1,647.81 in its checking account for a combined total of \$13,781.87.

Nickum moved approval of the Treasurer's report. The Council unanimously approved the motion.

5. Planning Commission

Mike Booth reported to the Council on the PC's activities.

A. The PC received two applications.

1. Ronnie Sprouse submitted an application to restore his wood shed. The PC recommended approval. Nickum moved approval of the application, which the Council unanimously approved.

2. Barringer & Besley application was approved with changes to the number of parking spaces. Nickum moved approval of the application and the Council unanimously concurred.

B. CBLAD Ordinance - The PC received final comments from CBLAD. The PC will consider the changes at their next meeting. The main request was to change the Town's definition of the term "pre-development". Once this is done and voted on by the PC a public hearing could be held (possibly by the end of March). Council decided that it would discuss the date of the Public Hearing at the next meeting. The Public Hearing will be a joint hearing to consider other issues as well.

C. The Council decided to consider Randy Thompson's letter of interest to serve on the PC at this time. Nickum made a motion that Randy Thompson replace Karen Arnold and serve out the rest of her term which expires in December 1997. The Council unanimously approved this motion.

6. ARB

A. Chesley reported that the ARB approved the Ron Sprouse application.

B. Chesley noted that Susan Rehder's appointment expired and she no longer wishes to serve.

7. Committee Reports

A. Chesley noted that repairs to the New Town Hall porch are under way. They were going to pour the footers today but did not because of the weather. Chesley also noted that he has heard no complaints about the phone outside of the Hall since the sign regarding noise was placed by the phone.

B. Town Sewer - Chesley received a letter on January 17th from Jimmie Jenkins, Director, Systems Engineering and Monitoring Division, Department of Public Works. The lots at 7223 and 7225 Dell Avenue were purchased and the purchaser tried to get approval for sewer on those lots. Those two lots are on the County's list for hookup to the sewer system. But the County stated one lot could not hook to the existing sewer system because the house on the lot was torn down. The Sewer Committee is looking into this. There are a few lots that may not be hooked up to the sewer if they do not have houses on the lots already.

Council discussed the history of County approval for sewer hook-up for some lots in Clifton. Chesley reminded the Committee that something needs to be done this month regarding this issue.

C. Management of the Community Hall

Brenda Ference noted a couple of corrections to the January minutes. Nickum moved to reconsider the earlier motion to approve the January minutes so that Ference's suggestions could be considered. Motion unanimously approved by the Council. After the changes were noted and discussed, Nickum moved approval of the minutes pending changes. The Council again approved the motion unanimously.

Ference distributed new recommended Hall reservation forms, which differed depending on the type of use, and passed out a list of stipulations for the Council's consideration. She noted that the stipulations are very similar to Fairfax County's stipulations. She also handed out a new proposed fee schedule, which now includes a prime time rental rate from Friday at 6 p.m. through Sunday night. The proposal would increase the rental rate fee to \$600 per hour for four hours for County residents and \$800 per hour for four hours for non-County residents. Each additional hour would be \$120. There is also a \$250 security deposit.

Kathy Baber would like some time reserved for PC meetings to be held in the Community Hall, with the possibility of having PC public hearings there as well. Ference noted in the calendar that the last Monday of the month from 8 p.m. would be reserved for this purpose.

Buckley noted that there should be no amplified music allowed at all. He asked the Council where the controls on the amplified music were? The Council then discussed the issue of amplified music and past events where limited amplified music was allowed.

Buckley asked what the objective of the Town was? What is the plan for use of the new building? He noted that the objective should not be to provide a party place. Warren noted that the Town was still defining the issues, the objectives and the use. Baber noted that the close proximity of neighbors to the Town Hall building warrants creation of more restrictive guidelines to reduce the impact on the neighbors.

Ference noted that the Town is trying to get events in the building that will have the lowest impact on the community. Buckley noted that the very use of the building impacts his living. People who use the building impact his life. Warren noted that initially the idea of utilization of the Hall was deigned around keeping the Town financially ahead of costs imposed by the building on the Town. Those costs have been minimized, but Ference stepped forward to try to run the building and make some money for the Town. The Town is still formulating the guidelines for use of the building.

Buckley stated that he would like a copy of the agreement between the Town and the County on this building.

The Council noted that the Town's decision is to keep the facility open for public use. The Town Attorney determined that the uses of the building so far approved have not been commercial usages. Ralston explained again the meaning of commercial use in answer to Buckley's questions. Buckley asked is the objective of the Town was to rent the Hall every weekend? Ference replied that the objective is to have the hall hold low impact events but not to rent it every weekend. Buckley stated that he did not feel that the citizens who are impacted have any redress. Who do they call if there's a problem? The Council noted that Arnold had mentioned a willingness to act as a monitor for the citizens. ken noted Arnold was the contact the last time he had a problem to report, but when Buckley called Arnold was not home.

Chesley stated that the County would fill the building if they ran it. The Town is trying to run it in a manner that causes minimal impact on the neighbors. Classes, Cotillions, etc.... This is a learning experience for the Town. The Town is trying to do the best it can.

Buckley noted that he is asking for accountability. Why are we still allowing beer and alcohol? Remove the alcohol and you remove a lot of the base group of people who would not be desirable. He asked if the Town would allow people to zone commercially if the use of the building caused degradation of the local residences?

McNamara asked if Ference would be responsible for maintenance of the building? Ference noted that she would be willing to handle the maintenance and procurement contracts. She would work through Barton to get these done. She recommended that separate accounts for this facility be set up. The Council noted that this was not necessary since the Town accounts for this building as a separate line item in the budget. However, these issues can be discussed latter. The Council needs to work with Ference to figure out a fee schedule that will allow her to make enough money to make this worthwhile. It will take another month or two to get a better handle on this issue.

McNamara made a motion to approve the Community/Civic Group rental request form. The Council unanimously approved with changes. Ference noted the changes to the forms as the Council listed them. The Town Attorney agreed to work with Ference on the technical wording issues.

Each of the other forms were reviewed by the Council, individual changes to each form were noted. McNamara moved that the Community/Civic Group stipulation form be approved with changes noted. Council unanimously approved. Nickum made a motion to designate Ference as the Town's agent in administering these contracts. Council unanimously approved this motion.

McNamara moved approval of the Community/Civic Group usage form. The council unanimously approved the motion.

Lastly, the Alcoholic Beverage use request form was considered. Arnold stated that it is not a good idea to have blanket approval of alcohol. A suggestion was made to double the rate for alcohol to \$200, but a decision was made to keep it at \$100. Nickum moved approval of the Alcohol form. Arnold voted nay to approval. All other members voted for approval of the form so the motion carried.

Nickum made a motion to authorize the Mayor to negotiate with the County on these forms since the County will need to approve them prior to implementation. The motion was approved unanimously by the Council.

8. Clifton Primitive Baptist Church Restoration Update - the Shops in the Clifton House and on Main Street are selling a drawing of the Baptist Church on post cards which was done

by Ellen Jones. All proceeds will go the Church Fund. All calendar proceeds gained this month will also go to the Church project in commemoration of Black History Month. The exterior of the Church is complete except for painting.

9. Transportation Issues

A. There will be a County Public Hearing on restricting tractor trailer traffic across Yates Ford Bridge.

B. The February 15 meeting of the Tri-County Western Fairfax Transportation Committee was cancelled and moved to March 1st, at 4 p.m. at the Fairfax County Government Center in Conference Room 1.

C. Chesley distributed a compendium of all possible routes for a Western Fairfax county Bypass. Chesley noted that he felt the road designated on the map as S2 is the one he recommends and will support.

10. Legal Update

A. Reward Fund - there is no update because the State has not yet responded. The Town is interested in getting the MacIntyre Reward Fund off the Town's records. There is no action required by the Town on this fund. The Town can let the money revert to the State. By State law the money would automatically revert to the State anyway.

11. Other - nothing to report.

A motion was made to move forward with the Dell Avenue issues. The Council unanimously approved the motion.

Nickum made a motion to adjourn. The Council unanimously approved the motion.

James Chesley, Mayor

Date

NOTE: VOTE FOR CHAIRMAN OF THE BOARD OF SUPERVISORS
TUESDAY, FEBRUARY 7, 1995

February 7, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

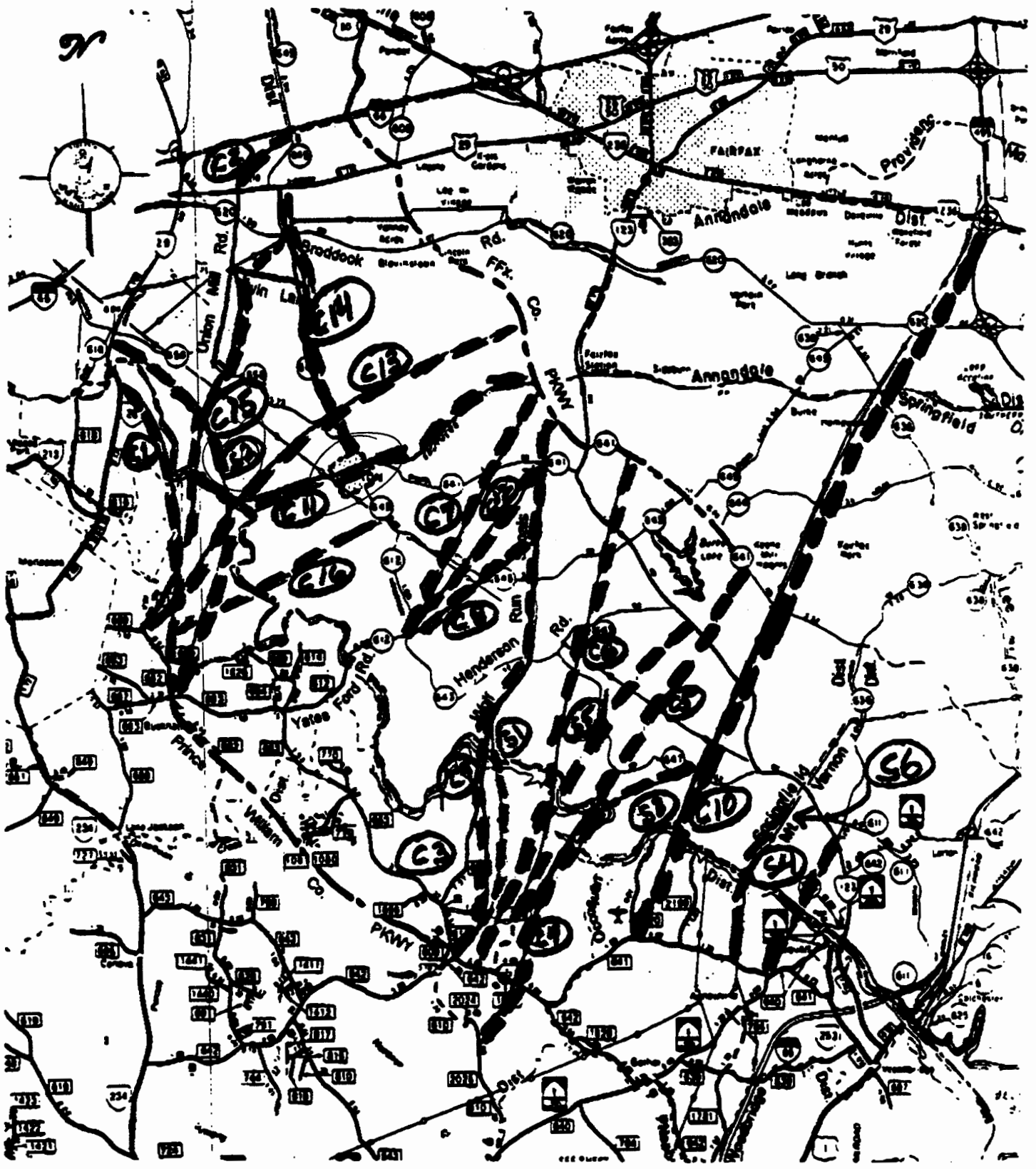
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PROPOSED

ROUTE SUGGESTION



Name REV - CIVIL ENGINEER Phone # _____
 Neighborhood _____ **PROPOSED**

Note: Electrical transmission line denoted by 

94-96

Mayor: James C. Chesley, Police/VDOT/NoSoRR

Town Council Members (6/30/96):

William Arnold, Vice Mayor/Law
 Levon Buller, Environment
 Tom McNamara, ARB/Parks
 Wayne Nickum, Finance/Museum
 William Warren, Plan. Comm.

Town Council Staff (6/30/96):

Town Attorney: David Ralston
 Treasurer: Marilyn Barton
 Recording Clerk: Lev Kubiak
 Admin. Clerk: Tom Barton

Architectural Review Board:

(ARB 5-7 members)
 James Hricko, Chrm (1/5/96)
 Helen Buller (1/5/96)
 Royce Jarrendt (1/5/96)
 Ginny Keen (1/5/96)
 Tom McNamara (6/30/96)
 Donna Netschert (1/5/96)
 Suzanne Rehder (1/5/94)

Planning Commission:

Kathy Baber, Chrm (6/30/96)
 Mike Booth, Secy (6/30/96)
 Karen Arnold (12/7/97) *tb*
 Jim Hricko (6/30/96)
 Richard King (6/30/96)
 William Warren (6/30/96)

Board of Zoning Appeals:

(BZA 5-7 members)
 Brant Baber, Chrm (2/28/98)
 Tom Barton (2/28/96)
 Harriet Chesley (2/28/97)
 Diane Dygve (2/28/95)
 Steve Effros (4/3/95)
 Chris Rehder (4/13/99)
 Suzi Worsham (5/19/97)

Parks & Grounds Committee:

Donna Netschert, Chrm
 K. Arnold J. Botts
 L. Effros B. Holloway
 D. Holmes J. Hricko
 G. Keen B. King
 P. Layden P. Lovett
 J. Netschert D. Nickum
 W. Nickum C. Rehder
 S. Rehder T. Simpson
 P. Wallace S. & T. Worsham

Clifton Area Park Rep.: Wayne NickumFloodplain Comm.: Brant Baber, L. Buller, J. Chesley, W. WarrenTown Hall Comm.: Jim Chesley, A. RicciSewer Treatment Plant Comm.: Mac Arnold, B. Baber, J. Hricko, R. King, W. Warren, B. WorshamMuseum Comm.: Wayne NickumCommunity Dev. Block Grant Rep.: Lev BullerNo. Va. Tobacco Tax Bd. Rep.: Tom McNamaraPrimitive Baptist Church Comm.: Rick Peterson, J. ChesleyCommunity Hall Res. Comm.: Brenda Ference, T. McNamara

TOWN OF CLIFTON

2-1-95

POSITION	NAME	PHONE
MAYOR	Jim Chesley	830-2129 (HM) 301-227-1709 (WK)
ASST. MAYOR	Mac Arnold	830-3038 703-385-9060
COUNCIL MBR.	Lev Buller	830-3392 202-606-4870
COUNCIL MBR.	Tom McNamara	631-2060 830-0038
COUNCIL MBR.	Wayne Nickum	830-1430 202-874-0179
COUNCIL MBR.	Bill Warren	830-1644 703-893-6120
TOWN ATTORNEY	Dave Ralston	266-1739 202-342-3342
TOWN CLERK (Admin.)	Tom Barton	830-8075
TOWN CLERK (Recording)	Lev Kubiak	802-1240 202-634-5264
TREASURER	Marilyn Barton	830-8075
HD. OF BZA	Brant Baber	631-1632 703-591-2323
BZA SEC.		
HD. OF PLANNING COMM.	Kathy Baber	631-1632
PLANNING COMM. SEC.	Mike Booth	631-0908 703-802-8300 x4401
HD. OF ARB	Jim Hricko	830-5458 830-8032
ARB SEC.		

Clifton Town Council Meeting
Clifton Town Hall
March 7, 1995
7:30 p.m.

The March 7th Clifton Town Council meeting was called to order at 7:30 p.m. All members of the Town Council were in attendance, as was the Town Attorney, the Treasurer, and the Recording Clerk. The business of the Town was handled in the following order.

1. The February Minutes were unanimously approved.
2. Treasurer's Report

Barton reported that the Town has 12,945.21 in its savings account, and \$3,264.32 in its CD, for a total of \$16,209.53. Barton reported that she has billed \$13,521.20 in BPOs and has received \$2,692.44, for an outstanding balance of \$10,828.76 yet to be collected. The balance is due by March 15th. Fifteen people have not yet filed their BPO return. She will send these individuals a reminder notice.

3. Planning Commission

A. PC received an applications from Mr. Turner for office space in the Clifton House. PC recommended approval of this application with appropriate changes noted. Nickum moved approval with a provision for the mentioned changes. Motion was unanimously approved by the Council.

B. The CBLAD ordinance was received from the State and is in the hands of the PC. PC recommended a public hearing be held to review the ordinance. Nickum moved approval of the recommendation and that the public hearing be held next month at 7:00 pm, prior to the monthly Town Council meeting. The public hearing will include other issues as well as the ordinance. This motion was unanimously approved by the Council. Baber asked if she should provide copies of the ordinance? The Council asked her to give copies to the Town Administrative Clerk, Tom Barton, who will make them available to interested parties. Council will make sure that the public hearing is properly advertised.

4. ARB

A. Cross application for a sign was unanimously approved with Hricko abstaining.

B. Donna and Jamie Netschert applied for approval to install new windows on their screened in porch. This application was unanimously approved with Netschert abstaining from the vote.

C. Town Parks Committee submitted an amendment to a previous application to change the wording of the signs located in the Clifton Park. Warren will take the signs to his contact that does the signs. Warren noted that this individual makes the signs for

approximately \$75 per sign.

5. Committee Reports

A. Community Hall - The Porch was repaired. The heating bill for the period from January 3rd to February 3 was \$1,503.17. Chesley noted that this was the cost under the residential rate, and that this is an actual meter reading not an estimate. Chesley noted that the Town is not out of the woods yet concerning the heating/air conditioning of this new building and the Town must continue to examine alternative uses for the building.

Chesley noted that the Clifton Clatter had an article titled "Page from History" that noted that the Old Fire House was historically a Town social gathering place and that he thinks that the Town is on the right track in pursuing various types of low impact use for the building.

Warren asked where the Town stood with Ference? Chesley noted that she is currently working with Ralston on Hall use issues and that she is currently working under the six month trial agreement she has with the Town. Chesley noted that he is looking into a lock box for the Hall in which a spare key could be dropped off in.

B. BZA Appointment - Steve Effros stated that he would like to be reappointed. Chesley made a motion recommending Effros' reappointment to the BZA. The motion was unanimously approved. The Circuit Court Judge will reappoint him to the BZA.

6. Corrective Action Plan for the Clifton Store Site

A date has not yet been set for the cleanup because they have not gotten the necessary forms until March 2, 1995. Now that the forms are in hand the cleanup will be scheduled soon.

7. Transportation Issues

A. Arnold reported that the Transportation meeting was informative but that nothing has been decided yet. There is discussion about expanding the scope of the study to increase its boundaries. The study will not be out by January or February as originally expected. The study will include the most recent information available. Funding for the study is still in question but the board decided that all twenty-three alternatives submitted will be studied. The group is working on setting up parameters for the study. Arnold stated that it is amazing that Clifton has been able to get the attention of Fairfax County and the Prince William County Board of Supervisors. Arnold noted that Chesley deserves the credit for focusing the attention of these governing bodies on the Town.

B. On February 20th, the Fairfax County Board of Supervisors passes a resolution which asks VDOT to restrict large through truck traffic in the Clifton Area. The governing bodies of both Fairfax County and Prince William County have asked VDOT

that Yates Ford Road and Henderson Road be restricted to through truck traffic on those roads. Chesley expects the resolution to be approved in the April/May time frame. When the Fairfax County Parkway opens in the late summer it will provide an alternate route for these trucks. The resolution does not restrict traffic on Clifton Road but this action would probably deter traffic on Clifton Road as well. Chesley noted that 8 % of traffic on Yates Ford Road Bridge is made up of three axle trucks, the majority of which travel during the rush hour period.

Chesley spent time with the new Fair Oaks Police Captain Blackwell and discussed the problems facing the Town and specifically discussed traffic concerns.

C. Traffic Signs - Barton called about having larger signs installed at the new stop sign locations. VDOT came out and changed the signs but installed signs of the same size. The signs were changed because of the graffiti on them. The orange flags to heighten awareness of the signs were not put back up. The sign on Dell Avenue was knocked over by a snow plow.

8. Litter Clean-up - The Town received complaints that Clifton Road has a lot of trash on it. Weichert Realty has adopted Clifton Road through the Adopt-A-Road program. Through this program a group agrees to clean the road side of a designated road four times a year. Weichert is going to clean-up Clifton Road from Braddock Road to the Town of Clifton on March 25 (April 1st if it rains on the 25th). Chesley asked that any interested volunteers from the Town join him to start in the Town and clean the road-side toward Braddock. He asked for help on this project.

Chesley will contact all Builders in the Clifton area informing them that they should remove their builders signs in the area. Chesley plans to collect the signs and give them to Captain Blackwell. Captain Blackwell will contact the builders to inform them that placing signs on the roadside is a violation and that the signs will be removed.

9. Gypsy Moths - Chesley noted that a map was placed in the back of the Town Hall showing area residents where the Gypsy moth problem is expected this year. The Clifton area will be sprayed at the end of the April. Chesley noted that there is a high incidence of gypsy moths in the area and that there is only a three week window in which the moths can be effectively sprayed. During that period, workers will be out spraying the area.

10. Other

A. Ference has not been able to work out all the rental agreement issues with Ralston yet. She reported that she expected to bring in about \$650 for March from renting the Town Hall. She deposited two checks in February, but noted that February was a weak month. She would like to have a soda vending machine placed in the Hall. She said the sales would be minute but would be somewhat profitable. She will research this issue and noted that there used to be a machine outside the Fire Hall. She pointed out that she did not yet have much scheduled for April or May.

B. Warren noted that he saw an advertisement that VDOT has a Public Affairs office that puts out a State map of scenic highways and byways. He called the office and talked to them about it. The office was not aware that Clifton Road was designated a scenic road, but if the Town sent her some information confirming its designation, she would make sure that it was put on the map.

C. Nickum noted that property taxes were raised. The assessment seems to have increased \$9,000 per property. Nickum asked if the Town could get the County to send over an assessor to figure out how the County came to this figure. Warren will call and see if they will come to a meeting to explain the increase.

11. Legal Update

Ralston gave a rewrite of the rental agreements to Ference. Ference stated that she will have everything ready for the Council's review at next month's meeting. Payments will be spelled out and hours on the use form will be the same for everyone. The Council asked Ference some questions about the agreements and the terms. Arnold expressed a concern about going until 11 during the week, and is concerned with parking limits versus the building's capacity limits. Council discussed the Blue and Gold dinner that was held last month. Parking was not a problem at that event even though approximately 160 people attended. The Council discussed the agreements and the limitations could be placed on use of the Hall to limit impact on the community.

Nickum made a motion to enter into executive session. Motion was unanimously approved.

Arnold made a motion certifying that only matters that were to be discussed in the executive session were discussed by the Council and the Town Attorney during the executive session. Motion was unanimously approved by the Council.

The Council briefly discussed the Reward Fund. All authorized signatories to the Fund are deceased. Chesley will call the bank to get more information on the fund and the Town's options.

Arnold moved that the Town Attorney pursue collection of the \$2,500 fine against O'Donnell. Motion was unanimously approved.

With the business of the Town concluded, Nickum made a motion to adjourn. The Council unanimously approved the motion.

James Chesley, Mayor

Date

March 7, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|--|----------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. CBLAD | Buller |
| b. Application - Turner | McNamara |
| | Nickum |
| | Warren |
| | Barton |
| 3. ARB | Barton |
| | Kubiak |
| 4. Committee Reports | Ralston |
| a. Community Hall | |
| -Porch Repairs | |
| -Management | |
| b. Town Sewer | |
| - Application - Dell Avenue | |
| 5. BZA Reappointment | |
| 6. Corrective Action Plan - Clifton Store Site | |
| 7. Transportation Issues | |
| 8. Litter Clean Up - March 25/April 1 | |
| 9. Legal Update | |
| 10. Gypsy Moth Alert | |
| 11. Other | |

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accommodation or auxiliary aid, please call Jim Chesley at 830-2129. A request should be made five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Posted, Post Office and Store

Please run on Tuesday, March 21 and Tuesday, March 28, 1995.

PUBLIC HEARING
TOWN OF CLIFTON
APRIL 4, 1994

Notice is hereby given that the Clifton Town Council will hold a Public Hearing on Tuesday, April 4, 1995 at 7:00 P.M. at the Clifton Town Meeting Hall, 12641 Chapel Road, Clifton, Va. 22024 to consider amendments to the Town Zoning Ordinance re: The Historic Overlay District - Powers and duties of the Architectural Review Board (ARB), Prohibitions, and, Appeal of ARB decisions to the Town Council. The Town Council will also hold a Public Hearing on the Chesapeake Bay Preservation Ordinance. Copies are available from the Town Clerk by calling 830-8075. Copies will also be available at the Public Hearing. All interested parties are invited to attend to express their views with respect to the proposed project. Town residents are strongly urged to attend. The April Town Council meeting will immediately follow.

By order of the Town Council, Clifton, VA.

Thomas Barton, Town Clerk

Billing should be forwarded to: Town of Clifton
P.O. Box 309
ATTN: Treasurer
Clifton, VA 22024

Clifton Town Council Meeting
Clifton Town Hall
April 4, 1995
7:30 p.m.

The April 4th Clifton Town Council meeting was called to order at 8:10 p.m. All members of the Town Council except Warren were in attendance, as was the Recording Clerk. The business of the Town was handled in the following order.

1. The Pledge of Allegiance was recited.
2. The March minutes were unanimously approved pending changes.
3. Letters to the Town

A. Kathy Kalinowski wrote about her concern of placement of the dumpster on Ford Lane at the Service Masters business location. The Council discussed the dumpster and its location and use. The size of the dumpster may require a use permit for the dumpster. ARB approval may also be required. The business' use agreement does not allow for a dumpster without approval. The ARB will find the original use permit to see if a dumpster was in that permit. The dumpster may be being relocated to a different location on the site. The Council will write them a letter to see what their intentions are and where they plan to move the dumpster. The Council could request that Service Masters produce a copy of the use permit or ask them to come to the Town for a new use permit. Chesley and MacNamara will meet with Service Masters.

B. On March 23rd Chesley received a letter from the Clifton Community Women's Club. The letter asked that they be allowed to place an advertisement banner across Main Street from April 26th to May 19th. The banner would advertise the May 18th Home's tour. Nickum made a motion to approve the placement of the banner. The Council unanimously agreed.

C. Clifton Lions Club requested approval to place a banner across Main Street and a small sandwich board sign at the railroad tracks to advertise their annual breakfast. The banner would be up from April 7th to April 23rd. Nickum made a motion to approve the banner. The Council unanimously agreed.

4. Treasurer's Report

Barton was not in attendance so no Treasurer's report was given. Committees should give their budget changes to Barton no later than the May meeting.

5. Planning Commission

- A. CBLAD The Council decided to consider the CBLAD ordinance at the next Council meeting. The CBLAD committee will reformat the ordinance in light of other ordinances in Clifton. Any suggestions the Council may have should be forwarded in writing to the committee by the third Monday of April.
 - B. There were no applications this month.
6. ARB
- A. Rebecca and Patrick Cline applied to build an addition to the back of their house. The application was approved by the ARB.
7. Committee Reports
- A. Chesley put together the Town Council calendar for the year. He and the Council noted dates that were important to the Town and to the Council. Chesley will use the calendar to help plan the Town Council meetings.
 - B. Community Hall - nothing to report.
 - C. Town Sewer - The committee has not met yet. They will meet prior to next month's Council meeting.
8. FY96 Town Budget Submissions - no submissions yet.
9. Corrective Action - Clifton Store Site - The corrective action is done. The Clifton Store received its reimbursement check from the cleanup company.
10. Transportation Issues
- A. Chesley reported that there are a lot of transportation meetings this month. Chesley goes to Richmond to testify on transportation in the area on April 20th. Please supply him with any pictures of tractor trailer traffic or accidents prior to that date.
 - B. Commonwealth Transportation Board - This will be our last chance to get tractor trailers off area roads.
11. Other
- A. Chesley and Warren have a meeting scheduled with Mark Nickum of the County Assessment Board to discuss the \$9,000 residential increase that area residents received this year. The County may reassess the residential increase which may positively or negatively impact the rate that the residents were assessed.
 - B. Chesley thanked the Town for its participation in the cleanup. The volunteers picked up over 135 bags of trash. Chesley stated that even though the trash day is over,

residents should not be afraid to continue to keep the area clean.

C. Real Estate Signs - Chesley received a call from an individual whose job it is to put up builders signs. Chesley noted that builders can get a permit to erect five off-site signs up. Chesley plans to meet with the caller in the County's office to discuss the sign placement.

D. There was a barn fire at the CBA barn. Four kids were caught in the area at the time of the fire. They said that they were trying to put the fire out. Chesley asked that residents keep an eye out for these types of activities.

E. Rats - Nickum reported rats living in the old Knepper house on Main Street. There have been a few sightings of rats in/around that house. Animal Control and the Health Department have been out and are trying to do something. Residents are advised of the problem and should take appropriate action. Buller will check with the Vector Control Department to see if they have pamphlets on the subject and to see if they will come speak to at the next meeting.

F. Trash - Trash is not being picked up on time. The can near the basketball court is a problem. Chesley will call to remind the trash service. Nickum may have to buy new cans with lids.

G. Parks and Grounds Committee - A submission by the grass cutters for the 95 season was made. It is an estimate of \$3,500. Chesley asked if the Town wanted to advertise the job, or do we want to use the people who did the job last year? According to Netschert, this estimate uses the same cost structure as last year. The Council decided to use the same individual as last year since no advertising is required.

With the business of the Town concluded, Nickum made a motion to adjourn. The Council unanimously approved the motion.

James Chesley, Mayor

Date

April 4, 1995, 7:00 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

PUBLIC HEARING

1. Amendments to Town Zoning Ordinance
2. Chesapeake Bay Preservation Ordinance

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|--|--|
| <ol style="list-style-type: none">1. Treasurers Report2. Planning Commission<ol style="list-style-type: none">a. CBLADb. Application3. ARB4. Committee Reports<ol style="list-style-type: none">a. Community Hallb. Town Sewer
- Application - Dell Avenue5. FY96 Town Budget Submissions - Committee Chairs & Council Members6. Corrective Action - Clifton Store Site7. Transportation Issues8. Other | <p>Chesley ✓
Arnold ✓
Buller ✓
McNamara ✓
Nickum ✓
Warren
Barton
Barton
Kubiak ✓
Ralston</p> |
|--|--|

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Posted, Post Office and Store

AMERICAN LAWN BROTHERS
2407 Rosedown Drive
Roseton, VA 22691-1619
(703) 729-2269

1995 Season Proposal

March 26, 1995

JOB: Town of Clifton
P.O. Box 309
Clifton, Virginia 22024

Description of Service

As requested, American Lawn Brothers (ALB) will mow, trim, grounds clean-up, etc. for the town of Clifton (every 7-10 days depending on the weather and grass conditions) beginning in April 1995 and ending in November 1995. Clifton will receive an invoice on the first of each month for the previous month's work. Payment terms are net 10 days. All accounts over 20 days past due will receive a 10% late charge and accrue 1.5% interest monthly.

ALB's work is of the highest quality as affirmed by our many referrals. These can be provided upon request. To maintain the health of the lawn, we sharpen our blades daily and mow at the height appropriate to the season. In order to maintain a consistent schedule despite uncontrollable weather conditions, we try to operate only four days a week during the rainy season, therefore making an allowance for three rain days.

Additionally, ALB is fully licensed and insured. A certificate of insurance will be provided upon request. Our services are prompt and dependable, as you have witnessed over the past three seasons. Last year, Clifton was mowed consistently on Friday with only a few exceptions due to weather. ALB has nine years of landscape maintenance experience and a variety of quality services. For example, Fertilizing, mulching, bushhogging, etc. Lastly, ALB will work around your calendar so that for weddings and Clifton Day, the grounds will be looking their best for these special occasions.

Prices

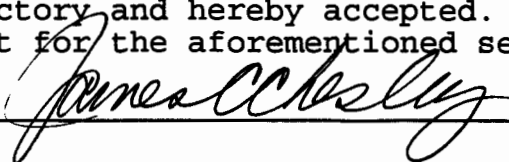
No price increase from last year! The approximate annual cost of maintaining Clifton is \$3,500.00. Broken down as follows:

Park	\$50.00 per visit
Buckley trail	\$25.00 per visit
Triangle Median	\$20.00 per visit
Town Hall	\$25.00 per visit
Adjacent lot	\$20.00 per visit

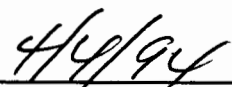
Any work requested to be performed not included this proposal will be executed upon request and become an extra charge. This proposal is valid for a period of thirty days unless signed into contract.

Acceptance of Proposal: The Prices and conditions are satisfactory and hereby accepted. We are interested in signing a contract for the aforementioned services.

Signature



Date



Please run on Tuesday, March 21 and Tuesday, March 28, 1995.

PUBLIC HEARING
TOWN OF CLIFTON
APRIL 4, 1994

Notice is hereby given that the Clifton Town Council will hold a Public Hearing on Tuesday, April 4, 1995 at 7:00 P.M. at the Clifton Town Meeting Hall, 12641 Chapel Road, Clifton, Va. 22024 to consider amendments to the Town Zoning Ordinance re: The Historic Overlay District - Powers and duties of the Architectural Review Board (ARB), Prohibitions, and, Appeal of ARB decisions to the Town Council. The Town Council will also hold a Public Hearing on the Chesapeake Bay Preservation Ordinance. Copies are available from the Town Clerk by calling 830-8075. Copies will also be available at the Public Hearing. All interested parties are invited to attend to express their views with respect to the proposed project. Town residents are strongly urged to attend. The April Town Council meeting will immediately follow.

By order of the Town Council, Clifton, VA.

Thomas Barton, Town Clerk

Billing should be forwarded to: Town of Clifton
P.O. Box 309
ATTN: Treasurer
Clifton, VA 22024

Clifton Joint Public Hearing
April 4, 1995
7:00 pm
Clifton Town Hall

PART I

Chesapeake Bay Preservation Ordinance

The first part of the hearing was used to discuss the CBLAD ordinance the Town is planning to implement. Shawn Smith and David Bulava from CBLAD were in attendance, to provide clarification and discussion. The committee noted that the Town does not yet have any idea how it will implement the ordinance yet. The Town will take the implementation one step at a time with the help of the County and CBLAD. Karen Arnold was also in attendance to answer any questions. She is no longer on the Planning Commission but has expert knowledge on many of the issues.

The committee stated that the ordinance will exclude minor buildings (like sheds) but will affect major land disturbances. The Town intends to treat the new ordinance as part of the zoning ordinance.

Summary (see attached map)

The Ordinance prevents or reduces pollution from non-point sources (street runoff, pesticides, etc...). The State developed guidelines/designations that localities are required to implement. Areas around streams are most closely restricted (RPAs - Resource Protection Areas (see shaded areas on map)). Development cannot occur within 100 feet of either side of a stream. Existing historical buildings within that area can be refurbished but additions such as driveways, shelters, etc..., cannot be erected. The rest of the area in Town is designated as a Resource Management Area (RMA - non shaded area on map). No major construction (i.e., land disturbance of a 2500 square foot area or greater) can be done without having additional controls imposed by the ordinance. In this case the builder must devise ways to reduce runoff and figure out ways to filter pollution. The ordinance outlines steps that must be taken when a development is being done which will disturb more than 2500 sq. ft. area. Erosion and sediment controls also come into play.

The attached map is a general guide only. The language of the ordinance is the controlling element. CBLAD can assist in reviewing site plans from engineers to help the Town make decisions concerning impact of the land disturbance.

There was a January 1, 1995, deadline for localities to implement the regulations. However, no localities have yet met these requirements. The ordinance would have no impact on residential gardens. The intent is to protect water quality. The ordinance contains an allowance for public projects in the RPA but not in RMA. Utilities are regulated by the language of the ordinance. The ordinance will apply to all applications submitted after the ordinance is adopted.

Part II

Amendments to Town Zoning Ordinance

Current verbiage of the ordinance is attached.

Nickum noted the following proposed changes.

- Pg 3-11, K & L. Change 30 to 45 days.
- Pg 3-11, K Change from 30 to 45 days (this gives the Council time to hear the application at the Council meeting following the ARB meeting.
- PG 9-23, C Change gives the Chair of the ARB the authority to exempt from review of the ARB any minor exterior alterations which are deemed by the Chair of the ARB not to have a permanent effect upon the historical district.
- Pg 9-23, E(6) Change gives authority to the ARB to develop guidelines as required by the business of the ARB.

There were no questions or comments on these four proposed changes.

The Public Hearing was concluded at 8:08 pm.

TOWN OF CLIFTON
CHESAPEAKE BAY PRESERVATION ORDINANCE
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TOWN OF CLIFTON
CHESAPEAKE BAY PRESERVATION ORDINANCE

Submitted to:

Town Council
by
Planning Commission

**TOWN OF CLIFTON
CHESAPEAKE BAY PRESERVATION ORDINANCE**

13-1 Title.

This Ordinance (hereinafter "the Ordinance") shall be known and may be cited as the Town of Clifton Chesapeake Bay Preservation Ordinance.

13-2 Findings of Fact.

The Chesapeake Bay is one of the most important and productive estuaries in the world, providing substantial economic and social benefits to the people of the Town of Clifton and the Commonwealth of Virginia. Healthy state and local economies are integrally related to and dependent upon the health of the Chesapeake Bay; therefore the general welfare of the people of the Commonwealth depends upon the health of the Bay.

Waters of the Chesapeake Bay and its tributaries have been degraded significantly by nonpoint source pollution. By contributing to nonpoint source pollution, damage to and improper development of lands hereby designated by the Town Council as Chesapeake Bay Preservation Areas (hereinafter CBPA's) threatens public safety and the general welfare. These lands need to be protected from destruction and damage in order to protect the quality of water in the Bay and consequently the quality of life in the Town of Clifton and the Commonwealth of Virginia.

13-3 Purpose.

13-3.1 The Chesapeake Bay Preservation Ordinance for the Town of Clifton is enacted to implement the requirements of the Chesapeake Bay Preservation Act (Sec.10.1-2100 et seq of the Code of Virginia) and its subsequent regulations (Chesapeake Bay Preservation Area Designation and Management Regulations (VR 173-02-01)). It is the policy of the Town of Clifton to protect the quality of water in the Chesapeake Bay and its tributaries and, to that end, to require all land uses in CBPA's and development in CBPA's to avoid or minimize damage to CBPA's in an effort to achieve the following:

- (1) protection of existing high-quality state waters and restoration of all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them;
- (2) safeguarding the clean waters of the Commonwealth from nonpoint source pollution;
- (3) prevention of any increase in nonpoint source pollution;
- (4) reduction of existing nonpoint source pollution;

- (5) promotion of water resource conservation in order to provide for the health, safety and welfare of the present and future citizens of the Town of Clifton and the Commonwealth of Virginia.

13-3.2 Goal and Intent. The goal and intent of the ordinance is to minimize potential nonpoint source pollution from stormwater runoff, minimize potential erosion and sedimentation, reduce the introduction of nutrients and toxins into state waters affecting the Chesapeake Bay, maximize rainwater infiltration while protecting groundwater, and ensure the long-term performance of the measures hereby employed.

13-4 Authority and Administration.

13-4.1 Authority. This ordinance is enacted under the authority of Section 10.1-2100 *et seq.* of the Code of Virginia (the Chesapeake Bay Preservation Act) and Section 15.1-489 of the Code of Virginia. Authority to protect water quality is also provided by Title 15.1-489, of the Code of Virginia. Section 15.1-409 states that zoning ordinances may "also include reasonable provisions, not inconsistent with applicable state water quality standards, to protect surface water and groundwater as defined in Section 621.1-44.85(8)."

13-4.2 Administration. The Planning Commission is hereby delegated the authority and power by the Town of Clifton to administer this Ordinance. The Commission shall perform these duties by assuring that all requirements set forth in this Chapter 13, "Chesapeake Bay Preservation Act Ordinance," are evaluated and duly considered by the Commission in making their recommendations to the Town Council for the approval (or disapproval) of any plans of development including Use Permits, Subdivision development and construction plats and plans or other such similar requests/applications. Commission recommendations will be pursuant not only to this Chapter, but shall also be governed by the underlying Chapters of the Town of Clifton Ordinances including: the "Zoning Ordinance" and the "Subdivision Ordinance," respectively.

13-4.3 Administration Technical Assistance. The Planning Commission may require external (i.e., consultant, engineer, and/or inspection or review agent) technical assistance in the analysis and review of Use Permit Applications and/or Subdivision plats and plans to determine compliance with the requirements of this ordinance. In such instances the Commission is granted authority by the Town Council to obtain that assistance from: (1) consultant(s), (2) licensed engineer(s), (3) review agency(ies) (i.e., Chesapeake Bay Local Assistance Department, or other), and/or (4) inspection agency(ies) and to require that the applicant be responsible for those costs incurred by the Commission. The "Subdivision Ordinance" further delineates those fees as may be required of the applicant.

13-5 Definitions.

The following words and terms used in the Ordinance have the following meanings, unless the context clearly indicates otherwise.

13-5.1 **"Best Management Practice (BMP)"** means a practice, or combination of practices, that is determined by a state or designated area-wide planning agency to be the most effective, practicable means for preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals of this Ordinance.

13-5.2 **"Buffer area"** means an area of natural or established vegetation managed to protect other components of a Resource Protection Area and state waters from significant degradation due to land disturbances.

13-5.3 **"Chesapeake Bay Preservation Area (CBPA)"** means any land designated by Town of Clifton pursuant to Section 13-8 of this Ordinance and Section 2107 of Title 10.1 of the Code of Virginia. The Chesapeake Bay Preservation Area consists of a Resource Protection Area (RPA) and a Resource Management Area (RMA).

13-5.4 **"Development"** means the construction or substantial alteration of residential, commercial, industrial, institutional, recreational, transportation, or utility facilities or structures.

13-5.5 **"Floodplain"** means all lands that would be inundated by flood water as a result of a storm event of a 100-year return interval.

13-5.6 **"Highly erodible soils"** means soils (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is defined as the product of the formula $RKLS/t$, as defined by the "Food Security Act (F.S.A.) Manual" of August 1988 in the "Field Office Technical Guide" of the U.S. Department of Agriculture Soil Conservation Service, where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.

13-5.7 **"Highly permeable soils"** means soils with a given potential to transmit water through the soil profile. Highly permeable soils are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches (permeability groups "rapid" and "very rapid") as found in the "National Soils Handbook" of July 1983 in the "Field Office Technical Guide: of the U.S. Department of Agriculture Soil Conservation Service.

13-5.8 **"Impervious cover"** means a surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to: roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

13-5.9 **"Land Disturbing Activity"** means any practice by which the existing contour/surface area of the soil totalling 2500 square feet or greater is modified. Such modification includes the removal of surface soil, the addition of soil to the existing contour of land or the relocation of surface soil from one portion

of the site to another.

13-5.10 **"Nonpoint Source Pollution"** means contamination from diffuse sources that is not regulated as point source pollution under Section 402 of the Clean Water Act.

13-5.11 **"Nontidal wetlands"** means those wetlands other than tidal wetlands that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to Sec. 404 of the federal Clean Water Act, in 33 CFR 328.3b, dated November 13, 1986.

13-5.12 **"Plan of Development"** means any process for plan review under the provisions of this Ordinance and the Subdivision Ordinance and the Zoning Ordinance designed to ensure compliance with §10.1-2109 of the Act and these regulations, prior to the issuance of a building permit.

13-5.13 **"Public road"** means a publicly-owned road designed and constructed in accordance with water quality protection criteria at least as stringent as requirements applicable to the Virginia Department of Transportation, including regulations promulgated pursuant to (i) the Erosion and Sediment Control Law (§10.1-560 et seq. of the Code of Virginia) and (ii) the Virginia Stormwater Management Act (§10.1-603 et seq. of the Code of Virginia). This definition includes those roads where the Virginia Department of Transportation exercises direct supervision over the design or construction activities, or both, and cases where secondary roads are constructed or maintained, or both, by a local government in accordance with the standards of that local government.

13-5.14 **"Redevelopment"** means the process of developing land that is or has been previously developed, to the extent that there is no net increase in the building footprint.

13-5.15 **"State waters"** means all waters on the surface or in the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction.

13-5.16 **"Substantial alteration"** means any expansion or modification of a building, or development which would result in a disturbance of land exceeding an area of 2500 square feet in the Resource Management Area only.

13-5.17 **"Tributary stream"** means any perennial stream that is so depicted on the most recent US Geological Survey 7 1/2 minute topographic quadrangle map (scale 1:24,000).

13-5.18 **"Use"** means an activity on the land other than development, including, but not limited to agriculture, horticulture, and silviculture.

13-5.19 **"Water Dependent Facility"** means a facility development of land that cannot exist outside of the Resources Protection Area.

These facilities are limited to the outfall structure of storm sewers.

13-6 Severability. If any provision herein is declared unlawful, it shall be struck from the text leaving the remaining provisions in effect.

13-7 Validity. If any of the Articles, Sections, Paragraphs, sentences, clauses or phrases of this Ordinance shall be declared unconstitutional or invalid by a valid judgment or decree of a court or competent jurisdictions, such unconstitutionality or invalidity shall not affect the validity of the Ordinance in its entirety or any of the remaining Articles, Sections, Paragraphs, sentences, clauses, and phrases.

13-8 Areas of Applicability. This ordinance shall apply to all lands in Chesapeake Bay Preservation Areas (CBPA's), which shall include lands that meet the designation criteria in this section. CBPA's are divided into Resource Protection Areas (hereinafter "RPA") and Resource Management Areas (hereinafter "RMA") that are subject to the use restrictions and regulations in this ordinance. RPA's are protected from most development because, left intact, they function to improve and protect water quality. RMA's, which include all areas in the Town of Clifton outside of RPA's, are regulated to protect both the associated RPA and water resources from degradation resulting from development and land disturbing activity.

13-8.1 RPA's. Resource Protection Areas consist of sensitive lands adjacent to or near the shoreline that have either an intrinsic water quality value due to the ecological and biological processes they perform or that are sensitive to uses or activities such that the use results in significant degradation to the quality of State Waters. In their natural condition, these lands provide for the removal, reduction, or assimilation of nonpoint source pollution entering the Bay and its tributaries. RPA's shall include land characterized by one or more of the following features:

- (1) A Nontidal Wetland connected by surface flow and contiguous to a tidal wetland or tributary stream; and
- (2) A buffer area consisting of any land within 100 feet of a feature listed in (1) above and along both sides of any tributary stream.

13-8.2 RMA's. Resource Management Areas means that component of the Chesapeake Bay Preservation Area (CBPA) comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. The RMA is generally characterized by the following land categories: floodplains, highly erodible soils, including steep slopes; highly permeable soils; and nontidal wetlands not included in the RPA.

13-9 Incorporation of CBPA Boundaries into Zoning Ordinance.

13-9.1 Incorporating RPA's and RMA's by Reference. The above

designation criteria which define the boundaries of RPA's and RMA's are incorporated by reference with this section into the Town of Clifton Ordinance including the "Zoning Ordinance" and the "Subdivision Ordinance." The Clifton CBPA Map shows the general location of CBPA's and should be considered by persons contemplating activities within the Town of Clifton prior to engaging in a regulated activity. However, this Map should be considered a planning tool. Boundaries of RPA's shall be delineated by the applicant during the plan of development process by a qualified professional and in accordance with provisions of this Ordinance.

13-9.2 RPA Boundaries Based on Rebuttable Presumption. The boundaries of RPA's are drawn based on the rebuttable presumption that the lands within those boundaries meet the designation criteria and that lands without do not. The Town Council may exercise judgement in determining site-specific boundaries based on more reliable field data developed and examined during the plan of development process.

- (1) It is the burden of the applicant to show the appropriate RPA boundaries, applying the criteria in 13-8 above, in all subdivision plats and plans, development or construction plats and plans and/or Use Permit Applications submitted for review. Where RPA boundaries on the adopted map may differ from boundaries as determined from the text of this Ordinance, the text shall govern. Such boundary locations shown on plans of development can be approved, modified or disapproved by the Town Council. The Town Council may make minor modifications to RPA boundaries on plans of development where such boundaries are irregular, as long as there is no net decrease of land in the RPA.
- (2) Any landowner or agent of the landowner may submit certification from a professional engineer, land surveyor or landscape architect certified or licensed to practice in the Commonwealth of Virginia for review and approval by the Town Council.

13-9.3 Lands Meeting Definition of CBPA Component Presumed to Exist. Lands that meet the above definition of a component of a CBPA (Sec. 13-8 of the Ordinance) but not identified on the Clifton CBPA map are presumed to exist in the Town of Clifton and are hereby designated to be within the CBPA and protected under all of the terms and provisions of this ordinance.

13-9.4 When this Ordinance Shall Govern. Whenever any provision of this Ordinance imposes a greater requirement or a higher standard than is required in any State or Federal statute or other Town of Clifton or Fairfax County ordinance or regulation, the provision of this Ordinance shall govern. Whenever any provision of any State or Federal statute or other Town of Clifton or ordinance or regulation imposes a greater requirement or a higher standard than is required by this Ordinance, the provision of such State or Federal statute or other Town of Clifton ordinance or regulation shall govern.

13-10 Allowed Development in RPA's. Development shall be allowed

in the RPA only if it is water dependent as designated in this Ordinance, constitutes redevelopment as permitted in the underlying zoning district, and is in compliance with all requirements in this Ordinance. A water quality impact assessment shall be required for any proposed development in accordance with Sec. 13-15.3 of this Ordinance.

13-11 Allowed Development in RMA's. Permitted uses, special permit uses, accessory uses, and special requirements shall be as established by the underlying zoning district, unless modified by the performance requirements set forth in Section 13-12.

13-12 General Performance Requirements for Development and Redevelopment in CBPA's. In order to attain the water quality objectives set forth in Section 13-3 (the "purpose") of this ordinance, development and redevelopment in all components of CBPA's must meet and maintain the performance criteria set forth in Sections 13-12 through 13-13.

13-12.1 When the Town Council Shall Approve a Development or Redevelopment. The Town Council shall approve a proposed development, or redevelopment only if it is found that the regulated activity is determined to be in accordance with this Ordinance and that the applicant has demonstrated to the Town Council by a preponderance of the evidence that the proposed development, or redevelopment meets or exceeds the following performance criteria:

- (1) Any land disturbing activity that exceeds an area of 2,500 square feet shall be subject to a plan of development process, including the approval of a site plan in accordance with the provisions of the Zoning Ordinance or a subdivision plat in accordance with the Subdivision Ordinance. The construction of single family dwellings, septic tanks and drainfields shall not be exempt from this requirement.
- (2) No more land shall be disturbed that is necessary to provide for the proposed use or development.
- (3) Indigenous vegetation shall be preserved to the maximum extent possible consistent with the use and development proposed;
- (4) Land development shall minimize impervious cover consistent with the use or development or redevelopment proposed.
- (5) Stormwater Quality Management Requirements:
 - (a) For any development or redevelopment, stormwater runoff shall be controlled by the use of best management practices (BMP's) that achieve the following:
 - 1 For development, the post-development nonpoint source pollution load shall be reduced by no less than fifty (50) percent compared to the nonpoint

source pollution load projected for the development without treatment.

2 For redevelopment sites, the nonpoint source pollution load shall be reduced by at least ten (10) percent. For redevelopment sites that are completely impervious, restoring a minimum of twenty (20) percent of vegetated open space shall comply with this requirement. The Town Council may waive or modify this requirement for redevelopment sites that originally incorporated water quality BMPs, provided the following provisions are satisfied:

- (i) In no case may the post-development nonpoint source pollution runoff load exceed the pre-development load;
- (ii) Runoff pollution loads must have been calculated and the BMPs selected for the expressed purpose of controlling nonpoint source pollution;
- (iii) If BMPs are structural, evidence shall be provided that facilities are in good working order and performing at the design levels of service. The Town Council may require review of both the original structural design and maintenance plans to verify this provision. A new maintenance agreement may be required to ensure compliance with this Ordinance.

3 For redevelopment, both pre- and post-development loadings shall be calculated by the same procedures. However, where the design data is available, the original post-development nonpoint source pollution loadings can be substituted for the existing development loadings.

- (b) The requirements of paragraph (a) of this Section may be waived or modified for a property if the Town Council determines that the provision of BMP's is not practical or desirable due to constraints imposed by the dimensions or location of the property.
- (6) Land upon which agricultural activities are being conducted, including but not limited to crop production, pasture, and dairy and feedlot operations, shall have a soil and water quality conservation plan. Such a plan shall be based upon the Field Office Technical Guide of the U.S. Department of Agriculture Soil Conservation Service and accomplish water quality protection consistent with the Act and these regulations. Such a plan will be approved by the local [Northern Virginia] Soil and Water Conservation District by January 1, 1995.
- (7) Development and redevelopment exceeding 2500 square feet of

disturbance must comply with a local erosion and sedimentation control ordinance which by Town of Clifton Resolution pursuant to §21-89.5 is the Fairfax County Erosion & Sediment Control Ordinance. That ordinance is administered for the Town of Clifton by Fairfax County.

- (8) Onsite sewage treatment systems not requiring a Virginia Pollutant Discharge Elimination System (VPDES) permit shall:

(a) have pump-out accomplished for all such systems at least once every five years; (b) for new construction, provide a reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site. Building shall be prohibited on the area of all sewage disposal sites until the structure is served by public sewer or an onsite sewage treatment system which operates under a permit issued by the State Water Control Board. All sewage disposal records shall be administered to provide adequate notice and enforcement; (c) Compliance with Chapter 68 of the Fairfax County Code shall be deemed to constitute compliance with this requirement. This requirement shall not apply to any parcel of land for which a site plan or preliminary subdivision plat was filed on or before May 21, 1973, and approved by November 20, 1976, if the Director of Health Services determines the parcel to have insufficient capacity to accommodate a reserve sewage disposal site except as may be required in the Commonwealth of Virginia Sewage Handling and Disposal Regulations.

- (9) The Town Council shall require certification on all plans of development and redevelopment that all wetlands permits required by law will be obtained prior to commencement of land disturbing activities. No land disturbing activity requiring wetlands permits shall commence until all such permits have been obtained by the applicant.

13-12.2 The Town Council shall ensure that these standards are met through the Use Permit Application review process of the Zoning Ordinance and/or through development and construction plats and plans reviewed as required by the Subdivision Ordinance for Subdivisions. Also, any development or redevelopment exceeding 2500 square feet of disturbance must be reviewed as to compliance with this ordinance, as well as with the underlying ordinances including the Zoning Ordinance and the Subdivision Ordinance.

13-13 Additional performance requirements for RPA's.

13-13.1 Roads and Driveways that are Not Exempt. Roads and driveways not exempt under this ordinance may be constructed in or across Resource Protection Areas if each of the following conditions is met:

- (1) The Town makes a finding that there are no reasonable alternatives to aligning the road or driveway in or across a Resource Protection Area;
- (2) The alignment and design of the roadway are optimized, consistent with other applicable requirements, to minimize

- (1) encroachment in the Resource Protection Area and (2) adverse effects on water quality;
- (3) The design and construction of the road or driveway satisfy all applicable criteria of this ordinance, including submission of a water quality impact assessment;
- (4) The plan for the road or driveway proposed in or across the RPA is reviewed by the Town as part of a use permit, subdivision and/or plan of development approval process.

13-13.2 When the Town Council may Permit a Water Dependent Facility. The Town Council may permit redevelopment or development of a new or expanded water-dependent facility in a RPA provided that the applicant has demonstrated by a preponderance of the evidence that the regulated activity meets or exceeds the following standards:

- (1) all performance requirements set forth in this ordinance;
- (2) the non-water dependent component of a proposed development is located outside of the RPA;
- (3) access is provided with the minimum disturbance necessary; where possible, a single point of access will be provided;
- (4) the activity does not violate requirements of the comprehensive plan;
- (5) redevelopment in a RPA shall conform to applicable stormwater management and erosion and sediment control requirements in this ordinance.

13-13.3 Buffer requirements.

- (1) To minimize the adverse effects of human activities on the other components of the RPA, state waters, and aquatic life, a buffer area that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained, if present, and established where it does not exist.
 - (a) The 100-foot buffer area adjacent to any component of the RPA and along both sides of a tributary stream shall be deemed to achieve a 75% reduction of sediments and a 40% reduction of nutrients. Except as noted in this subsection, a combination of a buffer area not less than 50 feet in width and appropriate best management practices located landward of the buffer area which collectively achieve water quality protection, pollutant removal, and water resource conservation at least the equivalent of the 100-foot buffer area may be employed in lieu of the 100-foot buffer.
- (2) In order to maintain the functional value of the buffer area, indigenous vegetation may be removed from a buffer area only to provide for reasonable sight lines, access

paths, general woodlot management, subject to the following:

- (a) Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff.
- (b) Any path shall be constructed and surfaced so as to effectively control erosion.
- (c) Dead, diseased, or dying trees or shrubbery may be removed at the discretion of the landowner, and silvicultural thinning may be conducted based upon the recommendation of a professional forester, arborist, or County extension agent.
- (d) Artificial maintenance of buffers with chemical fertilizers, herbicides and pesticides shall be avoided except after other efforts to preserve or establish vegetation in a buffer have failed.

(3) Modifications to buffer requirements.

- (a) When the application of the buffer area would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, modifications to the width of the buffer area may be allowed in accordance with the following criteria:

- i the modification shall be minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities;

- ii if possible, an area equal to the area encroaching the buffer area shall be established elsewhere on the lot or parcel in a way to maximize water quality protection;

- iii buffer shall in no case be less than fifty feet (50').

13-14 Administrative Waivers and Exemptions.

13-14.1 Nonconforming Use and Development Waivers. The Town Council may permit the continued use, but not necessarily the expansion of any structure in existence on (date of local program adoption). No change or expansion of use shall be allowed with the exception that:

- (1) The Planning Commission may grant a nonconforming use and development waiver for structures on legal nonconforming lots or parcels to provide for remodeling and alterations or additions to such nonconforming structures provided that:
 - (a) There will be no net increase in nonpoint source

pollution load;

- (b) Any development or land disturbance exceeding an area of 2,500 square feet complies with all erosion and sediment control requirements of this Article.
- (2) An application for a nonconforming use and development waiver shall be made to and upon forms furnished by the Planning Commission and shall include for the purpose of proper enforcement of this Ordinance, the following information:
- (a) Name and address of applicant and property owner;
 - (b) Legal description of the property and type of proposed use and development;
 - (c) A sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, and boundary of the Resource Protection Area;
 - (d) Location and description of any existing private water supply or sewage system.
- (3) A nonconforming use and development waiver shall become null and void twelve months from the date issued if no substantial work has commenced.

13-14.2 Public Utilities, Railroads, and Facilities Exemptions.

- (1) Construction, installation, operation, and maintenance of electric, gas, and telephone transmission lines, railroads, and public roads and their appurtenant structures in accordance with (i) regulations promulgated pursuant to the Erosion and Sediment Control Law (§ 10.1-560 et seq. of the Code of Virginia) and the Stormwater Management Act (§ 10.1-603.1 et. seq. of the Code of Virginia), (ii) an erosion and sediment control plan and a stormwater management plan approved by the Virginia Department of Conservation and Recreation, or (iii) local water quality protection criteria at least as stringent as the above state requirements will be deemed to constitute compliance with this Ordinance. The exemption of public roads is further conditioned by Section 13-13.1 of this Ordinance since Section 13-13.1 outlines the conditions for construction of public roads.
- (2) Construction, installation, and maintenance of water, sewer, stormwater structures and local gas lines shall be exempt from the criteria in this part provided that:
 - (a) to the degree possible, the location of such utilities and facilities should be outside Resource Protection Areas;
 - (b) No more land shall be disturbed than is necessary to provide for the desired utility installation;

- (c) All such construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal permits and designed and conducted in a manner that protects water quality;
- (d) Any land disturbance exceeding an area of 2,500 square feet complies with all erosion and sediment control requirements of this part.

13-14.3 Exemptions in Resource Protection Areas.

The following land disturbances in Resource Protection Areas may be exempt from the criteria of this part provided that they comply with subdivisions 1 through 4 below: (i) water wells; (ii) passive recreation facilities such as boardwalks, trails, and pathways; and (iii) historic preservation and archaeological activities.

- (1) Any required permits except those to which this exemption specifically applies, shall have been issued;
- (2) Sufficient and reasonable proof is submitted that the intended use will not deteriorate water quality;
- (3) The intended use does not conflict with nearby planned or approved uses; and
- (4) Any land disturbance exceeding an area of 2500 square feet shall comply with the erosion and sediment control requirements of the Town of Clifton.

13-14.4 Exceptions.

Exceptions of the requirements of these regulations may be granted, provided that: (i) exceptions to the criteria shall be the minimum necessary to afford relief, and (ii) reasonable and appropriate conditions upon any exception granted shall be imposed as necessary so that the purpose and intent of the Act are preserved. To that end:

- (1) A request for an exception to the requirements of this Ordinance shall be made in writing to the Planning Commission. It shall identify the impacts of the proposed exception on water quality and on lands within the RPA through the performance of a water quality impact assessment which complies with the provisions of Section 13-16 of this Ordinance.
- (2) The Planning Commission shall review the request for an exception with such conditions and safeguards as deemed necessary to further the purpose and intent of this Ordinance if the Planning Commission finds:
 - (a) Granting the exception will not confer upon the applicant any special privileges that are denied by this Ordinance to other property owners within the Town;

- (b) The exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;
 - (c) The exception request is the minimum necessary to afford relief;
 - (d) The exception request will be in harmony with the purpose and intent of the Ordinance, and not injurious to the neighborhood or otherwise detrimental to the public welfare; and
 - (e) Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.
- (3) If the Planning ^{refused} Commission cannot make the required findings or ~~refuses~~ to grant the exception, the Planning Commission shall return the request for an exception together with the water quality impact assessment and the written findings and rationale for the decision to the applicant, with a copy to the Town Council. The applicant may then apply to the Town Council for an exception.
- (4) The Town Council shall consider the water quality impact assessment and the findings and rationale of the Planning Commission in determining harmony with the intended spirit and purpose of this Ordinance.

13-15 Plan of Development Criteria, Requirements and Evaluation Procedures.

13-15.1 Application Fees, Submission of Drawings and other Information .

- (1) Application for a Plan of Development approval shall be made to the Town Clerk and the fee for such application shall be \$25.00. The original of the application and the fee for the application shall be delivered to the Town Clerk. Twelve (12) copies of the Plan of Development application and twelve (12) copies of all site drawings and other applicable information incorporating the requirements of this Ordinance shall be submitted to the Planning Commission for review at least two weeks prior to the Commission hearing date. This Plan of Development application may be filed separately or in conjunction with a use permit or subdivision application.
- (2) All information required in this section shall be certified as complete and accurate by a professional engineer.
- (3) As part of its review of an application, the Planning Commission may require a review by its chosen consultants or by the Chesapeake Bay Local Assistance Department (CBLAD) to determine compliance with this ordinance. CBLAD

comments are advisory only. Any costs incurred in the application review process will be the responsibility of the applicant/Land owner and must be paid for prior to approval of the application.

- (4) When submitting a plan for review, an applicant shall include the following information as applicable. The Planning Commission may request additional information as necessary due to the scope and nature of the proposed project.

(a) General Information:

i Date and name of project.

ii A Boundary survey of the site or site drawing showing north arrow, scale, property line measurements, and existing and proposed zoning.

iii A description of the proposed project including a description of the proposed use or uses, location, dimensions of proposed or existing structures including marine and temporary structures, and adjacent land uses.

iv Location of all building restriction lines, setbacks, easements, covenant restrictions, and rights-of-way on and adjacent to the site including off-site roads.

v Location and dimensions of all driveways, parking areas and other impervious surfaces with indication of the type of surface material.

vi Computations of total site area in acres, the amount and percent of the site to be cleared for the project, and the amount and percent to be covered by impervious surface after development.

vii Copies of all permits from applicable agencies necessary to develop the project, especially wetlands permits.

viii Existing and proposed topography and general soils information.

ix The location of all RPA features, including the 100 foot buffer.

x Specifications for the preservation of existing vegetation, re-establishment of denuded areas, and supplemental planting.

xi Location and description of all existing and proposed on-site sewage disposal systems including reserve sites, and of all existing and proposed wells.

xii Location and description of all erosion and sediment control devices.

13-15.2 Stormwater Management.

NOTE: This information shall be submitted in addition to the General Information if stormwater management is necessary as determined by the Planning Commission.

- (1) Stormwater management calculations (The Northern Virginia BMP Handbook).
- (2) A brief explanation of the selected Best Management Practices (including nonstructural practices and techniques) and how they were determined.
- (3) Location and design of planned stormwater control devices. In addition,
 - (a) For structures involving embankments:
 - i A typical cross-section through the embankment showing any necessary core, and all design elevations including any freeboard allowances;
 - ii The composition of core material.
 - iii Latitudinal and longitudinal cross-sections of any outlet structure.
 - (b) For infiltration facilities:
 - i Typical cross-sections;
 - ii Composition of trench materials.
 - iii Soil data supporting trench viability.
- (4) For detention and retention facilities, hydrologic calculations including:
 - (a) Rainfall intensities or characteristics;
 - (b) Existing and proposed drainage areas mapped (in acres);
 - (c) Runoff coefficients or runoff curve numbers;
 - (d) Times of concentration. Any overland flow over 200 feet used in computations must be documented on a map;
 - (e) Storm routings with full hydrographs for all design storm events (normally the 2- and 10-year storms).
- (5) Hydraulic calculations including:
 - (a) For any pipe or culvert structure:

- i Inlet and outlet elevations;
- ii Length and diameter or height;
- iii Manning's roughness coefficient;
- iv Verification of inlet/outlet control conditions.

(b) For any stream or channel analysis:

- i Channel bottom profile and 100' cross-sections;
- ii Manning's roughness coefficient determination for each different channel reach.

13-15.3 Water Quality Assessment Information.

NOTE: This information shall be submitted in addition to the General Information and Stormwater Management and Buffer Equivalency Information as deemed necessary by the Planning Commission.

- (1) Location and nature of the proposed encroachment into the buffer area, including justification for such encroachment.
- (2) Hydrogeology (for major impacts only):
 - (a) Disturbance or encroachment into RPA features and justification for action;
 - (b) Disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies;
 - (c) Disruptions to existing hydrology including wetlands and stream circulation patterns;
 - (d) Location of dredge material and location of dumping area for such material;
 - (e) Location of and impacts on shellfish beds, SAV, and fish spawning areas;
 - (f) Description of proposed mitigation measures for identified hydrogeological impacts.
- (3) Landscaping:
 - (a) Location and description of all existing plant material;
 - (b) Clear delineation of all existing plant material;
 - (c) Proposed mitigation measures for land disturbance.
- (4) Wastewater:

- (a) Description of wastewater disposal techniques, including calculations and locations of on-site sewage disposal systems, and techniques and standards for wastewater system and sewer line construction;
 - (b) Discussion of potential wastewater disposal impacts on water quality and proposed mitigation measures for such impacts.
- (5) Identification of existing characteristics and conditions of RPA and RMA features.

13-15.4 Evaluation Procedures.

- (1) Upon the completed review of an application, the Planning Commission will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this Ordinance and make a finding based upon the following criteria:
- (a) The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;
 - (b) Impervious surface is minimized;
 - (c) Proposed best management practices, where required, achieve the requisite reductions in pollutant loadings;
 - (d) The development, as proposed, meets the purpose and intent of this Ordinance;
 - (e) The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.
- (2) Upon the completed review of an Application, the Planning Commission will determine if the proposed development is consistent with the purpose and intent of this Ordinance and makes a finding based upon the following criteria:
- (a) Within any RPA, the development, if proposed is water-dependent; the development or redevelopment, if proposed does not increase impervious surfaces and/or is in accordance with the provisions of this Ordinance.
 - (b) The disturbance of any wetlands will be minimized;
 - (c) The development will not result in unnecessary disruption of the hydrology of the site;
 - (d) The development will not result in unnecessary degradation to aquatic vegetation or life;

- (e) The development will not result in unnecessary destruction of plant materials on site;
 - (f) Proposed erosion and sediment control measures are adequate to achieve the reductions in erosion and minimize off-site sedimentation;
 - (g) Proposed stormwater management concepts are adequate to control the stormwater runoff to achieve the required performance standard for pollution control;
 - (h) The development, as proposed, is consistent with the purpose and intent of any other Town Ordinances.
 - (i) The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.
- (3) The Planning Commission shall require additional mitigation where potential impacts have not been adequately addressed. Evaluation of mitigation measures will be made by the Planning Commission based on the criteria listed above.
- (4) The Planning Commission shall find the proposal to be inconsistent with the purpose and intent of this Ordinance when impacts created by the proposal cannot be mitigated. Evaluation of the impact will be made by the Planning Commission based on the criteria listed above.

13.16 Penalties for Violation.

The enforcement and penalties for violation shall be those set forth under Sections 9-24 and 9-25 of Article 4 of the Zoning Ordinance.

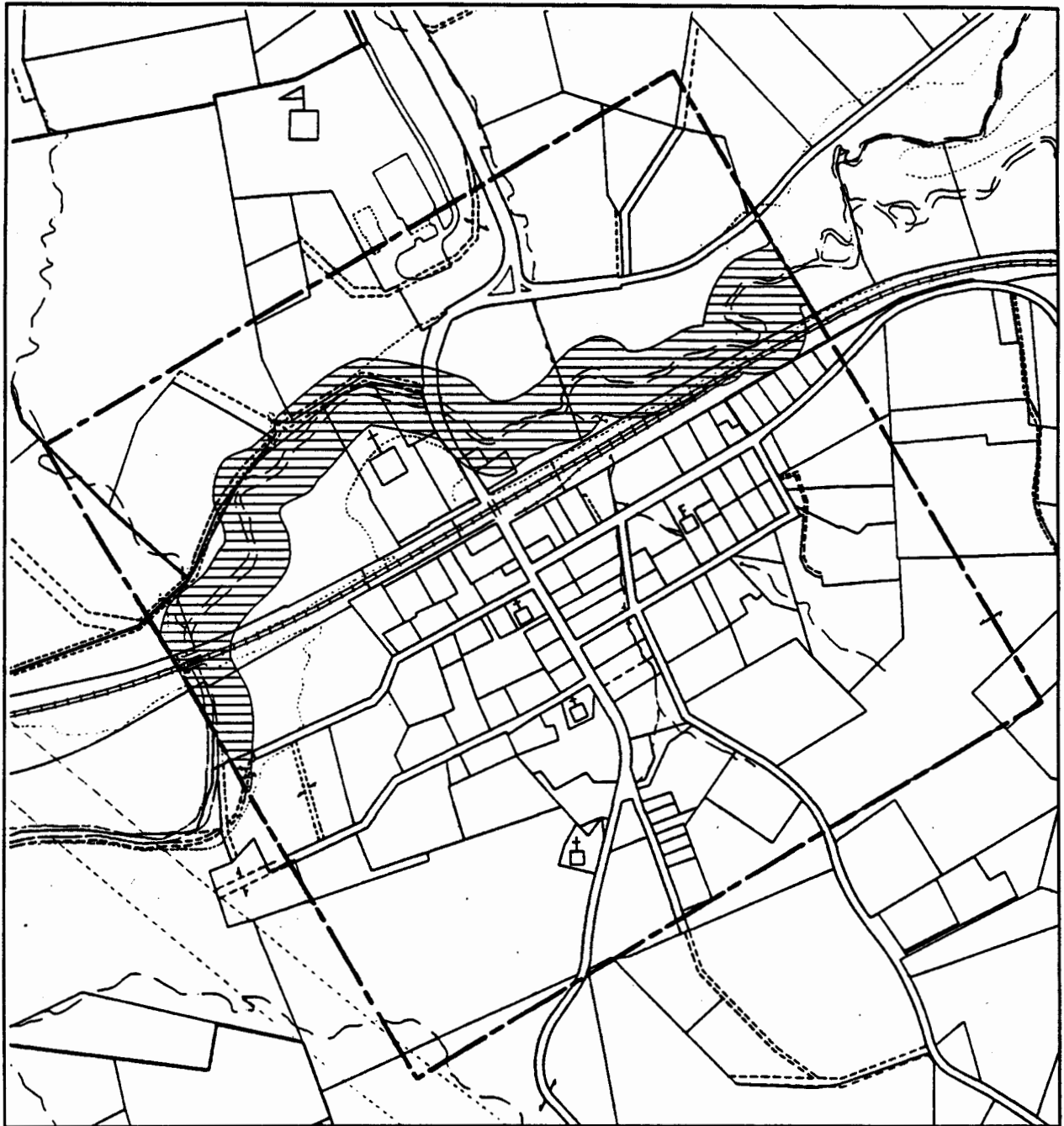


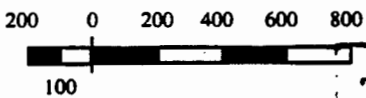


FIGURE 11
Draft Chesapeake Bay Preservation Area Map

-  **Resource Protection Area**
-  **Resource Management Area**
(applies to all areas of the Town not designated as a RPA)



Produced by the Northern Virginia
Planning District Commission for the
Town of Clifton.

November, 1993

All Resource Preservation Area delineations subject to field verification by a qualified professional as provided for by the Town of Clifton Chesapeake Bay Preservation Ordinance (Draft).

Base map: Fairfax County Zoning Map, 1991.

ONLY

6. The ARB shall keep records of their proceedings and such records shall be made available to the public upon request to the Chairman.
- e. Powers and duties of the ARB. The powers and duties of the ARB shall be as follows:
1. To hear and decide on the issuance of Certificates of Appropriateness for the erection, reconstruction, restoration, or exterior alteration of any building in the District.
 2. To hear and decide on the issuance of Certificates of Appropriateness for the demolition, razing, relocation or moving of any building in the District.
 3. To hear and decide on the issuance of Certificates of Appropriateness for signs.
 4. To formulate recommendations concerning the use of markers for historic sites and buildings.
 5. To cooperate with and enlist the assistance of the Fairfax County History Commission, the Virginia Landmarks Commission, the National Trust for Historic Preservation, and other interested parties in efforts to preserve, restore, and conserve historic, architectural and/or aesthetic landmarks, buildings, sites or areas in the Town.
- f. Application. Application for a Certificate of Appropriateness shall be filed with the Chairman of the ARB on a form designed by the Chairman. Unless waived by the ARB, the Application shall contain at least: (1) a plat plan; (2) a statement of the proposed use; (3) the name of the proposed user; (4) the name of the owner of the property; (5) a statement of the estimated time of construction; (6) design sketches showing all exterior views of the building and any site development with all materials indicated; and (7) a plan showing exterior signs, graphics and lighting to establish location, size, and type of materials. The Chairman shall have the power to request reasonable additional information. The applicant shall be required to post a notice of the application on the premises in a place clearly visible from the street and at the Clifton Post Office at least five days prior to the ARB hearing. The form of the notice shall be set forth by the Chairman of the ARB. A fee of \$10.00 shall be paid with each application filed before work on the structure has started. A fee of \$25.00 shall be paid with each application filed

the condition of the structure or part proposed for demolition and shall report its finding based on consideration of any or all of the following criteria:

1. Is the building of such architectural or historical interest that its removal would be to the detriment of the overall historic nature of the district?
 2. Is the building of such old and unusual or uncommon design, texture and material that it could not be reproduced or be reproduced only with great difficulty?
 3. Would retention of the building help preserve and protect the historic character of the district?
- i. In reviewing an application for a Certificate to move or relocate any building or structure in the Historic District, the ARB shall consider the following criteria:
1. Would the proposed relocation have a detrimental effect on the structural soundness of the building or structure?
 2. Would the proposed relocation have a detrimental effect on the historical aspects of other buildings in the Historic Overlay District?
 3. Would relocation provide new surroundings that would be harmonious with or incongruous to the historical and architectural aspects of the structure or building?
 4. Would relocation of the building help preserve and protect a historic place or area of historic interest in the Town?
- j. The ARB, on the basis of the information received from the applicant and from its general background and knowledge, and upon application of the appropriate criteria set forth in Paragraphs g, h, and i above, shall approve, approve with modifications, or disapprove the application. (Rev. 3/6/90). If the ARB disapproves the application, it shall, within three days, so notify the applicant in writing of the reasons for the disapproval.
- k. Any person aggrieved by any decision of the ARB may appeal such decision to the Town Council, provided such

appeal is filed with the Clerk to the Town Council within ten (10) days of the ARB's decision. The Town Council shall hear the appeal within thirty (30) days of the filing of the appeal. The ARB may present its reasons for its decisions at the appeal. The Town Council may affirm, reverse, or modify the decision of the ARB.

1. Any person or persons jointly or severally aggrieved by any decision of the Town Council or any officer, board or agency of the Town may appeal such decision to the Circuit Court of Fairfax County for review by filing a petition at law setting forth the alleged illegality of the action of the Town Council, provided such petition is filed within thirty (30) days after the final decision is rendered by the Town Council. The filing of said petition shall stay the decision of the Town Council pending the outcome of the appeal to the Court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to raze or demolish any building or structure in the Historic District.

- m. In addition to the right of appeal set forth in Paragraphs k and l above, the owner of a building or structure in the Historic District shall, as a matter of right, be entitled to raze or demolish such building or structure, provided that:
 1. he has applied to the ARB for such right;
 2. the owner has for the period of time set forth in the time schedule below and at a price reasonably related to its fair market value, made a bona fide offer to sell such landmark, building or structure, and the land pertaining thereto, to the Town, to any person, firm, corporation, or to any department, officer, agency, board of government of the Federal, State, or local governmental body, which gives reasonable assurance that it is willing to preserve and restore such landmark, building, or structure and the land pertaining thereto or described; and,
 3. that no bona fide contract, binding upon all parties thereto shall have been executed for the sale of any such landmark, building or structure, and the land pertaining thereto, prior to the expiration of the applicable time period set forth in the time schedule below. Any appeal which may be taken to the Court from the decision of the Town Council, whether instituted by the owner or

9-23 Historic Overlay District

e. Powers and duties of the ARB.....

Add new 1. and re-number subsequent items:

1. To develop and maintain standards and guidelines for the Historic Overlay District for the reconstruction, restoration and exterior alterations of any building and for the construction of any addition to any building and any new building.

May 2, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|--|----------|
| 1. Treasurers Report | Chesley |
| | Arnold |
| 2. Planning Commission | Buller |
| a. CBLAD - Revision with Comments | McNamara |
| b. Applications (3) | Nickum |
| | Warren |
| 3. ARB | Barton |
| | Barton |
| 4. Committee Reports | Kubiac |
| a. Community Hall | Ralston |
| b. Town Sewer | |
| - Application - Dell Avenue | |
| 5. FY96 Town Budget Submissions - Committee Chairs & Council Members | |
| 6. CBLAD - Adoption | |
| 7. Public Hearing Date - FY96 Budget | |
| 8. Zoning Ordinance Change RE: ARB changes | |
| 9. Transportation Issues | |
| 10. Other | |

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accommodation or auxiliary aid, please call Jim Chesley at 830-2129. A request should be made five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Posted, Post Office and Store

Clifton Town Council Meeting
Clifton Town Hall
May 2, 1995
7:30 p.m.

The May 2nd Clifton Town Council meeting was called to order at 7:30 p.m. All members of the Town Council were in attendance, as was the Recording Clerk. The business of the Town was handled in the following order.

1. The Pledge of Allegiance was recited.
2. The April Minutes for the Public Hearing were unanimously approved. Chesley added an additional attachment to those minutes.

The April minutes for the Town Council meeting were unanimously approved pending corrections.

3. The Council members noted additions to the agenda for the meeting.
4. Treasurer's Report

Barton was not in attendance. Chesley gave the Treasurer's report (see attached). The report was unanimously approved by the Council.

5. ARB

A. Loretta Warren filed a letter with the Council requesting that she be considered for the vacancy on the ARB. Arnold moved that she be approved for the position. The Council unanimously concurred.

6. Planning Commission

A. Revisions to the CBLAD ordinance. Kathy Baber noted that the PC still has to add some language to the revisions. She told the State that they will put the ordinance up for a vote by the Council at the June meeting. The PC will have the package to the Council prior to that meeting. There has been no citizen input thus far.

Chesley noted that there is a Chesapeake Bay training workshop in May (12,19,26: 10-12). Anyone interested in attending should see Chesley.

Nickum noted that within the Town there are properties that contain steep slope areas and properties that have no steep slope areas. Does the ordinance account for these differences, or will the costs of development be the same on all properties regardless of their makeup and the likelihood that development will cause more runoff on some properties than on others? Baber stated that the ordinance does not differentiate within the Town outside of the difference between areas designated as an RMA and those

designated RPA. It would be impossible to distinguish between areas within an area as small as the Town and that there are more factors than just steepness of slope that contribute to runoff (i.e. soil composition, etc.). She also added that additional costs to development will probably be very minimal. Hricko stated that costs associated with development of flat areas would be minimally increased, costs varying with the type of soil involved.

B. Applications

1. Rebecca and Patrick Pline, of 7203 Main Street, filed an applications to put an addition on their house. PC recommended approval of the application. The Council unanimously a approved a motion made by Nickum to approve the application.

2. Judy Wasserman filed an application to add a new use to her current permit. She would like to have Tarot Card readings and other types of readings in their shop. The PC voted against approval of the application for a number of reasons. First the PCs was concerned with the consistency of the use with the Town Plan, feeling that Tarot card readings would be inconsistent with the Town Plan. Chesley asked how many of the Members of the PC were in attendance when the vote was cast? PC reported that five of the seven members were at the last meeting and that the vote was three to two against approval. Those voting for approval of the application felt that the use was not specifically legislated against by the Town Plan and that it would constitute an additional business in the Town.

The applicant was interested in pursuing the matter further. The applicant noted that Tarot card readings are historical acceptable, having been in existence long before the Town was formed. Tarot card readings, and other types of readings, are meant for fun only. She noted that if the sign was the problem she would change the sign to meet the Town's needs. Buller asked what type of businesses the Town Plan specifically legislated against? Specifically the Plan legislates against phonographic shops, junk stores, massage parlors, and other similar businesses. McNamara asked what type of customers and the expected number of customers the new business was expected to attract? The applicant elaborated on the visitors that have visited thus far. Arnold asked what the standard in the ordinance for the historic overlay district was? The Town Plan is used to make specific determination. Arnold asked what was the basis for the decision not to approve application? The decision was based on a belief that this was not a proper use for a Town in a historic district. Wasserman noted that this was not a restaurant or tea room. Chesley asked if there was precedent for this in the Town? Nickum noted that there was a palm reader in Town in the past, but Baber noted that there is no precedent within the Town that operated under an approved use permit issued by the Town. It was noted that not all the businesses already in the Town are necessarily in line with the fact that the Town is a historic district (Service Masters and the Martial Arts classes). The applicant also noted the historical nature of the readings and the operation of other similar businesses in

the Fairfax County area outside the Town.

Arnold asked what the employee base would be? The Applicant noted that there would only be two people in the store at the same time, and that the readings would not be done all the time.

McNamara made a motion to approve the application against the recommendation of the PC. McNamara noted that the reason behind his motion was that the zoning ordinances did not prohibit this type of business and he is not convinced that a business needs to be consistent with the Town Plan. The Council voted on the motion. Warren voted against the motion and Nickum abstained from the vote because his wife's business is in the building. Chesley, Buller, McNamara, and Arnold voted for the motion. The motion passed.

3. An application was reviewed for Mark Khosravi to open an office to run his martial arts business. The PC noted that although they had no objection to the application, this application brought up a lot of questions about businesses operating out of the Town Hall. Does an owner need a permit to run a business out of the Hall? Chesley noted that the determination on this issue could be tied in with the length on time the business operates, and whether the business is non-profit. The PC also noted that the property on which the Hall sits is zoned residential not commercial. An option could be to set up a use permit for the building that would allow use of the building on a broader basis. Chesley determined that this issue needed to be discussed by a small group and that the PC should make a recommendation after considering the issues.

McNamara moved that Mark's application be approved. The Council unanimously concurred.

NOTE: CHESLEY NEEDS TO TALK TO THE MELODY HOUSE LADY (message left on 5/6/95).

D. Chesley noted that the Virginia Municipal League was forming a number of committees, and he stated that those interested in being on one of the committees should contact him prior to May 16th.

E. Chesley noted that there are still problems with this Town Hall building with paying the bills. Chesley stated that we are trying to encourage classes to help finance the bills. He noted that the one year Home Owners policy expired, and that the County recommended a maintenance plan. The County offered the Town plans that would range in price from \$900 to \$2500 a year. Warren noted that including this new cost, the Hall cost approximately \$10,800 annually.

7. Committee reports

A. Captain Hunsberger of the Fire Department/Meeting Hall complex discussed two issues before the Council.

1. Skateboarding is out of hand in the area. His Chief said that skateboarding would not be permitted on the premises. The Council will have a sign erected that says skateboarding is not allowed. Ference will take some literature to the PTA distribute it to the school. Chesley asked the Council to spread the word about the skateboarding. Chesley also noted that the Town needed to find something else for the kids to do in the area. Possibly a ball field in the flood plain and a running track. Warren had some concern that a ball field would attract a lot of outside use from non residents. Chesley and Nickum noted that the field would not be a permanent one, just some thing the kids could use. Chesley stated that if there were problems the council would deal with those then.

2. The Fire Department will put on a class for the kids/general public on general safety and fire safety. Huntsberger will work with Ference on putting the class together.

B. Signs - The Tarot card sign was approved by the ARB. The Clifton Shoppes is not taking in their sign every night as the sign ordinance calls for. Therefore, Warren took the sign to see if someone would come after it but no one has. The ARB has not yet circulated the sign ordinance to Town Merchants.

8. Zoning Ordinance Changes - ARB submitted an updated draft to the Council which incorporated comments from the April Public Hearing. The PC asked if the Council had any changes. The Council then unanimously approved a motion to approve the changes. McNamara abstained from the vote.

9. Community Reports

A. Community Hall - There are two maintenance packages, approved by Fairfax County, that the Town can consider for continued maintenance of the Town Hall. Option A costs \$2500 and is 24 hours a day and 7 days a week. Option B costs \$900 and covers only the HVAC system and includes no cost repair of any problems with the HVAC when the Town calls. However, these calls also cost an additional \$20 per hour to repair other problems. Chesley felt that the Town should go with Option B since everything in the building is new. Option A is too much money. Warren suggested that the Town solicit another bid. Chesley will look into this. Arnold will call to find out what other Community facilities do and how much of the cost they bear.

B. Sewer - Arnold reported that the Sewer committee had a meeting and that they could put forth recommendations to the Council on the Dell Ave. lots (5 & 6). Both lots are on the approved list for hook up administratively to the County Sewer system. However the County told the current owner of those lots that only one of those lots could be

connected to the Sewer line. This advice is consistent with the letter the Town wrote in 1986 concerning hookup of existing family residences to the sewer line. However each of the lots in question is separately listed on the list that would allow properties access to the sewer system, and therefore should be allowed hookup to the system. Although there is no house on Lot 6 now, it is understood that there was one at the time of assessment in 1974. According to the records it appears that the County has been taxing the lot consistent with lots (buildable) that also have access to the sewer line.

Therefore, the Town will state that it has no objection to hook up of lot 5 & 6 to the County sewer system. The Committee felt that if the lot was on the list for hookup, then it should be allowed to hook up. Nickum noted that the Town adopted a policy in the Town in 1991 that cites the list for sewer hookup as the official list for the Town's purposes. Nickum moved that the Council follow the recommendation made in 1991 to allow hookup of the property in question based on the Town's prior approval of the existing list, and in accordance with the County's memo in 1991. The council Unanimously approved the motion. Chesley will send a letter to the County's Department of Public Works concerning the Council's decision.

10. FY96 Town Budget Submissions

There will be a public hearing on the budget in June. Warren noted that the budget submission included what the projection for the FY96 period would be. Warren asked if there were any questions? The Council then discussed the line item entries and noted necessary changes. It appears that the Town may operate in the black by a couple of thousand dollars in FY96. Barton will make the changes and will present the budget at the Public hearing next month.

11. Transportation Issues

A. Arnold reported that there was a meeting on April 25th to discuss the possible new crossing of the Occoquan and that a representative from each of the districts made a presentation. All representatives had a similar message - the crossing is a good idea but not in their district. The group (consisting of over 40 members) will meet again to work on the problem. They plan to meet 6 different times about every two weeks until the issue is resolved or until it is apparent that no resolution is possible. They will discuss where the crossings should be then evaluate the alternatives.

B. Chesley noted that all of Chapel Street will be redone over a three day period. The three days will consist of one day of milling the area (digging up the first 6 inches of the surface of the road. A second day of putting down a hydraulic cement. The third day will be the laying of asphalt on top. This will be done after the 18th. The road may be closed at times, but the sewer trucks will make provisions to come during times when the road area is open. Chesley thinks that the road repair will be done correctly and noted that this may be an indication of how the County views our pump and haul future.

C. Assessment of property - Warren noted, as was determined at an earlier Council meeting, the property assessment increased exactly \$4500 for every property and another \$4500 for every affected residence within the Town. Warren meet with the County on this issue and they admitted that it appeared that there may be a mistake. The County will do a new assessment of the properties in the area during the month of May. They will issue a new determination before the bill goes out this year. County noted that it uses the sales data from the previous two year period. Warren reviewed this sales data and noted that some of the sales during that period were big sales in the commercial district. This could negatively impact the assessment this year. Warren noted that the Council will wait for the County's report.

12. Buller passed out information on rats and mice (Vector Control).

With the business of the Town concluded, Nickum made a motion to adjourn. The Council unanimously approved the motion.

James Chesley, Mayor

Date

TOWN OF CLIFTON, VIRGINIA

TREASURER'S REPORT

May 2, 1995

STATEMENT OF CASH BALANCES

Regular Checking Account:	\$1,781.74
Money Market Savings Account:	\$23,647.09
Funds for deposit:	\$998.20

TOTAL CASH BALANCE:	\$26,427.03
	=====

Treasurer's Report prepared by:

Marilyn Barton
Treasurer

7153 Main Street
Clifton, VA 22024

May 2, 1994

Clifton Town Council
Clifton, VA 22024

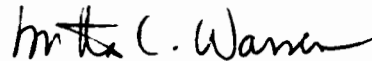
Attn: James Chesley, Mayor

Dear Jim,

I would like to volunteer to fill the vacancy on the Clifton Architectural Review Board. I have lived in Clifton since 1981, and am conscious of the need to retain the unique architectural nature of our historic community, while being responsive to the needs of the residents of Clifton.

Thank you for your consideration.

Sincerely yours,



Loretta L. Warren

cc:

James Hricko
Chairman, ARB



FAIRFAX COUNTY

DEPARTMENT OF GENERAL SERVICES
FACILITIES MANAGEMENT DIVISION
12000 Government Center Parkway, Suite 424
Fairfax, Virginia 22035-0011

V I R G I N I A

Phone: 703/324-2886

Fax: 703/324-3954

April 26, 1995

Dear Mayor Chesley:

As we discussed, Facilities Management Division can offer you two options for maintenance at the Clifton Community Building.

Option 1 Full Service

We will do all preventive maintenance service calls, and minor repairs to the building systems and structure. This includes all HVAC equipment, plumbing, electrical systems, doors, roofs, etc. It will cover all call backs, emergency calls, scheduled maintenance, supplies, and materials, both during normal business hours and on the weekend.

It does not include major repairs, renovations, painting, cleaning, landscaping, or snow removal. We can arrange for any of these services at additional cost if desired.

The cost of this service is \$2,500 per year.

Option 2 Limited Service

We will do preventive maintenance on the HVAC systems including labor, materials, and equipment. All requests for service, repairs, or weekend call back will be on an at cost basis and at the Town's request and schedule.

The cost for this service is \$900. All other work will be at our actual cost, typically \$20 per hour Monday to Friday, \$30 per hour (four hour minimum) for evenings and weekend.

We strongly recommend Option 1 since the risk falls to us to provide the service at a fixed cost and we feel we will be able to keep the building and its equipment in excellent condition.

Option 2 allows for a lower cost and potentially the use of self help to do some of the work. However, the high incidence of weekend/evening use has the potential for call backs that could drive the cost higher than Option 1.

Please feel free to contact me, if you have any questions.

Sincerely,

L. F. Spaine
Director

END

6/17
jc

PROPOSED CHANGES ZONING ORDINANCE OF THE TOWN OF CLIFTON, VIRGINIA
ARE UNDERLINED.

Sec. 9-23. HISTORIC OVERLAY DISTRICT

- c. Prohibitions. No structure shall be erected, reconstructed, restored or have the exterior altered in the District until a Certificate of Appropriateness for the work has been approved by the Architectural Review Board (ARB), following the procedures set forth below; nor shall any building in the District be demolished, razed, relocated or moved until a Certificate of Appropriateness has been approved by the ARB. However, a Certificate of Appropriateness will not be required if the structure being erected, constructed, reconstructed, restored, demolished, razed or altered does not exceed 100 square feet in size. No sign and/or fence shall be erected or modified in the District until a Certificate of Appropriateness has been approved by the ARB. Minor exterior alterations which are deemed by the Chairman of the ARB not to have permanent effects upon the character of the historic district are exempted from review for architectural compatibility by the ARB.

Sec. 9-23. HISTORIC OVERLAY DISTRICT

- e. Powers and duties of the ARB. The powers and duties of the ARB shall be as follows:
1. To hear and decide on the issuance of Certificates of Appropriateness for the erection, reconstruction, restoration, or exterior alteration of any building in the District.
 2. To hear and decide on the issuance of Certificates of Appropriateness for the demolition, razing, relocation or moving of any building in the District.
 3. To hear and decide on the issuance of Certificates of Appropriateness for signs.
 4. To formulate recommendations concerning the use of markers for historic sites and buildings.
 5. To cooperate with and enlist the assistance of the Fairfax County History Commission, the Virginia Landmarks Commission, the National Trust for Historic Preservation, and other interested parties in efforts to preserve, restore, and conserve historic, architectural and/or aesthetic landmarks, buildings, sites or areas in the Town.
 6. To adopt and maintain a set of standards, which will assist the ARB and the applicant to meet the design criteria mandated by this ordinance. Past decisions by the ARB may be viewed as precedents only in a general way; each case may differ in one or more particulars from the last.

NOTICE: CHAPEL STREET TO BE MILLED AND REPAVED - ROAD MAY BE TEMPORARILY
CLOSED - FURTHER INFORMATION AVAILABLE AT THE COUNCIL MEETING

PUBLIC HEARING - FY96 BUDGET
- WILLINGNESS TO HOLD DESIGN PUBLIC HEARING

June 6, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|--|----------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. CBLAD - Revision with Comments | Buller |
| b. Applications | McNamara |
| 3. ARB | Nickum |
| 4. Committee Reports | Warren |
| a. Community Hall - Maintenance Contract | Barton |
| 5. CBLAD - Adoption | Barton |
| 6. Transportation Issues | Kubiak |
| a. Road Ribs - Clifton Road & Kincheloe Road | Ralston |
| 7. Other | |

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accommodation or auxiliary aid, please call Jim Chesley at 830-2129. A request should be made five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Posted, Post Office and Store

PUBLIC HEARING
TOWN OF CLIFTON
JUNE 6, 1995

Notice is hereby given that the Clifton Town Council will hold a Public Hearing on Tuesday, June 6, 1995 at 7:00 P.M. at the Clifton Town Meeting Hall, 12641 Chapel Road, Clifton, Va. 22024 to consider the proposed FY96 Town Budget. This notice for Public Hearing also affirms the Town's willingness to hold a design public hearing on the Clifton Main Street Pedestrian and Bicycle Plaza and Pathways Project. Copies are available from the Town Clerk by calling 830-8075. Copies will also be available at the Public Hearing. All interested parties are invited to attend to express their views with respect to the proposed budget. Town residents are strongly urged to attend. The June Town Council meeting will immediately follow.

Hello Council members.

I'll bet you were wondering where these draft minutes were! So was Jim, so he called a and left a message on my machine. I was the only one who was it wondering, because I was sure I had already distributed them.

Sorry they are so very late. please call me anytime (up until Wednesday at 4:00 pm) with any corrections you have.

New # → (H) 703-319-1610
(W) 202-634-5264

I'm at work until 4:30 every day and have an answering machine at home.

Thanks
Lew

Town of Clifton
Public Hearing
New Town Hall
June 6, 1995, 7:10 p.m.

A public hearing was held at the new Town Hall in Clifton to discuss the FY96 budget. Marilyn Barton, the Town Treasurer reviewed the Profit and Loss statement, the balance sheet and the Town budget for FY95 and FY96. Barton stated that it appears that the Town will break even this year and are projected to do the same next year. The Council reviewed the information Barton provided at the hearing. Warren pointed out that Clifton Day does not make enough money for the Town considering the amount of work that is put into it. The Council briefly discussed the percentages that the Town receives and the fees that vendors pay to participate in the activity.

The Council opened the floor to comments from the public on the budget information provided by Barton. No comments were made by the public.

Chesley made a statement on Public Hearing notices. The State of Virginia will be working on environmental issues in Virginia. The Town of Clifton is willing to hold a public hearing if the citizens are interested in discussing these issues in an official public forum.

The public hearing was closed at 7:25 p.m.

Town of Clifton Town Council Meeting
June 6, 1995, 7:30 p.m.

Town of Clifton Town Council held it monthly town meeting. In attendance were Chesley, Arnold, McNamara, Buller, Warren, as well as Barton (Treasurer) and Kubiak (Recording Clerk). The business of the Town was handled in the following order.

1. Pledge of Allegiance was recited.
2. Changes to last month's minutes were noted.
3. Property Tax Assessment - Warren reported that the Fairfax County Property Tax assessors did a physical assessment of the properties in the Town of Clifton. However, the report of their findings had not been released at the time of this meeting, but is scheduled to be released on June 16th. Until that report is released, Fairfax County has put all assessments back at the level they were for last year's assessment. This most recent assessment was a personal, physical assessment of each property in Clifton. Early indications are that property assessments will change and that many of the larger properties may increase in assessed value.
4. Chesley noted that the milling and repaving of Chapel Street will not occur until after school is out.
5. Chesley noted that Mrs. Boyington, Mr. Buckley and the Town have agreed to put in a concrete sidewalk on the side of the street across from the Town Hall. Plans are being made now.
6. Treasurer's Report

Barton provided the statement of cash balances as of June 16, 1995 (see attached). Barton recommended that the Council consider changing the Town's account's from corporate accounts to business accounts. This transition would exempt the Town from having to pay the fees associated with a corporate account. However, the Town would have to keep at least \$2500 in that account at all times.

Barton also reviewed the Profit and Loss Statements and the Balance Sheets for FY95 and FY96. After the Council

reviewed the material Barton presented, a motion to approve was unanimously passed.

Chesley noted that the July public hearing will cover the adoption of the FY96 Town budget. That public hearing and the next Council meeting will be moved to Wednesday, July 5, 1995 due to the July 4th holiday falling on the first Tuesday.

7. Planning Commission

A. The PC received no applications.

B. CBLAD - Baber reviewed the latest revisions and comments to the ordinance. She recommended another public hearing to be held on July 5th. She distributed a table of contents at the Town meeting, which will be included in the final version of the ordinance. A few of the clauses were made slightly more restrictive in this latest version (i.e. the modification to the agriculture zoning clause). Baber explained the changes to the Council and will have complete copies ready for distribution at the hearing.

C. Chesapeake Bay Workshops - some of the workshops that were announced at last month's meeting were canceled and are being rescheduled in the fall.

D. Use Permit for the Town Hall - The PC is getting a copy of the lease to review and make recommendation to the Council on the possibility of getting a use permit for the Town hall. The PC will make recommendations at next month's Council meeting.

8. ARB

McNamara reported that the ARB met on May 5th. They discussed an application by Chris Urban for an addition to Lot #5 on Dell Ave. Hricko acted as the applicant at the meeting. McNamara noted that the ARB had some problems with the design of the addition. The Town Council reviewed the design plans and discussed the ARB's concerns. In general, the addition to the structure is very constrained by the odd property size and topography. The ARB denied the

application based on their concerns. Hricko thought the ARB was out of line in denying the owner the right to improve his property. The Council unanimously approved a motion to deny the application based on the face front garage (which was said to be out of character for the Town) and the overwhelming size of the addition. Helen Buller added that the denial of the application was based on the Department of the Interior's historic Preservation guidelines.

The ARB does not as a matter of course, give written denial letters to the applicants and is not planning to forward a written decision to the applicant.

B. Shirley Gate Road changes - Near where the temple is being built in the field off of Shirley Gate Road, there will be construction for a 46 acre golf course. Anyone who is interested in this should be aware that a plat was submitted recently for this construction project.

9. Transportation

Chesley noted that there will be no restriction on truck traffic on the Clifton area roads, but the State advised the trucking industry that these roads are not suitable for their carriers and that they advise them not to use these roads. Signs will go up within the next sixty days, which will advise truckers to these recommendations. The County will monitor Yates Ford Bridge and held a meeting on this issue in the future.

Chesley also noted that the town will get road ribs. These road ribs shake cars that are going too fast when you cross the ribs. A short set of ribs will be put in front of the triangle coming into Town. Another set will be put on Kinchelo Road and on Clifton Road beginning at the Town Lines. These ribs should be installed in the next couple of weeks. This is just another attempt to slow speeders down in the Town area.

Arnold asked is Chesley was aware that Henderson Road was being taken off the Comprehensive Plan? Chesley said he knew and that the PC had voted to take it off. Arnold thought that this action may force more traffic through Town.

10. Committee Reports

A. Community Hall

Brenda Ference gave a break down of the hall's usage for March, April and May (see attached). The total revenue was \$2370 for the three month period.

Town Hall maintenance agreement - Chesley noted that CCI Service of Virginia (a company in Richmond who services George Mason University) did an analysis of the HVAC system in the hall and said the system is working well. They did not feel that there was a need for a total nuts and bolts contract that would cover all expenses in the hall. They would charge \$780/year to come three times a year and check the system, change the filters, belts and other maintenance items. If there was an additional problem outside of those visits they would charge varying hourly rates depending on when they needed to respond to the problem. Chesley noted that the plan the County offered cost more per year but was less per hour of additional maintenance. The Council is considering the various options.

11. Other

Signs - Warren noted that the sandwich board out in front of the stores 24 hours a day. Hricko thinks the Town should be enforcing the sign ordinance which requires that these signs are taken in nightly. Chesley will contact Weikert and Warren will talk to Ms. Betty Forbes.

With the business of the Town completed, a motion to adjourn was unanimously approved.

James Chesley
Mayor

Date

NOTICE: CHAPEL STREET TO BE MILLED AND REPAVED - ROAD WILL BE TEMPORARILY
CLOSED - FURTHER INFORMATION AVAILABLE AT THE COUNCIL MEETING

PUBLIC HEARING - CHESAPEAKE BAY PRESERVATION ORDINANCE

July 5, 1995, 7:00 P.M. (WEDNESDAY)
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

1. Treasurers Report - FY96 Budget Adoption *Approved* *7/5/95 - Get copy to Wayne*
Chesley
Arnold
2. Planning Commission
a. CBPO
b. Applications
Buller
McNamara
Nickum
Warren
3. ARB
Barton
4. Committee Reports
a. Community Hall - Maintenance Contract
Kubiak
Ralston
5. CBPO - Adoption
6. Transportation Issues
7. Virginia Railway Express - Mid-day Service
7. Town Presentation - Clifton Clean-up
8. Media General Resolution
9. Other

If anyone attending the Town Council meeting needs a sign language interpreter, or any other type of special accomodation or auxiliary aid, please call Jim Chesley at 830-2129. A request should be made five (5) days in advance of the meeting to provide sufficient time to make the necessary arrangements. These services are available at no charge to the individual.

Posted, Post Office and Store

PUBLIC HEARING
TOWN OF CLIFTON
JULY 5, 1995

Notice is hereby given that the Clifton Town Council will hold a Joint Public Hearing with the Town Planning Commission on Wednesday, July 5, 1995 at 7:00 P.M. at the Clifton Town Meeting Hall, 12641 Chapel Road, Clifton, Va. 22024 to discuss adoption of the Chesapeake Bay Preservation Ordinance. Copies are available from the Town Clerk by calling 830-8075. Copies will also be available at the Public Hearing. All interested parties are invited to attend to express their views with respect to the proposed ordinance. Town residents are strongly urged to attend. The July Town Council meeting will immediately follow.

By order of the Town Council, Clifton, VA.

Thomas Barton, Town Clerk

August 1, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|---|----------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. CBPO | Buller |
| b. Applications | McNamara |
| | Nickum |
| | Warren |
| 3. ARB | Barton |
| | Barton |
| | Kubiak |
| 4. Committee Reports | Ralston |
| a. Community Hall - Maintenance Contract | |
| 5. Transportation Issues | |
| 6. Virginia Railway Express - Mid-day Service | |
| 7. Other | |

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Posted, Post Office and Store



THE TOWN OF
Clifton

P.O. BOX 167
CLIFTON, VIRGINIA 22024
ARCHITECTURAL REVIEW BOARD

25 August 1995

Clifton Business Owners:

As a result of questions regarding sign regulations in the Town of Clifton, a copy of Section 9-14 Signs, of the Town Ordinances, is being made available to all business owners for information purposes. Section 9-14 was approved by the Town Council on 2/1/94.

James Hricko
Chairman, ARB

9-14 SIGNS

a. Administration

1. No permanent sign shall be erected, altered, relocated or displayed without a Certificate of Appropriateness as issued by the Architectural Review Board (ARB). Such Certificate shall be issued when all requirements of this Article have been met and when ARB approval has been obtained. Existing approved signs, removed for repair, do not require a new Certificate of Appropriateness if the repaired sign is exactly the same as the approved original. Any business which relocates, must apply for a new Certificate of Appropriateness for the sign location or new sign design.
2. Signs existing and lawfully placed as of the date of enactment of this section of the ordinance are exempt from the provisions hereof. (Exempt sign). If an exempt sign is removed, except for repair, it shall not be erected, altered, relocated or displayed without compliance herewith.
3. A completed and properly filed application for Certificate of Appropriateness, including filing fee, shall be filed with the Chairman of the ARB on forms furnished by the ARB. Applicant shall include a drawing of the proposed sign which clearly indicates size, color, letter style, message content and a diagram indicating where on the property or building the sign will be located. Applications will be accepted only from the owner(s) or agent of the property on which the sign is to be posted.

b. Permitted Signs

1. Subdivision. One sign per principal street entrance in a subdivision shall be permitted with the sign area, color, height and style to match the existing street signs in the Town. Message content is limited to the name of the street, which shall be approved by the ARB. Such signs shall be placed, relative to the road right-of-way, to match the existing location of approved signs in Town.
2. All Districts
 - (a) Freestanding Signs. Permitted signs may be located anywhere on the premises except that they may not project beyond the property line. The top of the sign or any part of the supporting members shall not exceed six (6) feet above the ground unless otherwise approved by the ARB. Exception: Historic markers shall not exceed eight (8) feet above the ground.

- (b) Wall Signs. Permitted signs shall be affixed directly on the wall or on a bracket. If on a bracket, the sign shall not project more than eighteen (18) inches from the wall and the lowest part of the sign or bracket shall not be less than 6'-8" from the ground at the sign location.
- (c) Memorial Markers. Markers shall not exceed one (1) square foot in area and shall be level with the ground.
- (d) Sandwich Board Signs. Permitted signs shall conform to the following:
 - (1) The area of each face shall not exceed six (6) square feet.
 - (2) Sign information shall be permanently affixed and no temporary information is allowed.
 - (3) The sign may be displayed only when the business or businesses are open and shall be stored indoors or in an enclosed area out of view at all other times.
- (e) Historic Markers. Markers shall be submitted for approval for size, location, color and message content.
- (f) Size. In Residential Districts or Districts being used as Residential, no new sign shall exceed two (2) square feet in area for each property. In all other Districts, no new sign shall exceed twelve (12) square feet for each business owner, however, the ARB may require a smaller size to be in scale with adjacent signs.
- (g) Material. All permanent signs shall be made of wood.

c. Prohibited Signs

1. All off-site signs, including but not limited to, real estate signs not on the property being advertised, unless otherwise approved by the Town Council.
2. Any sign erected on public property which is owned or leased by the Town of Clifton or any other public property, other than those erected at the direction of the Town. These include but are not limited to real estate and political signs. Any such unlawfully erected sign is subject to immediate removal and disposal by the Town.
3. Any sign displayed on a stationary vehicle when said vehicle is used primarily for the purpose of and serving the function of a sign.

4. Any sign that violates any provision of any law of the Commonwealth of Virginia relating to outdoor advertising on streets and highways.
5. Any sign painted directly on a building or structure.
6. Any flashing sign.
7. Any sign consisting of illuminated tubing or strings of lights.
8. Any sign attached to living natural vegetation.

d. Signs Not Requiring ARB Approval.

1. The changing message content on approved church signs.
2. Signs erected by the Town of Clifton, the State of Virginia or Fairfax County including, but not limited to, traffic control signs signals, regulatory devices, legal announcements and directional signs.
3. National, State or local flags or other civic, charitable, educational or philanthropic groups or decorative flags without wording, which can in no way be construed as advertising and which are not otherwise prohibited by any statute or ordinance.
4. Property address numbers when affixed directly to the building.
5. Seasonal displays or decorations, not advertising a product, service or entertainment.
6. Contractors' signs, one per project, during construction or work, not to exceed four (4) square feet in total area and not posted longer than sixty (60) days. Signs posted beyond sixty (60) days require a Certificate of Appropriateness.
7. Real estate signs for the purpose of advertising the sale or lease of the premises, limited to the following:
 - (a) Each property for sale or lease shall be permitted one (1) sign, located anywhere on the property, advertising the sale or lease of said property. Property bordered by more than one road shall be permitted two (2) signs.
 - (b) All real estate signs shall include the words "SALE" or "FOR SALE" or "RENT" or "FOR RENT" or some combination of these or similar words in lettering which is clearly legible from the road.
 - (c) Size of the sign shall not exceed four (4) square feet. If freestanding, the height shall not exceed six (6) feet.

8. Political campaign signs on private property may be erected not more than sixty (60) days prior to the election. Such signs shall be removed within seven (7) days after the election.
9. Signs are permitted on the interior of one window or door per business provided that they cover no more than 20% of the glass area to which they are affixed and that the same signs are not displayed for longer than thirty (30) days. Exception: The 20% requirement may be exceeded for posting of notices such as Certificates of Appropriateness, Use Permits, Building Permits and the like.
10. Entrance and Exit signs and Open and Closed signs containing those words only, as reasonably required, to a maximum area of one (1) square foot.
11. Temporary banners or signs intended to notify the public of special events, not of a recurring nature, may be erected for no more than 45 days upon the specific, written approval of the Town. Any such banner or sign must be removed within seven (7) days following the event announced.

e. General Regulations

1. Illumination. Signs in the Commercial District may be indirectly lighted if the source of light is so shielded that it illuminates only the face of the sign.
2. Color and Design. It is the intent of this Article to encourage harmonious and unified signage in the Town. The ARB may require uniformity in sign design regardless of corporate logos or colors.
3. Termination of Sign Permits. Whenever the use of a building or premises by a business is discontinued, signs pertaining to that business shall be removed within a period of thirty (30) days following the vacation of the premises. It shall be the responsibility of the owner of the building or premises to accomplish such removal.
4. Violations. Violations shall be subject to the provisions of Article 4, Enforcement, of the Zoning Ordinance.

Town of Clifton Town Council Meeting
August 1, 1995, 7:30 p.m.

The Town of Clifton Town Council held its monthly Town meeting. In attendance were Chesley, Arnold, McNamara, Nickum, Buller, as well as Barton (Treasurer), Barton (Administrative Clerk), Ralston (Town Attorney) and Kubiak (Recording Clerk). Warren was not present at this meeting. The business of the Town was handled in the following order.

1. Pledge of Allegiance was recited.
2. Treasurer's Report - Barton gave the Statement of Cash Balances. The Town's regular checking account contains \$4,226.65, and the money market savings account contains \$19,219.33 for a total of \$23,445.98. A motion to approve the Treasurer's report was approved unanimously by the Council.
3. Letters -
 - A. Chesley received a letter formally donating a percentage of the proceeds from the sale of Clifton items at the Clifton Gallery. Chesley noted that the Town will send a thank you letter for the donation.
4. Planning Commission
 - A. The Worsham's submitted an application for an addition to their residence at 1280 Chestnut Street. The application is pending ARB approval. The PC recommended approval since the addition meets the PC's requirements. The Council decided to table the motion until the ARB renders a decision.
 - B. Application by the Urban's to restore their 7223 Dell Avenue residence. PC recommended approval with an amendment contingent upon Fairfax County's approval to hook up the residence's sewer system. Hricko is the agent for the applicant. The Council noted that they sent a letter to Mr. Jenkins, Director of the Fairfax County department responsible for sewer hook-up, stating that the Town Council recommended approval of the House sewer system. The residence is on the list of ten residences in the Town for automatic hook-up but the County is contesting the hook-up. The Council unanimously approved a motion to approve the license.
5. ARB
 - A. Fairfax County Board of Supervisors wants to raise the level of dirt by two inches and raise the level of the hatch and install a fan switch (**what hatch and fan switch?**). The County recommended continuation of the application. The ARB requested a landscape plan from the County. They received County's response on the issue. Elaine Bronson is the County representative. The tank itself (located outside of the Town) is not being raised.
 - B. ARB approved an application for a shop sign at 1264 Chapel Street.

C. The ARB denied an application for a sign for an animal clinic at 12702 Chapel Street. The application was denied because the application was incomplete and the sign was too large.

D. Royce Grant applied for a fence. The application was unanimously approved.

E. The Worshams applied for an addition to the home on Chapel Street. The ARB felt that some of the characteristic defining issues of the house were removed, therefore the application was denied..

6. Chesley asked if the PC received the application for the Melody House? This application will be discussed at next month's meeting.

7. Committee Reports

A. Maintenance Contract for the New Town Hall building was awarded to CII. They will soon assume the responsibility for the maintenance.

8. Transportation Issues

A. Chapel Street is being repaved.

B. On August 3rd at 7:30 there was a briefing on the health of the reservoir and the effect building new roads will have on the reservoir.

9. Virginia Railway Express (VRE)

VRE came to the meeting to discuss whether the Town was interested in having mid-day train service for the Town. They would construct a flagstop (including a platform built near the caboose on the same side of the tracks. It would be 200'x8'.) at Clifton. The mid-day train runs are designed to serve as a tourist train. The Council and VRE were interested in gathering public comments on the possibility of constructing this type of stop. Those comments and the responses follow:

McNarmara noted that he received letters concerning the flag stop. In those letters, both Helen Tomes and Carol Beverno expressed support for the stop.

Sandy Levin - How long will it take for the train to travel from Alexandria to Clifton?

The train leaves Alexandria at 8:30 am, 10:30 am and 1:10 pm. The train arrives in Manassas at 9:00 am, 11:30 am, and 2:00 pm. Stops in Clifton will be at 8:43 am, 10:59 am, and 1:39 pm.

The train leaves Manassas at 9:30 am, 12:10 pm and 5:15 pm. It arrives in Alexandria at 10:16 am, 1:00 pm and 5:55 pm. This train would stop in Clifton at 9:45 am, 12:25 pm and 5:29 pm.

Nickum pointed out that the 5:29 train could not service the Town until improvements were made by VRE to the track. He also stated that people could feasibly park in Town, take the train to the airport, and fly some where for a few days. In that case they might leave their cars in Town while they were gone.

Chesley noted that the Town could put up parking signs to limit this type of parking practice.

Genie Wochefky of Cottage Art noted that it seemed unlikely that a plane schedule would accommodate the train schedule. Thus these types of parking problems would be cut down. As a struggling merchant, she noted that the train stop times do not give people enough time to shop or eat.

Chesley noted that the train stop times are proposed and are not carved in stone. VRE noted that these scheduled stops were not designed with a flagstop in Clifton in mind. The times could be altered to facilitate the Town's needs.

Randy Thompson stated that, as a Town resident, the Council should distinguish between the merchants who do not live in Town and the residents. He said he was sympathetic to the needs of the merchants, but did not think people should get caught up in the romantic idea of a train stop in Clifton. He felt that the residents would probably not use the train to visit Manassas or Alexandria. However, he did feel that the train stop would open a can of worms for the Town that would impact on the Town's quality of life.

Sandy Levin stated that some commerce is necessary in the Town, and that this historic town's quality of life will be affected if there are no businesses in Town.

Bill Holoway noted that traffic is the major problem in Town. This proposed stop could increase the traffic and parking problems. The Town's goal should be to reroute traffic around the Town. He saw no benefit to this stop and suggested that a full cost/benefit analysis of the issue be done. He stated that the Council should not support this until the cost/benefit analysis issues were resolved.

Chesley noted that he also was concerned about the traffic issue and he pointed out the list of administrative controls the Town has over this process. The stop would fall under the Town's zoning ordinance, and must meet the Town's building constraints. Chesley thinks that there are enough safeguards built into the system now.

Helen Buller stated that she felt ok about a mid day train but was not in favor of a commuter train. This is a Town not a subdivision. This is not an island and the Town cannot isolate itself. She noted that Clifton is an old railroad town and it is a shame to eliminate that transportation service. The Town should want businesses to prosper because they keep the Town nice.

Jim Hricko is not opposed to people who may use the train to visit but sees potential parking and traffic problems. The Town has no additional parking. Quality of life in the Town has diminished. He would like to see some projections and data on the impact of the stop.

Karen Arnold noted she would like to see some information on VRE's estimated ridership at the Clifton Station and the possible amount of use. She feels that we need to see this type of information before the Town can consider this issue at all. Furthermore, will the Town contribute to the VRE subsidy? If not, the Town will probably not have a real say in the train's activities. If we do, where will the money come from and how much will it be? Parking - it seems likely that cars will park in the Town to make the 9:45 train. It would then be a commuter train and parking will be a big issue. She would like to see the train succeed so that congestion is reduced, but parking is then necessary. The Town has provided services to the Clifton Community (the new Hall, the fire station, etc...) but if the objective of the Town is to reduce traffic, this station is not going to help. She is also concerned with control issues. We will either have to pay for control or leave it to Fairfax County or the voters. She recommended no action tonight and that the Town get more information.

Richard King applauded the Council for asking the Town's opinion. It would be premature to move forward tonight. A 456 hearing is necessary. His mind is open to the idea. Questions like are the parking issues enforceable and will the flagstop be helpful, need to be resolved? The Town is unique and he sees pros and cons to the flag stop. The train could provide a safe way home for commuters during inclement weather. He recommended the Council turn the issue over to the PC for further investigation.

Nickum noted that he did not intend to vote tonight and that he has made no decision on this issue yet.

Carol Bevins noted that she has seen a decrease in traffic from Clifton to PWC since the PWC parkway opened. Hopefully, the Fairfax County Parkway will also have the same impact.

Chesley stated that traffic counts show traffic has possibly reduced somewhat. However, he feels that the Town's traffic load will increase due to the PWC connector.

Al Francies of Little Rocky Run asked if citizens groups would have influence on the traffic issues for cut through traffic and reduction of traffic flow. Chesley stated they would, but that the commuter station is an entirely different issue.

Mike Booth stated that his preliminary take on the station is that he is very uneasy and that he needs to review it. He recommended a 456 hearing prior to any further action. It was noted that an official railroad is exempt from a 456 hearing, but VRE is still bound by that hearing process because they are a different entity. Chesley noted that a 456 hearing is the tool by which the Town could control the plan. The Planning Commission stated that the railroad is exempt from the 456, and is not required to go through the process for a use permit. Ralston noted that VRE was required to go through the process for their stations within Fairfax County. VRE officials then noted that VRE is not considered a railroad and that they are not under the federal guidelines for the railroad. They are instead under the mass transit authority and are bound by the 456 requirement.

The Planning Commission desires more data and the 456 hearing process should be followed to look into the issue further. It was noted that track improvements would be built on railroad property and the VRE is negotiating to purchase the right of way land.

Steve Effros asked what we were doing. He has made no decision yet and can see both sides of the issue. He asked what the Council intended to vote on tonight? There are still a lot of questions remaining and the Town should stop worrying about the cars and the times until the major questions are answered. Chesley noted that this is the Town's opportunity to express support or opposition to the train stop. Effros asked if Town support was necessary? Chesley stated that it was.

Ralston noted that the railroad does not need approval to stop. The building of the facility is the part that joins the issue. The facility (the platform) is the element in the plan that requires the Town's approval. The Town could regulate the facility and govern the time and stops.

Jean asked if the Manassas Park issue is tied to the stop in Clifton? VRE answered no, Manassas already has a full service VRE stop.

Barry Schniderman asked what kind of platform would be built? VRE answered it would be 200 ft. by 8 ft. Schniderman noted that the aesthetic look of the platform is a concern, especially considering the little amount of use it will get. The platform would be located on the caboose side of the rails.

Jean noted that the Town is made charming by the restaurants and the stores.

Arnold asked if an increase of 10% of the foot traffic in Town would make a difference to Town businesses? The answer was yes.

Barry Schniderman noted that there needs to be a balance between residential and businesses in Town. Businesses should be successful but not at the expense of the resident's quality of life.

Mike Booth thought the railroad would not help the shops in Town.

Steve Effros understood that VRE needs the Town to approve the construction of the platform not the stop. If the Town said no, would the train try to continue to stop here anyway?

Chesley VRE assures the Town that they will not go forward if the Town says no.

Comments by Council Members

Warren was not present at the meeting. He asked Arnold to read his written comments at the meeting. Those comments are attached.

Arnold stated that the Town needs more information. Who will provide for the costs of the train? His main concern is how we limit use of a flagstop if the stop has adverse impact on the Town? The Town's process is not sufficient to control these issues.

How do we reverse approval if necessary? Once approval is given by the Town, what recourse do we have to control adverse impact? It sounds like a good idea but there are considerations.

McNamara stated that the train may bring more cars and more people in Town. He is very supportive of the issue. The 1984 code of ethics will prevent him from voting on this important issue. He stated that he could sense that the Council will not vote tonight. However, he thinks that it is a good opportunity and it is a shame we will pass on the issue tonight.

Nickum asked how the Town would control the parking issue. He reminded the audience that his wife has a business in Town. He feels that traffic already negatively impacts the Town. He does not feel that we can vote tonight. The train may not be the economic boon to the Town.

Buller It seems to be a business vs. resident issue and this is a shame. There is no way we can vote tonight. He is not convinced that the train will be an economic boon to the Town. Studies need to be done because there are not enough answers yet. Parking is a major problem.

Chesley stated that there is a wealth of questions that need to be answered, parking, subsidy issues, etc... What process will this take on us in the future? How will it be governed? What are the Town's controls on this issue? The biggest issues are parking and commuter traffic. 41% of the Town's income comes from businesses. Many of the Town's businesses are dying. Chesley feels that businesses within the Town are dying and need help. There is currently a good balance between commercial and residential areas. Chesley noted that the commuter rail in Town is not wanted universally by Town people.

At this point, Chesley thanked everyone for coming. He noted that we would like VRE to answer these questions by VRE.

Additional Comments

Nancy Bovington noted that the recession has affected businesses in Clifton House. Clifton House cannot be viable without some help. Clifton House cannot remain if things continue as they are. Something must happen soon.

Martha Macesso has been a tenant of the Clifton House for eight years. The business is primarily walk-in tourists that do not live in Town. The Town will lose businesses unless you give them help. The Town is getting a reputation as a non-business friendly Town.

Steve Effros noted that business everywhere are coming and going. What is happening at the Clifton House is not affected by the Town.

Bill noted that we need to look at the economic health of the Town's businesses. VRE may not be the resolution to the Town's problems, but the issue needs to be looked into.

Arnold stated that business representatives and Town representatives to have a motion to form a committee consisting of one member, one Planning Commission member, two residents. This committee will report to Council within six months. The committee should have as its charter the issue of how to assist the business help them turn a profit? The motion was unanimously approved. The Council representative will ask for volunteers. To allow one non-resident member on the committee.

Bill asked if VRE also noted that the increase in traffic in the Clifton area not helped businesses prosper in the Town.

Chesley noted that many were not happy with attempts by the Council to get traffic. Chesley was recently told that 4 pm to 6 pm (the time of Town) is the worst business time. At rush hour times, people through Town they do not stop in Town to shop.

End of Comments

After the public comments council entered into executive session.

After the executive session council moved that the Town would send Mr. O'Donnell a notice of violation would be fined \$100/day to a maximum of \$1000 if he delays of getting the notice.

With the business of the Town adjourn was unanimously approved.

James Chesley
Mayor

TOWN OF CLIFTON, VIRGINIA

TREASURER'S REPORT

August 1, 1995

STATEMENT OF CASH BALANCES

Regular Checking Account:	\$4,226.65
Money Market Savings Account:	\$19,219.33

TOTAL CASH BALANCE:	\$23,445.98
	=====

Treasurer's Report prepared by:

Marilyn Barton
Treasurer

August 1, 1995

To: Clifton Town Council Members and August Meeting Attendees
From: Bill Warren (Council Person)
Subject: Proposed Discussion of VRE Mid-Day Service with Flag Stop in Clifton

I regret that I am not present tonight, but I had a work obligation that could not be rescheduled and required me to be out of town. I am quite concerned about the VRE Flag Stop proposed for Clifton, and am formally submitting this letter to request that the Town Council postpone any action on this matter until a later date.

During the July 1995 Town Council Meeting, I indicated that I thought it would be inappropriate for us to consider voting on such a controversial issue without having ample discussions with Town residents. Therefore, I suggested that we write a point paper that lays out the plans for the service, the degree of Town control over the service, and the likely impacts on the Town (i.e., parking, etc.). The Town Council agreed and Wayne Nickum made the motion to include the issue as an agenda item for the August Meeting. Mayor Chesley agreed to work with Elaine McConnell's office and VRE to prepare the point paper with the plan to distribute it to the residents well before the August Meeting. This was unanimously approved by Council as reflected in the July minutes. As of 27 July, that point paper had not been posted in the Post Office, or otherwise in Town, and the several residents with whom I talked, had not received any information from the Council re the VRE mid-day service proposal to establish a Flag Stop in Clifton. To date, the only known discussion of the VRE proposal is the article in the Centerview. That article exhibited a very pro-VRE spin, and contained a number of misleading and totally incorrect statements. Some of these include the following:

- 1) The article stated that the "the town would control any future changes in the hours or scope of service."

This statement is dead wrong! The Town's only mechanism for direct control is through the "Use Permit Process" as set forth in our Ordinances, where we can approve or disapprove uses. Unless VRE is required to follow the Use Permit procedures, the Town will have absolutely no direct control over what VRE does with the Flag Stop. Statements made at the July Council Meeting and reflected in the Minutes indicate that Springfield District Supervisor Elaine McConnell stated that as long as she was in office, she would represent Clifton's interests and wishes regarding the VRE stop. She confirmed (see Minutes) that the Town would have no veto control over VRE uses approved by the two VRE managing boards of which she is but one of several voting members. Hence, the Town will have no direct control over VRE schedules of the Flag Stop and its associated 200 x 8 foot platform (1,600 square feet) once it is put into service. We, of course, would have some indirect input into its use via our Supervisor, Elaine McConnell, as long as she is in office. However, she is only one of several board

members (others from Prince William County, etc.) and she can cast only one vote in any attempt to represent Clifton. Please also remember that she represents the entire District, and other interests within the District can also influence her vote.

- 2) The Centerview article also minimizes the potential, and even likely impact of increased in-Town traffic and parking. In fact, one Town Council Member is quoted on that issue as follows: "There would be no cars - just a few extra people in the town."

I hope that this statement is either a misquote or an over simplification of the issue. Surely no person in this room tonight, or in their homes within Town, can rationally believe that absolutely no persons will drive into Town, leave their cars, and ride the train for business or pleasure. We all must know that there will be some use of the new VRE service by persons driving into Town. However, I don't think any of us can legitimately place an estimate on the size of the likely population of users. I can easily see several practical uses of the mid-day service that would result in a significant number of cars parking in Town. Certainly some of the 5,000-plus persons in the Clifton Zip Code will come to Town, park their cars, and take the morning train (11:00 a.m.) to Manassas. Manassas offers numerous restaurants, shops, and other attractions that a Town our size cannot offer. Also, families may park in Clifton, take the kids for a train ride to Manassas for lunch, shopping, and return on the 5:00 p.m. train. Also, there may be some people who hold jobs in Manassas that start later in the day (e.g., restaurant, retail jobs) who can park in Clifton, take the 11:00 a.m. train one-way to Manassas, work until restaurant/shop closing time and then return to retrieve their car by catching a ride with friends/co-workers, or by other means. If some of you believe this far fetched, then I suggest you go to Springfield in the morning, and count the hundreds of commuters who park there and stand in the Long John Silver's parking lot awaiting friendly commuters to pick them up as a 3rd passenger and drive them to DC in the express lane. What I'm trying to illustrate is that a one-way train ride can be a convenient and attractive way to commute during nonstandard work hours.

As far as we know, the VRE has not yet conducted any surveys or studies regarding the planned Flag Stop in Clifton. Such a survey/study would likely provide us with some reasonable estimate of the size of the user population that would likely use the Flag Stop.

- 3) The Centerview article indicates that there will be a 5:00 p.m. train that stops in Clifton. I hope that this is a misprint, because a 5:00 p.m. train and mid-day service are mutually exclusive. During the July Council meeting, VRE representatives indicated that the planned mid-day service returning from Manassas would be at 1:00 - 2:00 p.m. Several Council members expressed a desire to change that to 3:00 p.m. to permit more time for riders to stop in Town for shopping and lunch. However, there was never any indication that mid-day service would extend to 5:00 p.m. This late stop is well into the rush hour, and increases the potential for use of the so-called mid-day service for commuting

purposes. However, on the bright side, a 5:00 p.m. stop in Clifton with its VRE-estimated 5-minute duration, would block Route 645 (Clifton Road), and could tie up traffic enough to hopefully cause some rush-hour commuters to take alternate routes.

- 4) Finally, the Centerview article quotes the thoughts and feelings of 7 persons regarding the VRE mid-day service. Of these 7 persons, 6 are owners and/or operators of businesses in Clifton, only 3 of whom live in Town. These and other businesses are important to Clifton, however, the Town is primarily comprised of residents who do not stand to benefit financially from the proposed Flag Stop service. Hence, Council has an obligation to provide real information to Town residents, and to arrange for a meaningful forum to get feedback from all concerned citizens. To repeat what Jim Hricko said during our July meeting, "It's all well and good to talk to the businesses about the VRE service, but the Town Council needs to talk to the residents who may have to live with the impacts of increased in-town traffic and parking."

I hope the Mayor and other Council members do not view the Centerview article as a proper form, or as an adequate of posting of notification to the residents. Certainly, a Centerview article was not the point paper that was intended by me in my discussion of the July meeting, or in Wayne Nickum's supporting motion. Since a point paper was not developed and distributed in a timely fashion, we're in the same position we were in at the July meeting. That is, the residents of the Town have not been adequately informed about the VRE proposal, as the Council by unanimous vote agreed to do. Therefore, it is not appropriate for the Council to consider and vote on the VRE proposal until proper notification/distribution of a point paper to the Town residents has been accomplished. I believe that any discussion concerning the VRE proposal at tonight's meeting can, however, serve the purpose of making residents more aware of the VRE proposal, and will allow the Council to gain the benefit of some feedback from attending residents. However, I again repeat, we have not yet distributed the point paper as agreed to by unanimous vote, and therefore, many citizens are not aware of the VRE proposal.

I would also like to bring up two other issues:

- 1) I believe that our Town statutes require the proposed VRE Flag Stop to go through the normal "Use Permit Process". That is, Article 2, General Regulations, Code of the Town of Clifton, in Section 9.9, states that a "Use Permit is required for any structure erected within the Town. Certainly, the 8 x 200 foot platform meets our definition of structure, and VRE must therefore make application for a Use Permit to the Planning Commission. Also, the Fairfax County publication, "When is a Permit Required," makes it clear that VRE would have to make application to Fairfax County for the platform structure. That, in turn, requires a Town Use Permit be issued. As part of that process, VRE would need to present a plan for any required parking, and provide estimates of the number of daily users and employees (if applicable) along with information regarding setbacks, safety, etc. The Planning Commission would then hear the application and make its recommendation to the Town Council for approval action.

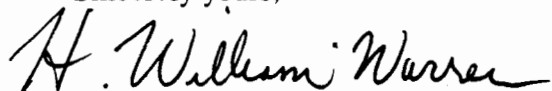
- 2) The Council needs to ask the Town Attorney to evaluate the potential conflict of interest that may exist if several Council members vote on the VRE proposal. That is, existing Virginia Code (i.e., COI Act of 1883 as amended in 1984) requires Council members to abstain from voting on issues which involve a personal interest or material financial interest. Potentially, several Council members could stand to financially benefit from the VRE service enough to have a conflict of interest. The existence of even a potential COI issue in this case should be looked at by Town Attorney Dave Rawlston prior any Council votes on the VRE project.

- 3) Finally, at the July meeting, Council did not ask, nor did VRE officials offer any information concerning VRE projections/estimates of the number of users who would use the proposed Clifton Flag Stop, or how many users might park in Clifton to gain access to VRE service. I believe we need to ask those questions, and get answers that are backed up by quantitative survey/research data prior to voting on the VRE proposal. Remember, one Town business owner expressed the concern in the Centerview article that tourist/shoppers would not ride VRE to Town, but rather would park their cars in Town, take up the already limited parking available to drive-in shoppers, and ride the train elsewhere. Since we've allocated parking spaces to this and other Town business through the Use Permit process, those businesses have the expectation that we will do the same for VRE, and not allow VRE users to occupy parking that has been dedicated to specific shops. This could become a real issue if drive-in VRE users begin to take the majority of parking spaces for those businesses close to the VRE stop. Again, I believe we owe it to both our business community and residents, to carefully and objectively evaluate the number and types of VRE users expected, prior to taking any action on the VRE proposal.

I therefore recommend that we ask VRE to go through the Use Permit Process, and that we ask the Planning Commission to develop recommendations based on the data that is provided by VRE. Once that process is completed, we should be able to provide residents with real information (i.e., benefits and impacts), and gain ample resident feedback, prior to a Council vote on the proposal.

I apologize to the residents of Clifton and to the Council for being unable to attend this important meeting. I do, however, feel strongly, as I have indicated in this letter, that both Council and the Planning Commission have a lot of work to do and questions/issues to resolve prior to voting on the proposed VRE mid-day Flag Stop service in Clifton.

Sincerely yours,



H. William Warren, Council Person

TOWN OF CLIFTON

7-5-95

POSITION	NAME	PHONE
MAYOR	Jim Chesley	830-2129 (HM) 301-227-1709 (WK)
ASST. MAYOR	Mac Arnold	830-3038 703-385-9060
COUNCIL MBR.	Lev Buller	830-3392 202-606-5000 x383
COUNCIL MBR.	Tom McNamara	631-2060 830-0038
COUNCIL MBR.	Wayne Nickum	830-1430 202-874-0179
COUNCIL MBR.	Bill Warren	830-1644 703-893-6120
TOWN ATTORNEY	Dave Ralston	266-1739 202-342-3342
TOWN CLERK (Admin.)	Tom Barton	830-8075
TOWN CLERK (Recording)	Lev Kubiak	319-1610 202-634-5264
TREASURER	Marilyn Barton	830-8075
HD. OF BZA	Brant Baber	631-1632 703-591-2323
BZA SEC.		
HD. OF PLANNING COMM.	Kathy Baber	631-1632
PLANNING COMM. SEC.	Mike Booth	631-0908 703-802-8300 x4401
HD. OF ARB	Jim Hricko	830-5458 830-8032
ARB SEC.		

August 1, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|---|----------|
| 1. Treasurers Report | Chesley |
| | Arnold |
| 2. Planning Commission | Buller |
| a. CBPO | McNamara |
| b. Applications | Nickum |
| | Warren |
| 3. ARB | Barton |
| | Barton |
| 4. Committee Reports | Kubiak |
| a. Community Hall - Maintenance Contract | Ralston |
| 5. Transportation Issues | |
| 6. Virginia Railway Express - Mid-day Service | |
| 7. Other | |

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Posted, Post Office and Store

September 5, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|---|----------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. CBPO | Buller |
| b. Applications | McNamara |
| | Nickum |
| | Warren |
| 3. ARB | Barton |
| | Barton |
| | Kubiak |
| 4. Committee Reports | Ralston |
| a. Community Hall - Maintenance Contract | |
| 5. Transportation Issues | |
| 6. Virginia Railway Express - Mid-day Service | |
| 7. Clifton Day Resolution / Election Booths | |
| 8. Real Estate Tax / Meals Tax | |
| 9. Town Tags - 1996 | |
| 10. Nighttime curfew | |
| 11. Other | |

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Posted, Post Office and Store

Draft please call Lew with comments

(H) 703-319-1610

(W) 202 634-5264

Town of Clifton Town Council Meeting
September 5, 1995, 7:30 p.m.

The Town of Clifton Town Council held its monthly Town meeting. In attendance were Chesley, Arnold, McNamara, Nickum, Buller, Warren, as well as Barton (Treasurer), Ralston (Town Attorney) and Kubiak (Recording Clerk). The business of the Town was handled in the following order.

1. Pledge of Allegiance was recited.
2. Minutes - The minutes from last month's meeting were unanimously approved pending corrections.
3. Treasurer's Report - Barton gave the Statement of Cash Balances. The Town's regular checking account contains \$3,377.15, and the money market savings account contains \$17,527.23 for a total of \$20,904.38. A motion to approve the Treasurer's report was approved unanimously by the Council.
4. Thefts - There have been a number of problems around Town lately. The windows of a van on Main Street were broken and wicker furniture was stolen off the porch of a home across from the New Town Hall. Chesley asked Town's people to contact the police if they see anything suspicious. The police work on statistics, so the more reports the more coverage we will get.
5. Planning Commission

Chesley asked if a letter on the Chesapeake Bay Ordinance went to the State to finalize this process? The State was notified and the ordinance was sent in.

A. Ellen Berrets application for a home business was reviewed by the PC. The PC added some information to the application since the applicant was mistakenly given the wrong form. The PC recommended approval after noting the changes. The Council unanimously approved the application.

B. The Gardeners applied for a business at the Clifton house. Eight parking spaces were filled. Some changes to the application were recorded and the Council unanimously approved a motion to approve the application.

C. Carol McCarthy applied for a business at the Melody House. Changes were noted on the application. The PC recommended approval. Nickum asked that the PC remind the applicants that they have neighbors and that they should try to keep those neighbors in mind when their customers are parking in that area. The Council unanimously approved that application.

D. Use of the Town Hall - The PC asked if any rental guidelines for use of the Town Hall had been developed either for Brenda Ference or by her? The Council stated that these guidelines had not been developed, but that Brenda was working on some rules governing use of the building. The PC stated that they were looking for some guidance. The Council stated that the PC should call Ference and Ralston to discuss this issue further. The

Council also stated that the PC should call Rick Dygve for information on the insurance covering the building.

E. The Worsham application that was rolled over from last month was unanimously approved by the ARB with changes (the footprint is the same). Based on this information the Council unanimously approved a motion on the application.

F. The Council briefly discussed the 456 issue regarding the building of a platform for a VRE flagstop in the Town. The Council stated that the 456 issue needs to go the Ralston for consideration.

5. ARB

A. The ARB considered the carry over application for the Fire Station modifications to the underground tank. The landscaping plan is complete and the issue of the grading has been resolved, therefore the ARB approved the application.

B. The Van Lindens applied for an black and white sign for their business. The sign was approved unanimously however the Council stated that the ARB should consider the issue of lighting and luminescence in the future when considering sign applications.

C. The Peterson's applied for approval to build a sun room on the back of their home. This was unanimously approved by the ARB.

D. The Worsham's application to redesign their back room was unanimously approved by the ARB.

6. Committee Reports

Maintenance contract for the New Town Hall building was signed. As of August 21, 1995, the Town entered into a one year contract with CII of Richmond to provide service. The next day the Council received a letter from the County disavowing any responsibility for the building.

7. Transportation Issues

A. Intermodule Safety Transportation Education Act (ISTEA) update - Approximately two years ago the Town received a grant to make specific improvements to the Town. The Town just received final approval. Approval was contingent upon the approval of 18 different boards around the Northern Virginia area. All of these boards reviewed the application to ensure that the proposed project had no major environmental impact. Now the Town can proceed to the design phase. The ISTEA funding project will most likely only exist for one more year given the mood of Congress. Therefore, Chesley recommended that the Town apply for the second phase of the project. The project, originally intended as a four phase project, should be revised. The Town should apply for the second stage. The project can always be dropped in the future if the Town does not want to proceed at that time. Phase two of the project was originally going to finish a circular bike track in Town by completing the sidewalk on the Hermitage side of Clifton Road to the school path.

Funding for the project is 80% from the ISTEPA fund and 20% from the Town. The Town's part of the funding can be in kind services and volunteer work. The Town received \$30,000 approval for Phase I improvements. We need to put up \$6,000 in cash or in-kind services to get the total funding from the first phase.

B. Sidewalks across for the New Town Hall - Everything was signed and the sidewalks were hoped to be in completed by Clifton Day. However, the County is waiting for a larger contract to fold our contract into. The pavers who did some work in the Town told Hricko that VDOT was supposed to follow the pavers to build up the shoulder of the road. Chesley will check with VDOT on this issue.

C. Town Hall - Arnold asked about building a fence behind the Hall. The Council noted that they discussed this in the past but never did anything. Chesley stated that maybe the Town should earmark some funds from this year's Homes Tour to pay for the fence. Arnold will check on an estimate to get the fence done.

8 Virginia Railway Express (VRE)

VRE application outstanding issues. Ralston will look into whether a 456 hearing is necessary. Recent newspaper reports indicate that funding for midday runs may have dried up. Warren noted that we should look into the information that the Towns people asked for at the last meeting. Before we move forward on this issue we have an obligation to look for that information. Nickum noted that although there were a lot of people at the last meeting, there are still a lot of people who have not expressed their concern. Maybe we need to have a referendum after we get these additional facts. Could possibly do it at the May election.

Chesley noted that VRE is looking into some of this information and the Town attorney is looking into the 456 issue. Warren stated that the control issue is still a major issue. Chesley agreed that he would not be in favor of the project if the Town did not have control of it. Warren believes that the 456 hearing is only a onetime control point and that residents are concerned about long-term control. Arnold noted that the 456 only determines if the intended use meets the Town plan. Once that question is answered, it is not raised again until the use changes. Warren noted that he thought Elaine McConnell was willing to help us look into this information on the administrative process. Chesley noted that he passed out a copy of McConnell's answers at the last meeting. Warren noted that we need more information than was provided in that outline.

9. Clifton Day Resolution - Nickum made a motion to authorize the CBA to utilize Town property for the purposes of Clifton Day which will be held on October 8th or on October 15th if there is rain on the 8th. The motion was unanimously approved by the Council.

10. Real Estate Tax/Meals Tax - Chesley reminded the Town of the big push last year to do away with the BPOL tax. This may still be an issue this year. Chesley reminded everyone that the Town gets 41% of its income from BPOL (approximately 14,000). BPOL accounts for 310 million in taxes statewide. Towns and cities estimate that if

they lose BPOL they can only make up that loss through real estate tax. Currently the Town of Clifton does not have a real estate tax but could institute one if BPOL was done away with. Please be aware of this issue and the ramifications it holds for the Town.

Buller noted that the loss of BPOL would shift the burden of the Town's income from the businesses and put it on the residents through the real estate tax. Chesley noted that the Town depends heavily on the tax. Other municipalities rely on the BPOL tax much less heavily and could make up the loss more easily than the Town.

11. **Town Tags - New tags must be on your car by October 5th. Residents should already have received something in the mail.**
12. **Nighttime Curfew - McNamara noted that the Town may want to consider enacting a curfew since there has been so much vandalism lately. Centerville recently imposed one and a curfew may help the Town decrease some of the problems. Chesley noted that there are a lot of kid's pranks going on in Town. We need to work with the kids. Maybe the ballfield that Nickum is working on will help. Warren asked that we look into Centerville's curfew and see if we could get the police to help enforce it. Nickum noted that a lot of kids are sneaking out without their parents permission.**
13. **Other**
 - A. **Status on the Town's committee to assist Town businesses. Buller reported that there has not been a meeting yet.**

After Town business was completed the Council entered into executive session to discuss legal matters.

After the executive session was completed, Arnold made a motion that affirmed that matters discussed in the executive session were limited to legal issues. This motion was unanimously approved by the Council. The Council moved that the Town will proceed against Mr. O'Donnell with appropriate criminal actions.

With the business of the Town completed, a motion to adjourn was unanimously approved.

James Chesley
Mayor

Date

Draft copy - Please provide comments to Lev (703) 319-1610. by
October 11, 1995.

Town of Clifton Town Council Meeting
October 3, 1995, 7:30 p.m.

The Town of Clifton Town Council held its monthly Town meeting. In attendance were Chesley, Arnold, Nickum, Buller, as well as Kubiak (Recording Clerk). The business of the Town was handled in the following order.

1. Pledge of Allegiance was recited.
2. Treasurer's Report - Barton was absent so no report was provided.
3. Planning Commission

A. The Peterson's application was held over from the previous month's meeting. The Peterson's applied to add a sun room to the back of their house. The PC recommended approval. The Council moved that the application be approved since the ARB had already approved the application. The motion was unanimously approved.

4. Letters

Chesley received a letter from Corlis Van Linden requesting appointment to the Planning Commission. The Council reviewed the letter. The PC noted that it has two vacant positions. A motion was made to accept the request and to appoint Van Linden to a term that will run through June 30, 1999.

5. ARB

The ARB discussed wheel chair access to the Baptist Church on Chapel and Main Streets. There were no ARB members present to give a full report.

6. Committee Reports

A. Community Hall - Rental Update - Ference was not in attendance so there was no rental update.

B. Town Business Health Committee - Buller reported that this new committee has six members but has not been able to meet yet. The committee will meet on Thursday, October 19, 1995, for the first time. Meeting will be at the Town Hall or the Old Town Hall. Warren asked that Buller mention the sandwich board associated with the Clifton Shoppes. They need to submit an application for the sign.

7. Transportation Issue - Chesley noted that the board passed seven resolutions advising Prince William County that there will be no future crossings of the Occoquan. This has become a hotly debated issue.

8. **Virginia Railway Express (VRE)**

The Town Attorney and the people from the County have decided that a 456 hearing with the Planning Commission is the best way to handle the VRE flagstop issue. The PC will likely receive a request for a 456 hearing from VRE sometime after Clifton Day.

9. **Clifton Day** - will be held this weekend, October 8, 1995. The Town needs volunteers to assist in the activities.

10. **BPOL Update** - There are still some people that have not paid their BPOL taxes.

11. **Town Tags** - Chesley noted that all vehicles housed in the Town must display a new Town tag by October 5, 1995.

12. **Nighttime Curfew** - McNamara was not at the meeting, therefore this issue was held over until next month's meeting.

13. **Other**

A. A foursome of Clifton Towns people represented Clifton in the Herndon Mayor's Golf Tournament. They won first place. Congratulations.

B. October 21, 1995, there will be a conference in Roanoke, VA held by the Rural Health Committee. This conference will deal with area health related issues. See Chesley if you would like additional information.

C. **Yearly Fund Raiser** - Chesley announced that the 1996 Clifton Town calendar is available for purchase at various local businesses. All proceeds from the purchase of the calendar go to the Town and are used to improve the Caboose area. Since Clifton is about to begin the process of designing and building a pedestrian plaza in that area, this year's proceeds will be used to pay for the portion of the funding that the Town must provide for this project.

With the business of the Town completed, a motion to adjourn was unanimously approved.

James Chesley
Mayor

Date

November 7, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

1. Treasurers Report Chesley
Arnold
2. Planning Commission Buller
a. Applications McNamara
Nickum
Warren
Barton
3. ARB Barton
Kubiac
Ralston
4. Committee Reports
a. Community Hall - Rental Update
b. Town Business Health
5. Transportation Issues
6. Clifton Day
7. Public Hearing - December 5, 1995
- Media General Cable
- Transportation Enhancement - Phase II
8. Town Tags - 1996 Delinquents
9. Nighttime curfew
10. Christmas in Clifton - December 9, 1995
- Horse Society Caroling
- Christmas Craft Show
- Candelight Homes Tour
11. Other

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Posted, Post Office and Store

PUBLIC HEARING

December 5, 1995, 7:30 P.M.
CLIFTON TOWN MEETING HALL, 12641 CHAPEL ROAD

CLIFTON TOWN COUNCIL MEETING

AGENDA

- | | |
|--|--------------------------|
| 1. Treasurers Report | Chesley |
| 2. Planning Commission | Arnold |
| a. Applications | Buller |
| | McNamara |
| | Nickum |
| | Warren |
| 3. ARB | Barton |
| | Barton |
| | Kubiak |
| 4. Committee Reports | Ralston |
| a. Community Hall - Rental Update | |
| b. Town Business Health | |
| 5. Transportation Issues | |
| 6. Town Tags - 1996 Delinquents | |
| 7. Christmas in Clifton - December 9, 1995 | |
| | - Horse Society Caroling |
| | - Christmas Craft Show |
| | - Candelight Homes Tour |
| 8. Review of Building Inspection Agreement with Fairfax County | |
| 9. Discussion - Extension of Town Boundaries | |
| 10. Discussion - Underground Cables | |
| 11. Other | |

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Posted, Post Office and Store

Please run on Friday, November 24 and Wednesday, November 29, 1995.

PUBLIC HEARING
TOWN OF CLIFTON
DECEMBER 5, 1995

Notice is hereby given that the Clifton Town Council will hold a Public Hearing on Tuesday, December 5, 1995 at 7:00 P.M. at the Clifton Town Meeting Hall, 12641 Chapel Road, Clifton, Va. 22024 to consider the proposed candidate project to the Commonwealth of Virginia's "Transportation Enhancement Program". The Town Council will also hold a Public Hearing on the to discuss the franchise renewal for the provision of cable television services to the Town of Clifton by Media General Cable of Fairfax County, Inc. Copies are available from the Town Clerk by calling 830-8075. Copies will also be available at the Public Hearing. All interested parties are invited to attend to express their views with respect to the proposed project. Town residents are strongly urged to attend. The December Town Council meeting will immediately follow.

By order of the Town Council, Clifton, VA.

Thomas Barton, Town Clerk

Billing should be forwarded to: Town of Clifton
P.O. Box 309
ATTN: Treasurer
Clifton, VA 22024

RESOLUTION

**TO RENEW THE CABLE TELEVISION FRANCHISE
OF MEDIA GENERAL CABLE IN THE TOWN OF CLIFTON**

WHEREAS, Media General Cable of Fairfax County, Inc. was initially awarded the cable television franchise for the Town of Clifton pursuant to a resolution adopted September 21, 1987 by the County of Fairfax accepting the award of said franchise from the Town of Clifton for the benefit of Media General Cable of Fairfax County, Inc., which award was made pursuant to a resolution adopted by the Town of Clifton; and

WHEREAS, said cable franchise was renewed for a period of five years pursuant to a resolution adopted July 22, 1991 by the County of Fairfax accepting the renewal of said franchise from the Town of Clifton for the benefit of Media General Cable of Fairfax County, Inc., which renewal was made pursuant to a resolution by the Town of Clifton on May 23, 1991; and

WHEREAS, the renewal period for said cable franchise will expire on January 10, 1998; and

WHEREAS, the Town of Clifton, Virginia, on _____, 1995 at _____ p.m. in the Clifton Fire Hall, held a public hearing to discuss the franchise renewal for the provision of cable television services to the Town of Clifton by Media General Cable of Fairfax County, Inc., such public hearing being held pursuant to Section 626 of Title VI of the Cable Communications Policy Act of 1984, as amended, 47 U.S.C. § 546.

NOW THEREFORE, BE IT RESOLVED and ordained by the Council of the Town of Clifton, Virginia, by a unanimous vote of all the members ^{present} thereof, that a renewal of the cable television franchise be, and it hereby is, granted to the County of Fairfax, Virginia, for the benefit of Media General Cable of Fairfax County, Inc. to permit Media General Cable of Fairfax County, Inc. to operate a cable television system within the corporate limits of the Town of Clifton, Virginia, for a renewal period of five (5) years from the date of termination of the current franchise, i.e., five (5) years from January 10, 1998. Provided, further, that upon the termination of the grant aforesaid, upon the payment of a fair valuation thereof, the plant, as well as the property, if any, of Media General Cable of Fairfax County, Inc. in the streets, avenues and other public places of the Town of Clifton shall thereupon be and become the property of the Town of Clifton; but Media General Cable of Fairfax County, Inc. shall be entitled to no payment by

reason of the value of the franchise; and any such plant or property acquired by the Town of Clifton may be sold or leased, or if authorized by law, maintained, controlled and operated by the Town of Clifton. The mode of valuation of the plant and property aforesaid shall be its replacement value. Service under this franchise shall be provided at reasonable rates; the property and plant aforementioned shall be maintained in good order throughout the term of the grant; and upon failure to observe the conditions of this ordinance, the grant made herein shall, at the option of the Town of Clifton, be subject to forfeiture pursuant to Virginia Code Section 15.1-307 (1989).

_____, 1995

Town Seal

Clerk, Town of Clifton

COST ESTIMATE (PHASE I - IV)

PHASE I: BICYCLE/PEDESTRIAN PLAZA, PLANTERS AND HISTORICAL MARKER

- Poured concrete curb 300' @ 8/ft.	\$ 2400.00
- Precast concrete paving 900 sq' @ 7/ft	6300.00
- Bicycle rack	800.00
- Benches 3 @ 800	2400.00
- Historical marker	1100.00
- Landscaping	2000.00
- Misc. (grading, signage, etc.)	2500.00
- Planters - stackable concrete units 200 face feet @ 18.00	3600.00
- Landscaping (including backfill w/topsoil)	2000.00

Subtotal \$23100.00

20% Overhead and Profit 4600.00
10% Design Costs 2300.00

Total \$30000.00

PHASE II: PATHWAY CONNECTION TO SCHOOL

- Clearing, grading and fill material	\$ 4000.00
- Precast concrete paver sidewalk 5' wide x 700' long: 3500 sq' @ 7.00	24500.00
- Asphalt patching, seeding, etc.	2000.00

Subtotal \$30500.00

20% Overhead and Profit 6100.00
10% Design Costs 3150.00

Total \$39650.00

PHASE III: GRASS STRIP AND LANDSCAPING

- Grading and Fill Material	\$ 2000.00
- Seeding	300.00
- Landscaping	2000.00

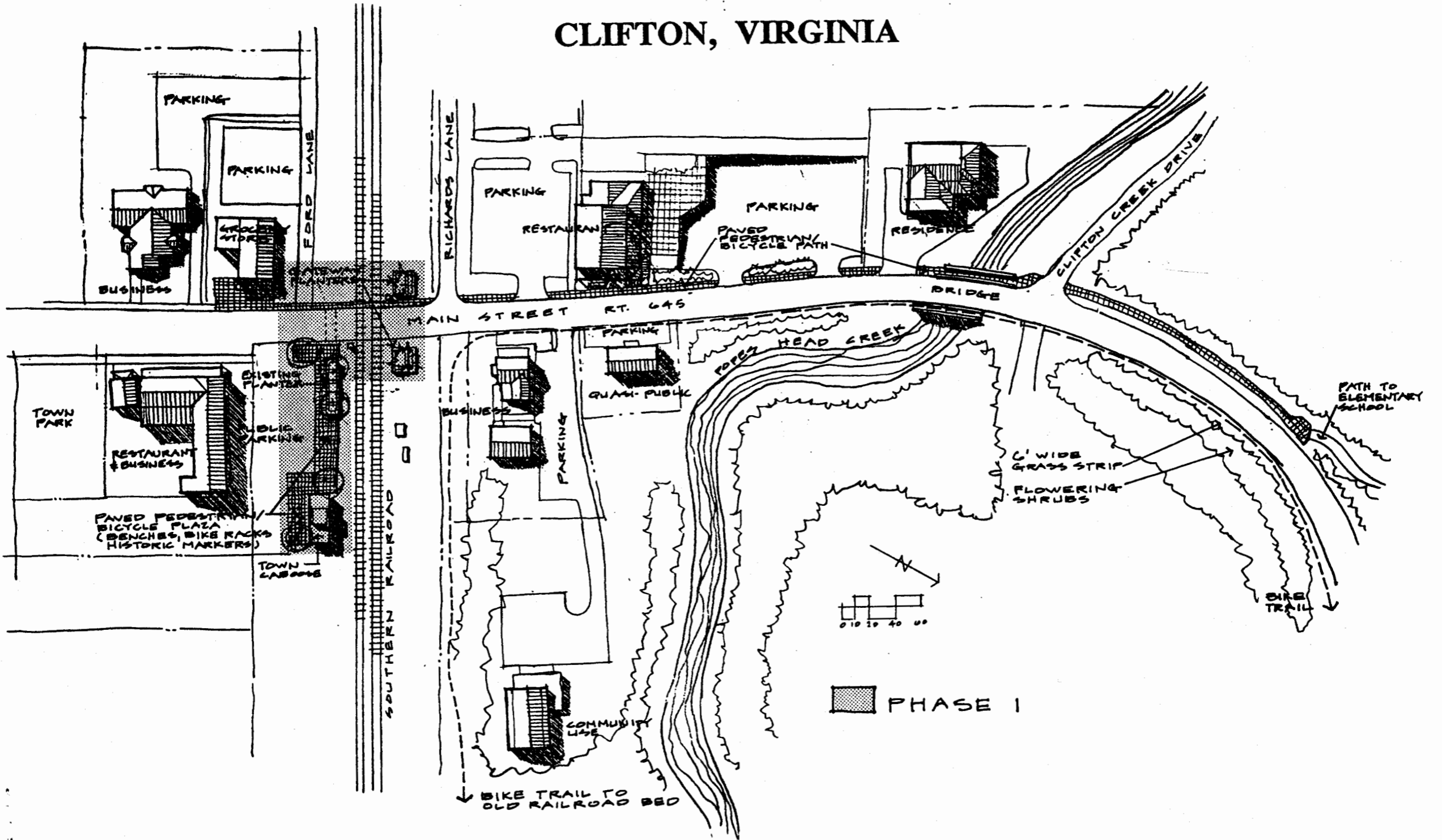
Subtotal \$ 4300.00

20% Overhead and Profit 860.00
10% Design Costs 430.00

Total \$ 5590.00

PHASE IV: PURCHASE OF 11 ACRE SITE (LAND ALONE) \$75000.00

PROPOSED TRANSPORTATION ENHANCEMENTS CLIFTON, VIRGINIA



FINAL

TOWN COUNCIL MEETING
Tuesday, December 5, 1995
Clifton Community Hall

Present: Mayor and Council -- Jim Chesley, Lev Buller, Mac Arnold, Bill Warren, Wayne Nickum; and Tom McNamara who joined the meeting about 8:00; Acting Town Clerk; Town Treasurer; 2 representatives from Media General Cable and 2 members of the general public.

1. Minutes were approved unanimously from 11/95.
2. Treasurer's Report -- Marilyn Barton: Financial Report submitted which was prepared by Angela A. Emery, CPA. Approved unanimously.
3. Media General Resolution: Wayne Nickum made a motion to approve the resolution with the change in wording "...approved unanimously by all members present." Motion passed unanimously. (See attachment)

Jim has talked to Media General Cable regarding moving lines underground. Media General would be happy to do that at the Town's expense. He will be talking to Bell Atlantic and Virginia Power regarding the same issue in the near future.

4. PLANNING COMMISSION

- a. Kathleen VanSleen tabled until next month since she didn't attend meeting. Mike will call her.
- b. Steve Brill -- Temporary shed (1 year) to be erected on his property. Approved unanimously.
- c. Chesapeake Bay Ordinance -- no need for Town to send a representative.
- d. Next meeting of the Planning Commission will be 12/19/95.

5. ARB

a. Bill Warren asked about signs in the Triangle. Jim said there was no time to approve them because they will only be up for two weeks. Bill feels that we should use the ARB since we have one. The ARB Chairman has the latitude to approve signs without a meeting.

6. COMMITTEE REPORTS

- a. Jim asked Town Business Health Committee to pass along information to the CBA regarding the County event schedule.
- b. Transportation issues: Jim said large tractor trailers

and dump trucks have decreased in the area. Although there was a 12% increase in traffic, large trucks were down 74% across the Yates Ford Road bridge.

Jim had a traffic count done in town several weeks ago. There was a 52% decrease in September and a 53% decrease in November from a count done in November 1993. Since there are 1,000 additional cars crossing Yates Ford Rd. bridge, where is traffic going? Patterns are changing monthly with additional openings on the parkway. Wayne questioned the equipment used in the '93 count, but said traffic does seem to be down.

Homeowners Associations along Rt. 123 are trying to move current plan closer to watershed. The completion of Rt. 123 must be pushed along or the opportunity for federal funding will be missed. 123 will help Clifton's traffic situation if it is able to be completed.

7. TOWN TAGS

There are no delinquents.

8. 12/9/95 - a big day, carolling from Clifton Horse Society, Candlelight homes tour, merchants having activities.

9. TRANSPORTATION RESOLUTION -- Resolution passed unanimously. (See Attachment)

10. ERA has moved out of Town. Weichert Realtors is also leaving. There will be a significant loss in revenue from BPOL as a result of these two businesses leaving.

11. BUILDING INSPECTION AGREEMENT

David Ralston has written a draft proposal for a Building Inspection Agreement between the Town of Clifton and the County of Fairfax. This proposal would define at which point the county would issue a building permit after the town has first issued a use permit and/or a Certificate of Appropriateness. David Ralston reviewed the Herndon agreement with the county and customized it to fit Clifton and its unique historic district. The County will not accept responsibility formally for enforcing Historic District guidelines. Jim feels one problem is that after he has signed off on a building permit, the plans could change and the town wouldn't have any knowledge of that. The Town could possibly get a stamp and require that any changes also be stamped. David will rewrite th proposal incorporating suggestions made at the Town Council meeting.

12. EXTENSION OF TOWN BOUNDARIES

A buffer zone around Town would protect town from encroachment. State Statutes allow the town to extend its boundaries. This is something to possibly look in to.

13. PARKING AT TOWN HALL

Jim believes there should be parking at the Town Hall, and it already is part of the Town plan. Gravel could be put down for parking for three or four cars. There is an approved opening for cars to enter already approved by VDOT.

Mac said it would be nice to preserve that area for a playground. Parking would take up a lot of the area.

Jim Chesley will get Jim Hricko to design the least obtrusive space for parking.

Lev suggested using a perforated metal that the grass can grow through and yet provides a good surface for the cars to park on.

14. Kate Hanley had the county staff research the history of the watershed. A flyer has been developed to help educate people regarding the importance of the watershed.

15. Jim believes Town should pass an ordinance that all future utilities be placed underground. He would like to have a public hearing in February on the subject. The expense of this would be paid by the utility. They are hanging more and more cables overhead. Mac said look at easements to see what permission they now have to place overhead lines. For instance, an electric easement does not give rights to cable.

16. Motion to adjourn. Passed unanimously.

Respectfully submitted:

Diane Dygve, Acting Clerk

Accepted by:

James C. Chesley, Mayor

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the term of the grant; and upon failure to observe the conditions of this ordinance, the grant made herein shall, at the option of the Town of Clifton, be subject to forfeiture pursuant to Virginia Code Section 15.1-307 (1989).

Adopted this fifth day of December, 1995,
Clifton, Virginia

BY

James C. Chesley, Mayor
Town of Clifton

Attest

Diane Dygve, Acting Clerk
Town of Clifton

RESOLUTION

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program an enhancement project in the Town of Clifton.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clifton, requests the Commonwealth Transportation Board to establish a project for the improvement of the Clifton Main Street Pedestrian and Bicycle Plaza and Pathways.

BE IT FURTHER RESOLVED, that the Town of Clifton hereby agrees to pay 20 percent of the total cost for planning and design, right of way, and construction of this project, and that, if the Town of Clifton subsequently elects to cancel this project, the Town of Clifton hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Adopted this fifth day of December, 1995,
Clifton, Virginia

BY

James C. Chesley, Mayor
Town of Clifton

Attest

Diane Dygve, Acting Clerk
Town of Clifton