



**TOWN OF MIDDLEBURG  
PLANNING COMMISSION  
WORK SESSION & REGULAR MEETING MINUTES**



**MONDAY, FEBRUARY 28, 2022  
PENDING APPROVAL**

**PRESENT:** Terence S. Cooke, Chair  
Donald Woodruff, Vice Chair  
Edward R. Fleischman, Member  
Rachel Minchew, Member  
H. H. “Dev” Roszel, Member  
Mimi Dale Stein, Member  
Morris “Bud” Jacobs, Councilmember

**STAFF:** William M. Moore, Deputy Town Manager/Town Planner  
Rhonda S. North, MMC, Town Clerk  
Estee LaClare, Planning & Project Associate

The Middleburg Planning Commission held their work session and regular meeting on Monday, February 28, 2022 in the Town Hall Council Chambers. Chair Cooke called the work session to order at 6:30 p.m. Town Clerk North called the roll. The Commission observed a moment of silence in honor of Mary Woodruff.

**Discussion Item**

**Comprehensive Plan Amendment - Short-term Rentals**

Deputy Town Manager Moore reminded the members that they were considering draft amendments to the Comprehensive Plan and the Zoning Ordinance related to short-term rentals; however, they decided to bifurcate the two and concentrate on the Comp Plan amendments first. He further reminded them that Prem Devadas, of Salamander Hospitality, and Mayor Littleton previously provided the Commission with their insight. Mr. Moore advised that the Commission had the most recent version of the draft language, as well as a draft showing where it could be inserted into the Comp Plan strategies as previously recommended. He suggested that if the Commission was generally comfortable with the draft language as presented, they could schedule a public hearing on the amendment for their March 28<sup>th</sup> meeting. Mr. Moore reminded the members that they could continue to revise the language before they sent a recommendation to the Council.

The Commission noted the terms “tourist area” and “long-term resident” in the last phrase. After some discussion, the members agreed to revise the language to read “...should mitigate potential adverse impacts to neighboring properties”, with the remainder of the phrase related to tourist areas being to the detriment of long-term residents being deleted.

In response to an inquiry from the Commission on the proposed changes, Deputy Town Manager Moore opined that they was swaying from their previous discussion. He reminded the members that they expressed a desire to treat the existing homes differently from those in the new neighborhood in the zoning text amendments and opined that this was lost with the removal of the reference to traditional neighborhoods. Mr. Moore advised that if the Commission’s desire was to treat the two differently, the proposed Comprehensive Plan language would be lacking support of the zoning text amendments under the proposed changes.

After some discussion, the Commission agreed to change the last sentence to read “the overarching consideration in each case shall be to mitigate potential adverse impacts to neighboring properties and established neighborhoods”. They further agreed to move the proposed amendments to a public hearing during their March 28<sup>th</sup> meeting.

### Certified Planning Commissioners Training

Deputy Town Manager Moore advised the Commission that the Certified Planning Commissioners Training was resuming later in the year. He further advised that there would be an in-person session in Richmond, as well as a virtual session. Mr. Moore noted that each consisted of two two-day class sessions, with a break in between so the Commissioners could do their homework. He reviewed the proposed dates and advised that this was an opportunity for the members to become certified if they desired. Mr. Moore noted that there had been changes to the program and advised that if anyone who had already taken the training wanted to take it again, they could do so.

Commissioner Fleischman noted that he participated in the virtual training; however, he recommended it be done in-person.

Chair Cooke closed the work session at 6:54 p.m., at which point, the Commission took a brief recess. He called the regular meeting to order at 7:00 p.m.

### Disclosure of Meetings with Applicants

The members reported that they had no meetings with applicants.

### Approval of Minutes

*Vice Chair Woodruff moved, seconded by Commissioner Roszel, that the Planning Commission accept the December 20, 2021 regular meeting minutes as provided.*

Vote: Yes – Commissioners Woodruff, Fleischman, Minchew, Roszel, and Stein and Councilmember Jacobs

No – N/A

Abstain – N/A

Absent – N/A

(Chair Cooke only votes in the case of a tie.)

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### Council Representative's Report

Councilmember Jacobs reported that the Council was in the process of reviewing the proposed FY '23 Budget and noted that the Town Manager's presentation was on the website for anyone who wished to review it. He noted that the biggest issue was the setting of the real property tax rate, which was necessary as a result of Loudoun County's reassessment that increased property values. Mr. Jacobs advised the Commission that there would be two opportunities for public comment during public hearings and noted that the Council would also hold a special meeting on March 31<sup>st</sup> to discuss the real property tax rate.

### Discussion Items

#### Status Update – R-2 Residential District Study

Deputy Town Manager Moore reminded the Commission that The Berkley Group had been contracted to help study the issues identified by the Council related to the R-2 Residential District. He advised the members that the schedule had been pushed back by a month due to the staff's unavailability to review the draft document. Mr. Moore reported that the final report was close to being ready and would be presented to the Commission during their March meeting. He advised that he would send the members the benchmark study, which formed the basis for the recommendations in the final report.

Status of Requested Boundary Line Adjustments

In response to an inquiry from the Commission, Deputy Town Manager Moore advised that this was being discussed in closed session; therefore, he could not reveal any details in open session. He confirmed the discussions were continuing and advised that the Mayor's goal was to have something that could be presented to the public in an open forum in early-to-mid April.

**Quorum of March Meeting**

The members confirmed they would be present for the March 28<sup>th</sup> meeting.

**Information Items**

Banbury Cross Reserves Status

In response to an inquiry from the Commission, Deputy Town Manager Moore reported that he had not heard the timeline for the project. He advised that he would reach out to the owner to see if he had any information he could provide. Mr. Moore noted that the Town would not be notified of the project mobilization as it was not within Middleburg's jurisdiction.

Residences at Salamander Status

In response to inquiries from the Commission, Deputy Town Manager Moore advised that Salamander was working to secure their final bonds and noted that construction could not commence until they were received and he signed the construction plans. He confirmed their construction traffic would use either Foxcroft Road or Pendleton Street to access the site. Mr. Moore opined that it would be a big deal to move the electric lines in order to construct the Reed Street extension.

Deputy Town Manager Moore reported that the Town installed "No Construction Traffic" signs in the western portion of the town. He noted that they were not required to be installed by the developer; however, they would be helpful to assure the streets in the Ridgeview area were not used by that traffic. Mr. Moore advised that Salamander's representatives assured the Town they would get the word out on this to their contractor and sub-contractors.

There being no further business, Chair Cooke adjourned the meeting at 7:14 p.m.

RESPECTFULLY SUBMITTED:

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Rhonda S. North, MMC, Town Clerk

**Middleburg Planning Commission Transcript**  
**February 28, 2022**

**(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video that is on the Town's website – [www.middleburgva.gov](http://www.middleburgva.gov))**

**Terry Cooke:** Ok. Good evening, everyone. We will convene the work session for the planning commission this February 28th 2022 before we get into our agenda. I think it's appropriate to just acknowledge how shocked and saddened we all were to hear of Don Woodruff's wife, Mary, passing recently. She's a wonderful lady and. I'm sure a very much a soul mate to Don for many, many years. So I'm going to suggest we all just take a moment to silently reflect on our memories of Mary and our condolences toward Don. So if you would, let's just take a moment of silence. Ok, thank you all very much. We will begin our review of the agenda and Rhonda, would you please? Oh, my goodness. Good. Hello, Sir.

**Don Woodruff:** Standing in there. Excuse me.

**Terry Cooke:** Very good to see you, Don.

**Don Woodruff:** Thank you guys and dolls.

**Terry Cooke:** Our first order of business would be the roll call and perfectly timed with Don's arrival, so Rhonda.

**Rhonda North:** Chair Cooke

**Terry Cooke:** Present.

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** Present

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** Present

**Rhonda North:** Commissioner Minchew.

**Rachel Minchew:** Present.

**Rhonda North:** Commissioner Roszel.

**Dev Roszel:** Present.

**Rhonda North:** Commissioner Stein.

**Mimi Stein:** Here.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Present.

**Terry Cooke:** And we will have just one discussion item on the agenda for the work session, and it is the subject of short-term rentals, as we all know, this is a matter we've grappled with for some time now. And. We'll have sent a memo sort of bringing us up to date on that Will, do you want to just briefly recount that for us?

**Will Moore:** Certainly. Thank you, Mr. Chairman. Within the memo, essentially the bold printed lettering is essentially the updates since the last meeting of what happened at the last meeting, essentially. So you've been discussing this, as you said, for a number of months. At first, I had thrown some potential draft comprehensive plan language as well as potential draft zoning ordinance amendments at you at the same time. And I think the commission wisely chose to let's say, let's bifurcate those. Let's concentrate first on the comprehensive plan language, try to get it right before we step into what these detailed amendments, if any, might be. You since you've had the benefit of having a discussion with Prem Devadas from Salamander Resort, as well as have a discussion with the mayor last month to just get some additional insight. And during that time, we had been circulating the draft comprehensive plan language that had been tweaked a little bit. The chairman had some proposed revisions that he gave to the commission verbally last month, but I have incorporated those into the markup and then Mr. Jacobs also provided some additional proposed revisions. So at this point in time, you have both a markup document where you can see those revisions, how they compare to the language that was in the previous draft. And you also have a a markup of the actual comprehensive plan document showing if you were comfortable with that language, how it could potentially be inserted. The additional item that you see in the markup of the comprehensive plan is also insertion of a little bit of language into one of the strategies that's listed at the outset of the plan. And that was a suggestion of Mr. Jacobs, which I thought was a real good one to highlight it at the beginning and then to put on maybe those couple of paragraphs at the end of the chapter. What I am suggesting for your consideration is if the commission is generally comfortable with the draft language, it does not necessarily have to be 100 percent and everyone's view. But if you're generally comfortable with it that we could go ahead and schedule a public hearing for the March 28 meeting, get this language out to the public, get their input again, either before that meeting or even after that input. It would still be appropriate to make additional revisions if the commission saw fit before deciding whether to certify an amendment and send it on to council to consider adoption. But happy to hear the commission's input on the changes that have been proposed and how you're feeling about the language overall.

**Terry Cooke:** Thank you, Will. Speaking for myself, I'm the chairman. I am satisfied with the with the revised language as it's been set out in the comprehensive plan statement that Will has circulated. But I'll invite any members of the commission to share their thoughts, if any, will just go around the dais. Chairman Fleischman, I mean, Commissioner. Congratulations.

**Ed Fleischman:** No. Thank you.

**Terry Cooke:** I'm out of here, Commissioner Fleischman.

**Ed Fleischman:** Please thank you, Mr. Chairman. I reviewed it. I think there's some good language in it. I think it was a good job being updated. I do have two comments regarding the last phrase. It talks about traditional residential neighborhoods, which is a good term, not turned into tourist areas. The comprehensive plan is an official document and the terminology in it should be officious, and the term tourist areas doesn't seem to be official enough. So I would say that I have a problem with the use of that term. That would be my first comment could just be taken out. As a matter of fact, I think that the statement, it's going, the statement, it's really good, it says, to mitigate potential adverse impacts to neighboring properties. I would recommend there be a period after that to take care of tourist areas. The other thing that I'm concerned with, and I had discussions about this. Not here in Middleburg, but in other areas. If you're a long-term resident, do you have more authority than someone who's lived five years? In other words, if a person lived there 25 years, is that more important than someone who's lived there five years? So I don't like the term detriment of long-term residents that long term residents have more authority than other people. So those are my two comments, and I just recommend that last and to ensure after that just be taken before it goes to public hearing. Thank you, Mr. Chairman.

**Terry Cooke:** And I just wondered in your consideration, do you have other terminology that you think would work better or you just want to delete those couple of references?

**Ed Fleischman:** I think when it says that the overarching consideration of each case shall be to mitigate potential adverse impacts to neighboring properties stands alone. It's a good, strong statement. I would just put a period after that.

**Don Woodruff:** I agree. That's good. I agree. Mr. Chairman, I think that we could possibly change tourist areas to commercial areas because that's what you're really talking about, seems to me.

**Bud Jacobs:** I like Ed's solution. Just not just take that whole last phrase. Those last verbiage just remove them from the document.

**Terry Cooke:** So Ed's suggestion as I understand it, then is that the words and to ensure that traditional residential neighborhoods are not turned into tourist areas to the detriment of long-term residents, you're suggesting that be deleted.

**Ed Fleischman:** I would suggest, yes, that it would be deleted before the public hearing.

**Terry Cooke:** Thank you. Thoughts by other commissioners. Commissioner Stein.

**Mimi Stein:** I agree with that. I love the I like ending the I like the addition of this text in this section, and I like ending it with that strong sentence. I don't mind putting that other sentence in somewhere else, and I understand that long term residence is just not long term. It's just the antithesis of the short term. But and I can read it through and see if I can figure out where else if you want to stick that sentence. But I like ending it with that very strong phrase. Let's leave it at that.

**Terry Cooke:** Ok.

**Mimi Stein:** Thanks. I'll look at it though.

**Terry Cooke:** Commissioner Roszel.

**Dev Roszel:** Yeah, no. I like what has been proposed for the one sentence. I would probably make a change in one word because up to the top of the body of the document we talk about. Likewise, a situation such uses in new neighborhoods could be contrary to this plan strategy. Down below, we say the overarching consideration each case shall be to mitigate potential adverse impacts. I think it's probably should be should be to mitigate, because what if you don't, you know, if you put in should, kind of to me, it's more concrete. So and in other parts of the document, you could you should. So that's the only change that I would suggest making. But I like leaving that one sentence off.

**Terry Cooke:** Ok, thank you,

**Dev Roszel:** Thank you.

**Terry Cooke:** Commissioner Minchew.

**Rachel Minchew:** I'm in full agreement with everybody on that, making those changes, I think it's pretty precise and to the point, and I don't think it's good to differentiate long-term short-term residents pitting each other against each other. So yeah, it's good.

**Terry Cooke:** Thank you. Council Member Jacobs.

**Bud Jacobs:** I think Ed's proposed change and Dev's proposed change make it a better document, make it a stronger document.

**Terry Cooke:** Vice Chair Woodruff, any further thoughts?

**Don Woodruff:** Basically, I concur with exactly what has been said so far. I think it makes it more precise. It respects every member of the community, and yet it gives a latitude for the proper or a more effective use of the areas. Thank you.

**Terry Cooke:** Thank you all.

**Don Woodruff:** Thank you, Ed.

**Terry Cooke:** Will, have you, did you capture those changes?

**Will Moore:** I did. I did. I have some thoughts.

**Terry Cooke:** Ok. Please.

**Will Moore:** And this was this was the chairman's language, that's being. So I don't want to see.

**Terry Cooke:** I take no personal.

**Will Moore:** [off mic] I think one of the things one of the ways that the conversation seemed to have swayed in the last month or so was subsequent to the conversation with Prem. And then during the conversation with the mayor, there seemed to be some momentum about once we get beyond this stage and then we get into the Zoning Ordinance Amendment stage, there seemed to be some momentum about possibly treating our existing developed neighborhoods and newly developed neighborhoods, Salamander development, for example, about possibly treating them a little bit differently. The one thing I liked about your language that would be lost with the amendments, as suggested, is the loss of reference to the traditional residential neighborhoods now, whether that's the best way to phrase it. I'm less concerned about the the longtime residents versus short time residents, but. If there's still that possible desire to treat those neighborhoods differently with subsequent ordinance amendments, those amendments to this statement might leave this statement a little lacking in its support for those amendments or potentially.

**Terry Cooke:** Council Member Jacobs, please.

**Bud Jacobs:** Oh, I have a proposed fix, Will, maybe the language should say in the last sentence the overarching consideration in each case shall be to mitigate potential adverse impacts to traditional neighborhoods. Does that get at the issue that you're.

**Terry Cooke:** Or if I may.

**Bud Jacobs:** Please.

**Terry Cooke:** Existing. [multiple speakers]

**Don Woodruff:** I like existing.

**Bud Jacobs:** Yeah, that is better, actually. Yeah.

**Terry Cooke:** Everybody OK with. [off mic] But I agree,

**Dev Roszel:** I think that, and I think the tourists, the word tourists should probably we can come up with a different, I think, saying that sorry impacts the neighboring properties and to ensure the traditional residential neighborhoods are not turned into tourist areas, I think is. We're not really. They wouldn't be turned into tourist areas. But if you could reword it to say that they were turned into areas that are detrimental to.

**Bud Jacobs:** You're saying put all that language back in?

**Dev Roszel:** No, but I'm saying if you're going to put it back in like you're referencing, I would take the word tourists out. [multiple speakers]

**Rachel Minchew:** I would keep that whole sentence out.

**Bud Jacobs:** That's gone. I was saying I was just changing neighboring properties to traditional neighborhoods or existing neighborhoods. Or what was the other one? Established neighborhoods.

**Dev Roszel:** But I think that's not we're.

**Will Moore:** No, that's getting that's getting more toward setting up future amendments that could differentiate between how neighborhoods are treated.

**Rachel Minchew:** So you're going to take out properties and put neighborhood instead.

**Bud Jacobs:** And adverse impacts to existing established neighborhoods. Yeah, something like.

**Rachel Minchew:** Which then that does somewhat reference to the different being different neighborhoods for that. If you change the.

**Bud Jacobs:** [inaudible]to any different approaches, we might apply to, say Salamander and the adjoining community. If that's what you're getting at.

**Will Moore:** It's what I'm getting at now to throw another monkey wrench in. And of course, we could wordsmith this all night. I like the phrase to mitigate potential adverse impacts to neighboring properties. I think that's important. I think it remains important in new neighborhoods as well. So maybe instead of replacing that, you can tag on to that I'll throw one out an idea so it could be shall be to mitigate potential adverse impacts to neighboring properties comma with particular emphasis on protecting established neighborhoods. That's another way to do it, where you still reference that even in a new neighborhood it is to mitigate impacts on neighboring properties.

**Bud Jacobs:** Why don't just say, neighboring properties and existing neighborhoods.

**Will Moore:** That's a lot less wordy.

**Bud Jacobs:** Something like that.

**Will Moore:** Neighboring properties and is established. [multiple speakers]

**Terry Cooke:** You should have a thesaurus next time we meet. Does anybody have an idea of where we are on it?

**Will Moore:** So the latest that I have is the overarching. Let me back up, we will. Ok. The overarching consideration in each case. [off mic] The overarching consideration in each case should be to mitigate potential adverse impacts to neighboring properties and established neighborhoods period. [off mic]

**Terry Cooke:** Going once, going twice. [multiple speakers] That revised language in the draft.

**Bud Jacobs:** And should instead of shall wherever that is.

**Terry Cooke:** All right, we flogged that horse.

**Will Moore:** So is there a consensus to move that to public hearing?



**Terry Cooke:** Yes. Oh yes, I think so. Next, next month? I suspect we'll have some additional suggestion suggested changes. Ok. Right. That concludes our work session.

**Will Moore:** Oh, if I might make an unrelated announcement or not unrelated, well not unrelated announcement, it wasn't on the agenda to maybe fill a little bit of time here. So the Certified Planning Commissioner program is back again. They're actually running a couple of virtual courses here at the beginning of the year. But for anybody who might be interested, there are two later in the year. And the way the program works is there's a two day in-person session and then there's a couple of months where you actually do homework and submit some brief papers. And then there's a two-day concluding session. So there will be an in-person session. And this is held at Virginia Commonwealth University in Richmond, June 13th, and 14th. And I'll send this out in an email. So you have it. And then the concluding session is August 22nd and 23rd. So that will be available. And then there will be a virtual session. So no in-person attendance in September 8th and 9th, with a concluding session in November 17th and 18th. So two opportunities for training for any commissioners that might want to go through that certification program, one in person and one virtual. So if you have a preference comfort level for how you would do it. And again, I'll send that out to you in an email. Anybody who's interested, you can contact me, and we can help you with the registration and getting that taken care of.

**Bud Jacobs:** I did this training already. I don't have to worry about doing it again.

**Will Moore:** You do not. There's no ongoing certification.

**Dev Roszel:** So it's the same one.

**Will Moore:** Well, I'll give a caveat that the session you took was the session in Purcellville. Yes, the one I did too, it was still under the that program was under the umbrella of Virginia Tech at that time, it switched to Virginia Commonwealth, and I think there have been some changes made to the program. So if it's been that long and you wanted to go through the course again, I think we would, depending on how many people wanted to, we probably have the funding in place, and it might be valuable. Again, I'll send those out.

**Terry Cooke:** Commissioner Fleischman,

**Ed Fleischman:** Thank you, Mr. Chairman. As you know, Will, I signed up for the course in person. And then the COVID came in and it was switched to virtual, and I took the virtual course. My two cents is that if people commissioners have the choice of virtual or in-person, I would recommend in person. I think that sitting around a table with other commissioners from different areas in Virginia is very valuable. You learn a lot during coffee breaks and discussions and at lunch. So I would always recommend in person. Thank you.

**Terry Cooke:** Thank you. Ok. We have a looks like about seven or eight minutes before the regular meeting, so we'll call recess at this point. Anyone wants to stretch their legs or visit the water cooler. Help yourself. To repeat myself. Welcome back, we're going to convene the regular meeting of the planning commission and we'll first call. Well, meeting is called to order, and we'll first ask the commissioners to disclose any meetings with or conversations with applicants with matters before the commission. Commissioner Fleischman.

**Ed Fleischman:** I had no meetings or discussions with applicants.

**Terry Cooke:** Commissioner Stein.

**Mimi Stein:** I've had no meetings or discussions with applicants.

**Terry Cooke:** Speaking as the chairman, I have had no meetings or discussions with applicants. Commissioner Roszel.

**Dev Roszel:** I've had no meetings or discussions with any applicants.

**Terry Cooke:** Commissioner Minchew.

**Rachel Minchew:** I've not had any meetings or discussions with anyone.

**Terry Cooke:** Council Member Jacobs.

**Bud Jacobs:** I've had no meetings or discussions with any applicants with any matters before this commission

**Terry Cooke:** And Vice Chair Woodruff.

**Don Woodruff:** Similarly, I've had no meetings. Thank you.

**Terry Cooke:** Thank you all. Our next is our public comment period. We have anyone on the line Rhonda?

**Rhonda North:** We do not Mr. Chair.

**Terry Cooke:** Ok. And we have no no. One, no members of the public in attendance this evening. So. We will close the public comment period. Next item is approval of the minutes for our January 24 2022 work session and regular meeting. Can we have a motion, please?

**Don Woodruff:** I move that these minutes be accepted as provided. [off mic]

**Terry Cooke:** Thank you. We have a motion and a second any discussion. The meeting, the minutes are approved. Thank you. I'm sorry. I asked if anyone had any comments. Ok. We had a motion and a second. Ok, trying to move this along. [off mic] the next item is our council representative report Council Member Jacobs. Please.

**Bud Jacobs:** Well, I know you've all been waiting for this. I don't really have much to report. You probably know that council and staff are deep in the throes of budget preparation. 2023 budget preparation, I believe Danny's presentation is on the website. If you want to look at the numbers and see how that, at least in its initial form, is shaping up. The big issue that I think will be grappling with is real estate taxes. I assume everybody's received their asset assessments from Loudoun County, and I believe the mayor intends to take the discussion into the realms of figuring out how we mitigate the impact of the increased property values on our residents and not leave people with unsustainably high real estate tax bills. So more on that to come. And of course, it'll all be handled in a, I guess, at least one and probably two public hearings, right? How many do we have to have?

**Rhonda North:** You will have a public hearing on the real estate tax rate itself, but then you will also have a public hearing on the budget. So you have two opportunities for comment.

**Bud Jacobs:** And we'll be having at least one special meeting in March to parse all of this and work through it. And that really is about it.

**Terry Cooke:** Thank you, sir. Our next item is discussion items, if any members of the commission have matters, they would like to bring to our attention. Hearing none, we'll close the discussion item. We have a status update Will on the R-2 study?

**Will Moore:** Yes, thank you, Mr. Chairman. As you recall, we retained the services of the Berkeley Group to help us out with a study of some of the issues that had been identified by mayor and council in the R-2 area. The initial schedule draft would have had them reporting back to you tonight. That is pushed out a month. Less due to the [inaudible] due to our own staff availability to review their drafts. But I did have a virtual meeting with two folks from Berkeley Group earlier today and their final report is very, very close. So that will be presented to you in March. In the meantime, in the coming days, I will send you out what will be part of the report, which was what they call a benchmarking study. And it's essentially where they looked at the ways some issues. It's hard to find a community with the exact issues that we're facing, but there were bits and pieces of approaches to addressing development concerns from a number of different communities that they pulled out, which are going to form the basis for some of the recommendations that they'll be putting forth in the final report. So what I'll be

doing in the coming days, certainly before the end of the week, will be sending out that benchmark report that will be incorporated in its entirety into the final report, but that will give you something to read up on before you actually get the final report later.

**Terry Cooke:** Ok. Very good, thank you. Before I move on, let me ask what is the status of the possible annexation that we talked about last month?

**Will Moore:** Right, so so discussions have continued. Again, those are still in the form of closed session items. So I can't reveal too much in an open forum to you. But it is known it's been advertised in public that there have been closed sessions regarding potential corporate boundary line adjustments. So those discussions are continuing. So we hope to have. Something back within a month or so, the mayor's initial goal, if you will, to bring something into a public forum, hopefully in early to mid-March, it's probably going to be more like early to mid-April or something like that based on the discussions that have been having. So again, we want to get this out for public viewing and discussion as soon as possible, but this gives a little more time for a little better detail to be provided to the public as to what it is exactly that's being considered.

**Terry Cooke:** Very good. Thank you. Which brings us to the question of our forum for the March 28 meeting. Is there anyone who might be available March twenty eight? Great. Looks like we'll have a full house, and with that, ladies. Oh, I knew I wasn't going to get away that easily.

**Ed Fleischman:** Before we close. I'm sorry. I just wanted to get an update if we'll could give us on the status of the Salamander. Are they moving ahead on construction and also the group that's building on the east side of town that we're going through with Loudoun County, that subdivision?

**Will Moore:** Certainly. So I'll start with Banbury and that I've heard nothing since your approval of the final plat. As far as a potential timeline on that, I can certainly reach out to the owner and see if there's any information I can provide for you on that. We wouldn't directly be notified of mobilization or anything like that because it's not actually within our jurisdiction. [inaudible]

**Ed Fleischman:** You don't have to contact them on my behalf if they're not doing anything that's fine with me.

**Will Moore:** As for Salamander, they're still working through their final bonding that they have to post with the town so they're ready to go. So but until I have that bonding in place, they're not able to commence construction, so they're working with their bonding company to try to get everything submitted to us so that the construction plans which are approvable but have not been signed and released to them yet because the bonding is not in yet in place.

**Ed Fleischman:** So Will if I might follow up. So their current plans is to move all the construction material through the service road or Foxcroft,

**Will Moore:** Either through that direction or a Pendleton Street only.

**Ed Fleischman:** Right? Because there's still a [inaudible] the Dominion Electric Lines, I guess in one of the streets they want to build that has that's a big deal, I think, to move it.

**Will Moore:** That is a big deal to move.

**Ed Fleischman:** Okay. Thank you.

**Terry Cooke:** And I think we've all noticed that they there are signs up on all the residential streets about this is not a construction zone.

**Will Moore:** The town put those up ourselves with a VDOT permit or we got a VDOT permit subsequent to erecting them, one of the two happened. But we elected to put those signs up. They were not required of the developer to put up. But we just thought that it would be helpful, especially as their contractors, their

subcontractors, anyone that they have that might be coming in from areas West would be. Now they're all going to get notification of this in the pre-construction meeting, Salamander and their developer partner has assured us they'll help get that word out to all their contractors and subs, but we thought that that would help. So I don't find them too obtrusive, but I think they're better to have them in place than not.

**Bud Jacobs:** I think our role, Mr. Chairman, should be to be as annoying as possible and my own personal policies whenever I bump into Prem, I say two words construction traffic.

**Ed Fleischman:** Well, if Dominion Electric doesn't move their line, they're not going to be able to go through that way anyway. Right. So maybe we ought to hope for a delay by Dominion Electric.

**Terry Cooke:** Vice Chair Woodruff. Did I say your hand up?

**Don Woodruff:** No, sir.

**Terry Cooke:** Ok. All right. Anything else, folks before we wrap up a pleasantly short meeting this evening? Thank you all very much. See you next week [inaudible].