



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



**MONDAY, FEBRUARY 27, 2023  
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 regular meeting on Monday, February 27, 2023 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.

**Discussion Items**

**Potential Zoning Text Amendment to Allow for an Inn as a Special Exception Use in the C-1 District**

Deputy Town Manager Moore reported that Marc Chretien, who owns the Cidery Barn and Mt. Defiance Cider & Distillery, was the contract purchaser for 204 East Washington Street. He further reported that Mr. Chretien was looking at the property for a small lodging establishment. Mr. Moore advised that under the zoning ordinance, an inn was classified as having between four and twenty rooms. He reported that the property consisted of two parcels, that contained a building and parking, with the front one being zoned C-1 Commercial and the rear one that went to Marshall Street being zoned residential. Mr. Moore advised that the zoning ordinance only provided for an inn use in the C-2 and C-3 Districts. He explained that the question before the Commission was whether an inn use should be provided for as a special use in the C-1 District. Mr. Moore acknowledged that the discussion would focus on the property in question; however, he advised that, if approved, the use would apply to the entire C-1 District. He noted that if the use was approved in the C-1 District, applications would be considered on a property-by-property basis and advised that there should not be an expectation that the use would be welcomed anywhere in the C-1 District. Mr. Moore reiterated that the Commission needed to consider the overall question of whether this use should be allowed in the C-1 District and, if they felt it should, could then consider whether it would be appropriate for this property. He reminded the Commission that if they felt the request should move forward, a zoning ordinance amendment would have to be approved and then Mr. Chretien would have to apply for a special use permit and a rezoning of the residential parcel. Mr. Moore advised that a site plan would also have to be submitted and the HDRC would review any exterior changes that would be proposed. He noted that this was just starting with a conceptual discussion. In response to inquiries from the Commission as to the difference between an inn and a bed & breakfast, Mr. Moore explained that a bed & breakfast was owner occupied and operated and was limited to three rooms, whereas an inn was not owner occupied and could have between four and twenty rooms. He advised that the former Middleburg Country Inn was a non-conforming use that was similar to a bed & breakfast and noted that it would not meet the current definition of a bed & breakfast. Mr. Moore further noted that it did provide an example of a lodging facility that was located in that geographic area of town that coexisted peacefully with the surrounding properties. He advised that he would have to research the regulations related to a rooming or boarding house and opined that these were a hold over from a different time. Mr. Moore further opined that they should be removed from the ordinance.

Marc Chretien, the applicant, Jeremy Smith, of Clites Architecture, and Helen McMahon, the property owner from across the street, appeared before the Commission. In response to an inquiry as to whether he intended to add to the building, Mr. Chretien confirmed he did. He advised that he would be sensitive to the history of Middleburg and would not touch the front façade of the building or the east or west ends. Mr. Chretien further advised that the addition would look like a residential style one and would be added to the existing L-shapes on both sides of the building. He noted that it would be constructed using the same materials and colors as the existing structure. Mr. Chretien reiterated that he had no intent to change the main structure. He advised that he has been wanting to establish an inn for several years and noted that he wanted it to have the essence of Middleburg. Mr. Chretien advised that his partners were former chefs at the Inn at Little Washington and noted that their dream was to provide moderately priced meals for their guests. In response to an inquiry from the Commission, he advised that the inn would not contain a large-scale restaurant; however, he would not turn away anyone who wanted to eat there. Mr. Chretien advised that the main purpose of the business would be as an inn. In response to an inquiry from the Commission, he advised that he was proposing that the inn contain twenty guest rooms, administrative offices, a kitchen, and a restaurant. Mr. Chretien advised that the residential lot would be used for parking.

Commissioner Roszel advised that he liked the concept. He noted that the prices of the Red Fox Inn had increased over the years and questioned whether Mr. Chretien anticipated his rooms would go for a similar price. Mr. Roszel opined that Middleburg did not need another high-end inn and noted that the prices prohibited some people from staying the night.

Mr. Chretien noted that some of what went into establishing pricing was economics. He further noted that the cost of the building was \$2 million and that the addition would cost \$3-4 million. Mr. Chretien reiterated that he would bring in the former chefs from the Inn at Little Washington. He opined that the town did not need another high-priced restaurant, but rather needed a moderately priced one. Mr. Chretien advised that the same was true for the inn. He noted that while he hoped his prices would be less than those of the Red Fox Inn, he could not promise it. In response to an inquiry from the Commission, he confirmed the inn would not have an events space, as it would be too small. He suggested that events be held at the Cider Barn. Mr. Chretien opined that due to the thickness of the walls, noise would not be heard from the inn.

Deputy Town Manager Moore reminded the Commission that if they approved the inn use in the C-1 District, issues such as noise would be addressed as a part of the special use permit application. He explained that Mr. Chretien was looking for lodging to support his existing events space.

Mr. Chretien advised that he would feature his liquors at the inn. He noted that he had lost wedding bookings at the Cider Barn because the guests could not afford to stay in Middleburg. Mr. Chretien opined that this was a policy question of whether Middleburg needed another inn and suggested it did.

In response to an inquiry from the Commission, Mr. Chretien advised that he anticipated needing at least twenty parking spaces to support the inn and opined that there was enough room to create parking in the rear of the property. He advised that he was not worried about parking, as he was only looking at having a 50% occupancy rate.

Deputy Town Manager Moore reminded the Commission that the parking requirements, as well as the setback and buffering requirements, would have to be met as a part of the site plan process.

In response to inquiries from the Commission, Mr. Chretien advised that the inn would be served by public water and sewer. He further advised that he anticipated two staff members per shift. Mr. Chretien reiterated that the chef and his wife would prepare the food and noted that there would be servers and housekeepers. He suggested the employees could park at the Cider Barn if necessary.

The Commission noted that the building was surrounded by the Middleburg Exxon and office parking. They opined that from a conceptual basis, this appeared to be a good proposal.

Deputy Town Manager Moore reported that the next step would be for him to draft a zoning ordinance amendment to add inns as a special use in the C-1 District. He suggested the Commission could review and initiate the draft amendment at their next meeting and then hold a public hearing on it during their April meeting. Mr. Moore advised

that they could forward a recommendation to the Council at that time. He suggested the Commission did not want to move too quickly, as they needed to step back and think widely about the C-1 District. Mr. Moore advised that most of the properties in the C-1 District would be precluded from being used for this use, as it required off-street parking.

There being no further discussion, Chair Cooke adjourned the work session and called the regular meeting to order at 7:06 p.m.

**Disclosure of Meetings With Applicants**

No meetings were reported with applicants by the members.

**Approval of Meeting Minutes**

*Vice Chair Woodruff moved, seconded by Councilmember Jacobs, that the Planning Commission approve the December 19, 2022 regular meeting minutes as presented.*

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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**Election of Officers**

*Vice Chair Woodruff nominated Terry Cooke as Chair. Councilmember Jacobs seconded the nomination.*

No other nominations were offered for the Chair position.

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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*Councilmember Jacobs nominated Don Woodruff as Vice Chair. Commissioner Roszel seconded the nomination.*

No other nominations were offered for the Vice Chair position.

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 Report**

Councilmember Jacobs reported that the Council would hold a Strategic Planning Retreat on March 6<sup>th</sup>. He advised that there were three items that were relevant to the Planning Commission’s work that would be discussed at that time.

Deputy Town Manager Moore advised the Commission that the Council adopted strategic planning as a part of what it did. He further advised that they would update their existing strategic plan and associated initiatives, as well as discuss possible additions. Mr. Moore advised that the Council would discuss the status of development regulations in the R-2

District and noted that they were interested in doing more to influence the redevelopment. He advised that the Council would also discuss the short-term rental regulations. Mr. Moore noted that depending on the outcome of the retreat, the Council may refer some of these items back to the Commission. He advised that they would also discuss the redevelopment of Federal Street and whether it was worthwhile to do a planning charrette given that there were multiple property owners involved. Mr. Moore advised that the Council would also discuss infrastructure, including possible updates to South Madison Street. He noted that the retreat was a public meeting and invited the members of the Commission to attend.

## **Discussion Items**

### **Vacation of Rights-of-Way**

Commissioner Fleischman noted a legal notice that recently appeared in the newspaper related to the vacation of a portion of South Pickering Street and the conveyance of it to The Fun Shop. He further noted that the Comprehensive Plan did not show a right-of-way in that location and requested the Commission be provided with the background information on this request.

Deputy Town Manager Moore explained that the portion of South Pickering Street where the Brick & Mortar store was located was vacated years ago; therefore, the remainder of the undeveloped right-of-way, which extended to Federal Street, could not be developed as a street. He reported that The Fun Shop owned the property surrounding the forty-foot right-of-way and noted that they have been maintaining it as if it was a part of their property. Mr. Moore explained that when someone wished to acquire right-of-way, they had to submit a request to the Town Council to vacate it. He reported that the Council referred this request to the Ad-Hoc Property Committee, who forwarded a recommendation of approval. Mr. Moore advised that a public hearing must be held and reported that the applicant offered a purchase price of \$20,000. He noted that the request mentioned the potential redevelopment of The Fun Shop properties and reminded the Commission they were on the market. Mr. Moore opined that acquiring this right-of-way, which bifurcates The Fun Shop's properties, could be key to the redevelopment.

Commissioner Fleischman reiterated that the maps in the Comprehensive Plan did not mention this right-of-way. He questioned why the Town's ownership of this property was not brought to the Commission's attention.

Deputy Town Manager Moore advised that there were a number of undeveloped rights-of-way in the town that were not pointed out during the Comprehensive Plan process. He further advised that the maps relied upon the County's GIS system and noted that they were not completely accurate.

Commissioner Fleischman opined that \$20,000 was a very low purchase price.

### **Legal Notice – Middleburg East/West Agricultural & Forest Districts**

Commissioner Fleischman advised that he recently read a legal notice regarding the Middleburg East/West Agricultural & Forest Districts and noted that this was the first time he had heard of them. He requested background on what they were.

Deputy Town Manager Moore explained that they were County districts that could be established with the voluntary consent of the property owner. He further explained that by keeping their properties in a certain use, there were benefits associated with being in an agricultural district. Mr. Moore advised that this was an incremental step in between having the land in a conservation easement. In response to an inquiry from the Commission, Mr. Moore advised that some areas of the districts abutted the town limits.

Commissioner Fleischman suggested that if the Commission reviewed any annexation proposals, they should get more information on these districts.

**Quorum for March Meeting**

Vice Chair Woodruff and Councilmember Jacobs advised that they were not sure they would be present for the March 27<sup>th</sup> meeting. The remaining members indicated they would be present.

There being no further business, Chair Cooke adjourned the meeting at 7:28 p.m.

RESPECTFULLY SUBMITTED:

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Rhonda S. North, MMC, Town Clerk

**Middleburg Planning Commission Transcript**  
**February 27, 2023**

**(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))**

**Rhonda North:** 6:30.

**Terry Cooke:** Okay, everyone, we will convene the work session for the Planning Commission's meeting of the 27th of February. And welcome, all. Good to see everyone again. We have one discussion item of some note on the agenda this evening. But we'll begin with the roll call, Rhonda, if you would.

**Rhonda North:** Sure. 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:** Here.

**Rhonda North:** Commissioner Roszel.

**Dev Roszel:** Here.

**Rhonda North:** Commissioner Stein.

**Mimi Stein:** Here.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Present.

**Terry Cooke:** Thank you all. As I mentioned, we have one discussion item, a potential zoning text amendment to allow for an Inn as a Special Exception Use in the C-1 District. Will has provided us with a memo giving the background on this. But you want to just sort of set the table on this Will?

**Will Moore:** Certainly. And thank you, Mr. Chairman. Happy New Year to the Commission. So our first time to get together. [off mic] So as stated in the memo, there is a contract purchaser, Mr. Marc Chretien here, he's the owner of the Mount Defiant Cidery and Distillery. So he has the distillery here in town and then the Cider Barn just outside of town, directly adjoining the east side of town. He has a contract on the property at 204 East Washington Street. This was most recently the home of Washington Fine Properties. They've now relocated to South Madison Street. So that property has been on the market. So he has a contract with a study period on the property. He has been looking at multiple properties at the possibility of creating an additional small lodging establishment. So and in this case and Inn as defined in our ordinance is a lodging establishment with no fewer than four, no more than 20 rooms. So that's

something that he's been looking at. If it pleases the commission, he could come up in a few minutes and kind of discuss some things with you. This particular property is in the C-1 district, I should say there are two parcels of land. There's a parcel that fronts on Washington Street that is C-1 zone that contains the building, a little bit of land area, and then there's land directly behind that on a separately platted parcel, which is where Washington Fine Properties had their parking area. That's actually residentially zoned currently.

**Terry Cooke:** And Will does that second parcel that you're talking about that goes all the way through to to Marshall Street?

**Will Moore:** To Marshall Street, correct. And the entrance to that parking area is off of Marshall Street, so. In looking at this property, the use is not currently provided for in C-1. The Inn is allowable with a Special Use Permit in both C-2 and C-3, but not currently in C-1. So certainly we're going to have some focus on this particular property as you have this conceptual discussion. But really this discussion is a broader discussion. And that is, should this use be provided for as a special exception use in the C-1 district broadly with the understanding that, that could potentially have implications elsewhere in the district, not necessarily just this particular property. However, the flip side of that is that if you establish a use as a special exception use as opposed to a by right use, you always have and it's really baked into a special exception use that it is looked at individually, property by property. There should be no implication given to a developer that because a use is listed as a Special Exception Use that there should be an expectation that it would be welcomed at any given location in the district. So it's kind of a balancing act with those two. But in this case, this is more of a high-level conceptual discussion. Should that use be considered overall as a possible use in C-1? And then you could have specific discussions about this particular property with the understanding that if you were to eventually initiate an amendment and if the Council were to approve that amendment to allow for the use as a special exception use there then would have to be a special use permit application to follow along with that for this particular property. There would also have to be a rezoning of the rear parcel that is a non-conforming use as providing parking for a commercial use in a residential zone currently. But if the use were to change that would have to be rezoned. There would have to be a site plan to lay out the parking. There would have to be involvement of the Historic District Review Committee for any addition to the building, any exterior changes to it. So there would be multiple parts that would have to follow along. But this is just starting with that concept discussion about just the possibility of providing for the use at all. So I'm happy to answer any background questions. If you have before inviting Mr. Chretien up or you can go to.

**Don Woodruff:** Is that a two-story building?

**Will Moore:** It is two stories. Yes sir.

**Will Moore:** Go ahead.

**Terry Cooke:** What was I going to ask? Oh, where is an Inn permitted by right, right now? What districts?

**Will Moore:** Correct. It is not permitted by right in any of our districts. It is only permitted by special exception in C-2 and C-3.

**Terry Cooke:** Okay. Thank you.

**Terry Cooke:** Commissioner Roszel.

**Dev Roszel:** Yes, Hi, this is Commissioner Roszel. So what is the definition between a building a distinction between a bed and breakfast and an Inn?

**Will Moore:** Okay, very good. So a bed and breakfast is owner occupied and run. And I think it's limited to three rooms so and it is provided for as a by right use actually in C-1. But the Inn has more rooms at least for up to 20 and it's not necessarily owner occupied it can be just run more completely as a business as opposed to the you know maw and paw lived there and they host you know some extra rooms that they have, and they provide breakfast in the morning so it's.

**Dev Roszel:** So that's the reason that the Country Inn that the [inaudible] have had was able to do it, or did they get a special use permit?

**Will Moore:** So that's an interesting example. It's a little bit different. That was a non-conforming use. It was established before our current zoning ordinance. I don't know that there was ever a special use permit required for that use. It functioned similar to a bed and breakfast, and that the owners actually did occupy it and they ran the business. However, it had a greater number of guest rooms. It had eight guest rooms in it, so it would not have met the definition, our definition current one of the bed and breakfast. But it does show that there is some history in that geographic area of town of a lodging facility coexisting peacefully with the surrounding properties, I think.

**Dev Roszel:** Thank you.

**Terry Cooke:** I'm going to ask the same question Dev asked, except I'm going to change it to rooming and boarding house. How does that differ from an Inn?

**Will Moore:** That's an interesting question. [laughter] [multiple speakers] I'd have to spend a little more time, and that's something maybe I could circle back with you on. That's kind of a holdover of a different time that we don't really operate, and it's probably something that could stand to be cleaned up in our ordinance as far as removing that definition because it's not practically applied anywhere in town.

**Terry Cooke:** That's something you would typically find above the Long Branch Saloon, for example. [laughter] Okay. All right. Thank you.

**Will Moore:** Yes sir.

**Terry Cooke:** Before we, any preliminary questions before we invite the applicant to come up and speak to the issue? Gentlemen.

**Marc Chretien:** May I bring my?

**Will Moore:** Yeah, please.

**Terry Cooke:** Oh, please. And please state your name and address if you both are going to speak. Please both give us your name and address for the record.

**Marc Chretien:** My name is Marc Chretien. I live in Arlington 3639, 36 Road North Arlington, Virginia. This is Jeremy Smith, who was Tim Clites is our Architect and could not make it. He's on a plane right now, but his associate is here. Jeremy Smith. Absolutely.

**Terry Cooke:** Welcome.

**Marc Chretien:** And we have Helen McMahon, who you may or may not know. I brought her here in case there was a question as to the C-1 having had an Inn before and because it's across the street from her business. Would you like me to give a presentation, or do you want me to respond to questions? I don't know that I've not had the honor of being before a Planning Commission.

**Terry Cooke:** If there's anything that you'd like. I seem to recall from Will's memo that assuming all of this happens, and a special exception is eventually granted on this. It's your intent to add to the existing building, is that correct? Why don't you tell us a little bit about it.

**Marc Chretien:** First of all, I am very sensitive to the history of Middleburg. We are looking at a 1780 federalist style home of over 4000 square feet that would not be touched on the front façade or the existing east and west ends. It already has since it's a very long lot. It already has two preexisting Ls or halls or whatever you want to call it. Tim Clites has a great word for it. He went through it with me, and his point was you could do a very residential style addition, which just consists of four rooms up, four rooms bottom, four rooms up, four on both sides of the L, and just



extend it maybe halfway towards the end of the property. Same materials, same colors, same standing seam roof. So that you from looking at it, I don't think there would be any real difference except that the wings would be a little longer. Does that answer your question?

**Terry Cooke:** Yeah. Well, I assume by that answer you're not intending to alter the the main structure?

**Marc Chretien:** Not at all. I share Tim Clites' view on this that's objectively historic.

**Will Moore:** And sorry if you're not familiar with Tim Clites by name. He is the Chair of our Historic District Review Committee and has his office right down here at Marshall and Pickering Street.

**Marc Chretien:** He's just got an eye that I appreciate in a sense of aesthetics. You know, it's not. We've been wanting to do an Inn for several years. Many years ago we were asked under the previous administration if we would put up a hotel. This was a year before the pandemic. Just to give you background, so I put together, I got with my partners. We agreed to do it. We went to the Town Council and started individually meeting them. And then the pandemic hit. So Salamanders itself closed down. It was not a good time to proceed. So we waited a couple of years, made hand sanitizer for first responders at our distillery, converted good room for that. And then we.

**Terry Cooke:** Which would have worked just as well by the way. [laughter]

**Marc Chretien:** Yes, it's over 150 proof. But so the question then was, okay, what do we do? I'd rather do something that's scaled that the town likes that's in the town, that is the essence of Middleburg. Now, that doesn't mean I would fill it completely with paintings of foxes and horses, but it would be close. But something that and we have partners that are former chefs at the Inn at Little Washington that would be doing the rest. Their dream for this and that restaurant is just ancillary, but it would be to have a moderately priced, well executed meal there for our guests so. Anyway, we finally focused after we looked at The Fun Shop, couldn't get an agreement to wait. We need a four-month period because anything you do is requires going to the Planning Commission. And it took a lot of hassle just to get this contract on this property. So if we're successful, I am not wasting your time and my time, and that's where we're at right now. You're my first stop.

**Terry Cooke:** Very good. Anything else you want us to know before I invite the Commissioners to ask questions?

**Marc Chretien:** Well, it's clear that so Helen is here basically to explain the previous in there. But it looks like that's pretty well covered. [off mic] And maybe I should just shut up and answer questions.

**Terry Cooke:** I'll invite any of my colleagues up here who want to ask questions.

**Mimi Stein:** I will.

**Terry Cooke:** Commissioner Stein.

**Mimi Stein:** Commissioner Stein, I just have a quick question. You mentioned serving meals to the guests. Is this are you going to serve meals to non-guests or is it just?

**Marc Chretien:** It's hard to not to turn people down if they want to come into a public restaurant? But it's not a large-scale restaurant. It's too small. The building its primary purpose is an Inn.

**Mimi Stein:** Thank you.

**Marc Chretien:** Yep.

**Terry Cooke:** Just a quick question. Assuming this goes forward, and you do enlarge the two wings as you describe. How many rooms do you have an idea?

**Marc Chretien:** The house on the second floor?

**Terry Cooke:** [multiple speakers] for the whole property.

**Marc Chretien:** 20 rooms. The house currently has a downstairs, but that would be used for admin and a kitchen or a restaurant. But the upstairs holds at least four rooms. Including one that has a false door that I really like. Anyway. And so we'd need 16 rooms to get up to 20. There's a reason for that. First of all, it's symmetrical and Tim Clites has this. We looked at Southern architecture for structures like this which do belong and look nice. With just four rooms up and four, so it's eight rooms on each side that gives you 20. The issue is, is that you're dealing with a fairly large amount of capital. And if you don't have a certain, you have to be priced according to what you're doing. And we need 20. That means I don't it's kind of it means I don't have to spend the night away from my wife and daughter and which would be a, you know, a typical B&B, we'd have somebody spends the night there.

**Rachel Minchew:** Rachel Minchew. So the back, the residential piece that would be that would still have your access to the back side of the Inn, which would then be, in theory, just parking, no additional structures put back on that side of [multiple speakers].

**Marc Chretien:** No, I don't think there's I believe it's just parking. It would be just parking.

**Rachel Minchew:** Okay.

**Marc Chretien:** I could be off by one foot. I don't think so, though. But if that's a concern, we would adjust.

**Rachel Minchew:** Yeah.

**Terry Cooke:** Commissioner Roszel.

**Dev Roszel:** Yes, Hi. Commissioner Roszel. I like the concept. I do have one. I guess question that comes up is we've since Salamander has arrived, the prices of Red Fox have skyrocketed over the last couple of years. Is the expectation that you're going to be in the same price range? I mean, I'm not convinced that Middleburg is we necessarily need another high-end Inn, because it there are a lot of people that come here that want to stay here. But it's sometimes it's priced prohibitively high for someone to come and stay a night at Red Fox. It can be as much as \$700 a night.

**Marc Chretien:** We've done a study of prices. It's astounding to me. Some of it is basic economics. The building is for sale for a little over \$2 million dollars. It would be 3 to 4 million to add on. At that and then you're talking debt service. I wasn't going to write a check for the whole thing, and we have to pay debt service. But having said that, it's like the chef couple that we want to use that worked at the unit in Little Washington. Their point is the world doesn't need another high-priced restaurant. I think we're all familiar with those. They want a medium-priced meal that's well executed. The same pretty much that fits the concept of the price per room. It ranges here in the middle. I mean, it's all seasonal, too. So we're right now in the winter doldrums. Having been here for almost ten years, I can tell you about it. January, February, and March just kind of we're about, say, 40% of our retail revenues at our distillery than we are the last quarter. So hotels are the same way with a few exceptions because there are so many barriers to entry to have a hotel anywhere around here and people have to go to Dulles. There is a need, even if assume whatever you want to do with this Inn. If we don't have some type of competition, you have a prohibitively high price because there's no competition. I can't even find out what the price of the Good Stone Inn is, and they are booked up for the next year, basically. You can on the Red Fox Inn. I would plan probably I would hope to be under the Red Fox Inn, but I can't promise that because and it also it especially when you start out you're better off trying to fill the place than you are hoping to have a very high priced room. So Salamander say, goes for somewhere up to \$1,200 a night, \$700 to \$1,200 maybe depends on the time of year. The other places go from I saw the Red Fox Inn had \$292 in the middle of January in a weekday. Okay we would be in that range, and I think it has to make a profit. But I'm not there to gouge people. If you look at our prices on everything else, it killed me to add a buck or two a bottle. Price wise last month, just because that's how much the empty bottle of bourbon went up this year, that's empty. So and everything else went up too. So yeah, it would be. And there would be discounts. And, you know, I'm a businessperson. We're kind of friendly about that.

**Dev Roszel:** Yeah. I'm just curious. It's not a plus or minus. I just.

**Marc Chretien:** It's something I wanted to address because I'm not there. You can buy a property that is so expensive it mandates \$1,000 a night. Like at the Inn at Little Washington, there's over \$100,000 in serious antiques in their rooms. The meal comes with synchronized water pours. Now. Okay. At \$500 a meal. That was five years ago. My wife and I were there. I was like, Well, at this price, I think I deserve synchronized silent water pours at both at the same time. [laughter] No, we're not going to go for that frou frou for that price. But we would try to do carry luggage, that type of thing.

**Dev Roszel:** Yeah. Thank you. [off mic]

**Rachel Minchew:** I have another. Rachel Minchew. Are you thinking of using the as possible event space as well? Rentals. [multiple speakers] rentals.

**Marc Chretien:** I don't think it works. The space is too small. We have a barn that we would do, that's what we do our events in. Like, for instance, Salamanders will ask us their corporate events that go out there. They like to go off campus, as they call it. It's like, so we'll have 50 corporate executives go to our place there. We don't really have the space there for that. Now, at 20 people inside the building, it's about two foot thick of Riverstone and it's going to have two L's. So there's no real I don't think that you're going to hear any noise.

**Will Moore:** It is a good point to raise, though. And certainly if this progressed to later stages in a special use application, things like that can really be addressed. And Mr. Chretien and I have talked about this at least briefly, that he's been kind of looking at lodging to support his event space because he doesn't have any onsite lodging. And that, you know, conditions can be imposed with special use permits and, you know, maybe specific conditions if it were to progress at that point about the use of the Inn for events or for live music and things like that could be considered during that process to mitigate any potential impacts on surrounding properties and things like that.

**Marc Chretien:** I'm very flexible on that. And this is my there's a you know, there's a symbiotic thing going on here. We'd be able to have feature our liquors there and we'd also we have lost weddings at times because people can't afford like we just had a wedding with what's that with a firefighter? And they said, our people can't afford to stay at the Salamanders. And, you know, we did have one firefighter, a couple that did do it, but they all are commuting to Chantilly. But we've lost business because of that, which is, you know, my irritation isn't yours necessarily, but I think the town, and this is a Planning Commission Meeting, so it's really policy. Should we allow this by special exception or should we not? But I think the policy underlying that is, does the town need an Inn? And I think so.

**Terry Cooke:** Commissioner Woodruff.

**Don Woodruff:** What's the Don Woodruff. What is the parking impact? Because if you're going to extend out the back, it sounds like you're going to come fairly close to the back street there.

**Marc Chretien:** We'd go pretty close to the back street. I believe there's enough room.

**Don Woodruff:** Well, you'd have to have at least 20 parking spaces, wouldn't you?

**Marc Chretien:** Yes. But you can also use the four in the back if you want to.

**Don Woodruff:** Pardon.

**Marc Chretien:** It's kind of fungible, Commissioner. Meaning if you have a very nice narrow wing that goes out to halfway through, you've got four in the back and 14 there or you push in, make it more like a horseshoe and you can get the 20 parking spaces in there. It's not something that worries me too much because we're really looking at a 50% occupancy rate, which is 10.

**Don Woodruff:** And but parking is very important to us because if you end up with residents in your Inn, parking on the main street, which is certainly allowable, that takes up spaces for people who are day visitors coming to visit.

**Marc Chretien:** Well, they have a choice. You either pull in like at the Red Fox Inn, where they have a 15-minute parking time, where they come in or they go and park out back because the signage would say parking to the rear? And it's basically it's kind of hard to say where that the front door of that house was 200 years ago. It may well have been facing Marshall Street. So they both you know, it blends either way. So you have people park in the back in the provided parking. That's the intent and the signage would say so.

**Will Moore:** And certainly. Mr. Woodruff, it would be a site plan issue. Yeah. This again, the exact configuration would have to be worked out. Make sure they meet parking requirements, make sure the parking meets the setback and buffering requirements from surrounding properties.

**Marc Chretien:** It's a city block, long lot .52 acres.

**Don Woodruff:** But if you're putting 16 rooms back there, then that takes up a lot of space.

**Marc Chretien:** That's an 8000 feet on a. They're stacked the four rooms and four rooms and four rooms and [multiple speakers].

**Don Woodruff:** Yeah. But you still are using up a lot of that what's currently space there it would seem to me. And then the other question is as you look at this. What is your expectation with regard to water and sewer?

**Marc Chretien:** I believe there are laterals and mains that, I mean it's on the mains.

**Don Woodruff:** Okay. So you would tie. [multiple speakers]

**Marc Chretien:** Oh yeah. Yeah.

**Will Moore:** It might require upgrading.

**Don Woodruff:** That's what I'm thinking.

**Will Moore:** On the meter size and things like that. Those are things that again, those are those kind of further steps. Looking at the engineering. I don't know if it's just a typical residential meter there. It probably is. And it probably would require [inaudible] meter. Those are things that would be figured out through the planning processes.

**Marc Chretien:** We left a lot of leeway in terms of hidden costs.

**Terry Cooke:** Commissioner Stein.

**Mimi Stein:** Commissioner Stein. Another quick question. How many people do you imagine having in staff on a regular basis, on a daily basis? I'm thinking of cars, you know, parking cars.

**Marc Chretien:** Oh, just two during no more than two on each shift in the in part. And then there would be a husband or wife would be the chefs, a couple of those. Server. We can also if that's a concern. We're two blocks from the Cider Barn where I have a lot of parking but.

**Mimi Stein:** You're two blocks from my house, actually. [laughter]

**Marc Chretien:** Okay.

**Terry Cooke:** Well, we guess you're going to have housekeeping staff.

**Marc Chretien:** Yeah, we have a housekeeper that would come in. A 20 room Inn typically uses one and a half housekeepers, meaning one per day, and then one on one half time on a weekend on that.

**Mimi Stein:** Okay.

**Marc Chretien:** But that's the emptier part of town, too. Mm hmm.

**Mimi Stein:** Thank you.

**Terry Cooke:** Anyone? Commissioner Fleischman.

**Ed Fleischman:** Yeah. Edward Fleischman. I'm looking at the aerial photo of your site. And one of the things I see on one side is the Exxon gasoline station.

**Marc Chretien:** Yes, we're next.

**Ed Fleischman:** Next to another parking lot of the I guess, an office building off Jay Street. So on a conceptual basis, I think this is pretty good. Thank you.

**Marc Chretien:** Oh, yeah. Between the Exxon station and the office building. I don't think we're going to be that disruptive. No, but change is always change.

**Terry Cooke:** Commissioner Jacobs.

**Bud Jacobs:** I'd like to amend Commissioner Fleischman two remarks. As Marc well knows, that's a historic Exxon station. [laughter]

**Marc Chretien:** It's a contributory actor doing it. Yes.

**Bud Jacobs:** And somewhat surprisingly, I have to agree with this initial reaction to this, Marc. It's good to see, by the way. Thank you. I think this is a really good idea. I don't know where we will go with all of the nits and noise that we're going to have to pick through and you're going to have to pick through. But it certainly seems like well thought out and as they used to say, virtuous idea.

**Marc Chretien:** Thank you very much. I appreciate that, Commissioner.

**Bud Jacobs:** I'm [off mic] association with.

**Marc Chretien:** No, I don't. Used to all be Arabic in Iraq.

**Terry Cooke:** Chairman speaking. I agree with with Commissioners Fleischman and Jacobs. When I first saw this, I thought, Gee. Why not? It at least at first blush, and I know there are many hoops and whatnot to go through yet, but my initial impression is positive, and I'm glad to see something interesting going in there. Perhaps.

**Marc Chretien:** Perhaps I'll do my best. And I have with the architects to deal with that will assist. I think we can do a. I hate using cliches like win win, but I think a mutually beneficial thing that preserves. I mean, I love the exposed beams there and all the extra little rooms and fireplaces and all of that. Some of it's unchanged since 1780.

**Terry Cooke:** Well, that's one of the appeals. I mean, it's obviously an existing structure. It's classic in terms of its appearance. It fits the community aesthetic. You're not knocking something down and putting something new up. So I think it's a good use of that of that property. So anyone else have any closing thoughts? No. Okay, Will, where do we go from here?

**Will Moore:** Okay, so the next step would be I would craft a draft zoning text amendment for you, which would simply insert in as a special exception use into the C-1 district. And you could consider initiating that amendment at your meeting next month. So you may recall that to make a change to the amendment, it has to be initiated either by the Planning Commission or the Council and think of initiation as the filing of an application. So we don't provide for private applications to amend our zoning ordinance only to be initiated by either the Commission or Council. So you could consider initiating that amendment next month. It would be before you and then potentially, then we would

schedule a public hearing for the following month, at which time you could take action to forward that with a recommendation for approval to Council. So that's you know, it's a process. It's designed to not move extremely quickly by state code. You know, things must go through processes so that the community has time to respond to hearing notices and such. So. But yes, So you could initiate the amendment possibly next month. We wanted to give you time to think about it. I didn't want to put it as a motion to initiate this month because really should spend some time thinking about it. I would encourage you, between this meeting and next meeting, to step back a little bit from Mr. Chretien's idea and just think a little more widely about the C-1 district. I included the zoning map in there so you could get an idea of the other C-1 locations. Quite frankly, most of the C-1 district would be precluded from this type of use simply because it has to be accompanied by required off street parking. And off-street parking takes up space. And this is one of the few sites that I see in my initial review of C-1 that that really could potentially work for it. But but it's worth looking over. So again, we'll have that draft amendment for you to consider initiating next month. If you were to initiate it, then at your it's late March your late April meeting, you could have a public hearing on that.

**Terry Cooke:** Sounds like a plan. Okay. Excellent. Thank you, gentlemen.

**Marc Chretien:** Thank you very much. Appreciate it.

**Terry Cooke:** All right. That concludes our agenda items for the work session. And it is after 7:00, so we can move right into the regular meeting. Oh. Commissioner Fleischman.

**Ed Fleischman:** I have a couple of items that I wanted to address to Will. I can do it now or we can do it at the regular meeting if you.

**Terry Cooke:** Well, we have a discussion section at the meeting. Can it hold till then?

**Ed Fleischman:** Yeah, definitely.

**Terry Cooke:** Okay. All right. Very good.

**Ed Fleischman:** I wanted to reserve some time.

**Terry Cooke:** You got it. All right. We'll convene the regular meeting of the February 27th meeting of the Planning Commission. Call the meeting to order. And first agenda item is disclosure of meetings with applicants or other folks having matters coming before the commission. Rhonda, You want to call the roll on that?

**Rhonda North:** Sure. Chairman Cooke.

**Terry Cooke:** I've had no meetings or discussions with folks coming before the commission.

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** I've had no meetings either.

**Rhonda North:** Commissioner Fleischman.

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

**Rhonda North:** Commissioner Minchew.

**Rachel Minchew:** I've had no meetings or discussions with anyone.

**Rhonda North:** Commissioner Roszel.

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

**Rhonda North:** Commissioner Stein.

**Mimi Stein:** I've had no meetings or discussions with any applicants with business before the Commission. Council Member Jacobs.

**Bud Jacobs:** I've had no meetings with any applicants with matters before this Commission.

**Rhonda North:** The next agenda item is public comment. This is an opportunity for anyone having matters they wish to bring to the Commission's attention. To do so, do we have anyone on the line, Rhonda?

**Rhonda North:** No, we're not advertising these as remote meetings.

**Terry Cooke:** Very good. There being no one to offer comments at this time, we will conclude that agenda item. And move to the approval of the minutes for the December 19th, 2022 work session and regular meeting.

**Don Woodruff:** I move that the minutes be accepted as presented.

**Bud Jacobs:** Second.

**Terry Cooke:** We have motion and a second. All in favor. Say aye. Aye. Any opposed any abstentions? Hearing none motion carries, and the minutes are approved.

**Will Moore:** Mr. Cooke. I'm not sure you're seeing.

**Terry Cooke:** I don't I have the original agenda.

**Will Moore:** So we have the nomination and election of officers as an agenda item.

**Terry Cooke:** Okay.

**Will Moore:** So you were very correct to point out to me after I sent out the original agenda that we need to do that the annual election of nomination election of officers.

**Terry Cooke:** Well. Okay, ladies. Yeah. Ladies and gentlemen, it's that time again for nominations. Nominations for both the Chairperson and the Vice Chairperson of the Commission will begin with The Chairperson. Does anyone have any nominations to put forward?

**Don Woodruff:** I nominate Terry Cooke.

**Bud Jacobs:** Second.

**Terry Cooke:** Any other nominations.

**Don Woodruff:** [inaudible].

**Terry Cooke:** Well, I will only observe that this suggests a woeful lack of imagination on the part of the Commission. [laughter]

**Ed Fleischman:** Not true at all.

**Terry Cooke:** But thank you. But I guess we will have a vote on that. Rhonda, you want to call the roll, I guess.

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** I vote yes.

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** Commissioner Fleischman votes yes.

**Rhonda North:** Commissioner Minchew.

**Rachel Minchew:** I vote yes.

**Rhonda North:** Commissioner Roszel.

**Dev Roszel:** I vote yes.

**Rhonda North:** Commissioner Stein.

**Mimi Stein:** Yes.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Yes.

**Terry Cooke:** Thank you all.

**Rachel Minchew:** Thank you. [applause]

**Terry Cooke:** Next, we turn to. I assume this comes with the customary double salary and use of the town jet.  
[laughter] [multiple speakers]

**Terry Cooke:** All right, great. We turn now to nominations for the Vice Chair. Anyone care to offer a nomination?

**Bud Jacobs:** I nominate the distinguished gentleman to my left, Don Woodruff. [off mic]

**Terry Cooke:** You're here.

**Don Woodruff:** Oh. [laughter]

**Terry Cooke:** Do we have a second?

**Dev Roszel:** Yeah. I second that.

**Terry Cooke:** Motion and a second, any other nominations? Rhonda once more the roll please.

**Rhonda North:** Sure. Vice Chair Woodruff.

**Don Woodruff:** Yes.

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** I vote yes.

**Rhonda North:** Commissioner Minchew.

**Rachel Minchew:** Yes.

**Rhonda North:** Commissioner Roszel.



**Dev Roszel:** Yes.

**Rhonda North:** Commissioner Stein.

**Mimi Stein:** Yes.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Yes.

**Terry Cooke:** Very good. Congratulations, Don.

**Don Woodruff:** Now, there's a caveat to that, that's that you won't miss any meetings [laughter].

**Terry Cooke:** Well, we'll wait and see how that works out.

**Dev Roszel:** Jet, maybe? [laughter]

**Terry Cooke:** Yeah. I maybe off on the town jet somewhere when it leaves. Okay. Let's see we've done Public Comment or approval minutes done that. Okay. We come to the Council Representatives Report, Council Member Jacobs.

**Bud Jacobs:** Thank you, Mr. Chairman. There is an information item on the agenda about the Town Council's upcoming strategic plan retreat, and I am going to cede my time to allow Will to talk about that a little bit. There are at least three issues that I'm aware of directly relevant to our work that will be on the agenda for the retreat. So I don't know if you want to let Will go now or wait until after Ed's discussion item. Will go.

**Will Moore:** Sure. So the Council has wisely adopted strategic planning as part of what it does now. And so they had an existing strategic plan with a number of highlighted initiatives. This is kind of a refresher and update to that existing plan. So in the past, they brought in a moderator to go through the strategic planning exercise. We'll be doing that in house this year, but they'll get an update on where we are with their current standing strategic initiatives and then some talk about anything that they might want to add to their program for directing staff's work. A couple of things that will be on there for discussion. And this I think we've kept the Commission somewhat apprised, but both the status of our development regulations for the R-2 district. So the Commission's done some work on that. Two separate zoning text amendments over the last couple of years have been adopted, but there remains some interest amongst at least some members of Council about maybe doing more to influence some of the redevelopment that has happened in the R-2 district. So that will be a discussion item. There's also continued interest in discussing our short-term rental regulations and of course the Commission has done some work on that recently as well. So depending on what comes out of the Council discussions at their retreat, there may be some work that is referred back to the Commission to do some perform some further efforts on both of those areas. And it's also anticipated that we'll be talking about how or if to proceed with planning efforts for redevelopment of Federal Street. So, of course, having been involved with our Comprehensive Plan update from a few years ago now, you of course, recall that that was identified as the area in which at least within the town limits, had the most potential for redevelopment. We put off efforts to do, say, a planning charette or something like that during the pandemic time. So there have been some discussions back and forth about whether that would be a worthwhile effort considering the multiple different property owners and the overall feasibility of a redevelopment scenario. But that will be a discussion item with Council. And depending on what comes out of that, there may be some Planning Commission related items for us to tackle with that as well. We're also going to be talking a little bit about just infrastructure. Overall, part of the Comprehensive Plan was updating a sidewalk map, so identifying areas for new or infill sidewalk as well as some discussion about just our existing infrastructure. The first block of South Madison Street being one in which there may be some need for some update to the pedestrian pathways and some of the trees and things within that block that might help spur some activity on that block. So those are some of the things that we'll be talking about during the retreat. It is a public meeting. So if you're free and you want to stop by and observe the Council's discussions, it's open. It will be at the the boardroom at the Hill School, but it is an open public meeting.

**Terry Cooke:** And when is this happening?

**Will Moore:** This is on.

**Rhonda North:** Monday, March 6th 8:00 a.m.

**Will Moore:** 8:00 a.m.

**Mimi Stein:** It's the next Monday.

**Terry Cooke:** 8:00 to noon, I think.

**Will Moore:** So one week from today.

**Mimi Stein:** Excuse me. Will it be online by any chance?

**Rhonda North:** No.

**Will Moore:** No, we will not be streaming.

**Terry Cooke:** Thank you, Will. Bud was there anything else from the Council?

**Bud Jacobs:** No that's it for us. Thank you.

**Terry Cooke:** Thank you. I notice I read the minutes of the Council Meeting. I notice you had a presentation by the County Attorney. That was interesting.

**Rhonda North:** The Commonwealth Attorney.

**Terry Cooke:** Excuse me. Excuse me. Commonwealth Attorney. Yes.

**Bud Jacobs:** Oh, yes, we did have a presentation by the Commonwealth Attorney.

**Terry Cooke:** Yeah, yeah, yeah. Yeah. No, I wasn't. Holy. Well, never mind.

**Bud Jacobs:** Oh, no.

**Terry Cooke:** Okay. Thank you Will. Discussion items. Ed, you mentioned you had some things you wanted to.

**Ed Fleischman:** Yes. Thank you, Mr. Chairman. This is Ed Fleischman. I've been interested in Federal Street for a few years, and I think the last meeting or two I mentioned what I asked a question about the status of Federal Street. When I was perusing in my spare time the legal notices in the Leesburg paper. I noticed that there's going to be a public hearing on vacating, establishing an ordinance to vacate a portion of South Pickering Street, convey it to the Fun Shop Inc. And I went back to the Comprehensive Plan. I didn't see anything that showed that South Pickering Street had a right of way below Washington Street. So it was sort of came out of no place for me. And maybe you can give me some more and Commission a little bit more background on what's happening there.

**Will Moore:** Yeah, absolutely. So Pickering Street, if you don't know by name it North Pickering Street extends between the Red Horse Tavern and Market Salamander off of Washington Street and heads north to Marshall Street. There was a platted but never built unimproved South Pickering street right of way which was directly opposite. Which would have extended from Washington Street to Federal Street. Years ago the Council vacated a portion of that which is where the now Brick & Mortar building is built so that precluded Pickering Street from ever being built as a through street. The 40-foot wide right of way has unimproved right of way has continued to exist from behind Brick & Mortar and then going straight back to Federal Street. The Fun Shop Inc, which is The Fun Shop building itself, which

goes all the way through to Federal Street and includes a residential structure at the rear. And then The Fun Shop also owns two residential properties on the west side of that right of way, which front on the Plains Road. This 40-foot wide right of way has always existed. Bifurcating the land that they own on either side and has essentially been maintained by them as if it were theirs, whether it was viewed as an extension of the rear yards of the residential structure or the side yards of The Fun Shop. But they have submitted a request to the Council to consider vacating and conveying that right of way. And the Council has been considering that request they referred it to. We have an Ad Hoc Committee, meaning it's formed as necessary to review such requests. The Ad Hoc Property Committee reviewed that request earlier this month and forwarded to the Council recommending approval. So the hearing is on the ordinance. There is a purchase price of \$20,000 for the right of way that has been offered to the town, which will be considered as part of that ordinance. So that's what it involves. The request does mention that there is potential redevelopment of The Fun Shop properties as a whole. I think it's no secret that all of their properties have been on the market for some time and that this acquiring this piece, which again bifurcates their complete holdings, could be key to that redevelopment that could take place at some point in time.

**Ed Fleischman:** So Will when I look at the maps in the Planning document, the Comprehensive Plan. I mean, there's no mention that that's a right of way. And I remember all the meetings. No one mentioned that that right of way was owned by the town. Was there any reason why that wasn't brought to the attention of the Planning Commission before and shown on these maps in the plan?

**Will Moore:** As to the first question, we have numerous unimproved rights of way in multiple locations throughout town that we didn't necessarily point out during that process. As far as the mapping, we rely on the county's geographic information system for our parcel mapping. It is mostly accurate. It is not completely accurate. There was a point in time a number of years ago that their geographic information system correctly identified that there was a public right of way there, and then at some point in time they did update to their mapping and that is no longer showing. But that's still not it's still part of the land records and has remained that that is a right of way. So that's the best answer I can give you on that.

**Ed Fleischman:** Okay, I just have an opinion and I'll pass it on to you and the Council Members who's here today, Bud. I think \$20,000 is very low for a piece of property in Middleburg. I mean, land is very valuable here. So I'm just surprised that you mention I didn't hear a price before until you just mentioned it. So that's my opinion on that. But I'll leave it. I'll just pass that on, and I'll leave it at that. Thank you. Now, my second item, if I might. Sure. In the same newspaper, there were another legal notice here, which I again, I hadn't heard anything about this. And it deals with the Middleburg East Agricultural and Forest District and the Middleburg West Agricultural District. It's the first time I heard that there were those two districts. Can you give some background on what they are?

**Will Moore:** Briefly. Those are county districts. They're not.

**Ed Fleischman:** Right. It's outside the town.

**Will Moore:** It's agricultural and forestal districts can be established with the voluntary consent of property owners. And if they agree to keep their properties in certain use, there are certain benefits that can accrue to them by being part of an agricultural and forestal district. I don't have any of the specifics on what those benefits are or what the restrictions that might come along with those are. But it's a step not reaching the level of a recorded conservation easement, but it's kind of an incremental step in between where it doesn't necessarily put the property in easement in perpetuity. But it's something that landowners can do to accrue some benefit by agreeing to not undergo certain development on their properties and have it as a voluntary member of that district.

**Ed Fleischman:** So Will a follow up question is. Do those districts abut directly the town border?

**Will Moore:** I think there are some that do, but I don't have the mapping in front of me.

**Ed Fleischman:** Don, did you know something about that?

**Don Woodruff:** Well, I think generally when that issue was presented a number of years ago, many years ago, that was an assumption that they would come up to the limits of the town [off mic]. But that's just trying to remember it exactly. But it was not considered a major issue at that point in time.

**Ed Fleischman:** Yeah. So could this. If we do, if the Planning Commission gets to review some annexation requests in the future with this possibly at the time, we ought to get some more information. If we do get those requests, we ought to get more information possibly about these districts at that time Will.

**Will Moore:** Sure, sure.

**Ed Fleischman:** See how you know if it has any effect or maybe it doesn't have any effect.

**Will Moore:** Yeah absolutely.

**Ed Fleischman:** But something new, in my view. Well, Mr. Chairman, those are the two items that I had. So I appreciate the time. Thank you.

**Terry Cooke:** Thank you. Thank you, Ed. Let's see. Well, it looks like that concludes most of our agenda with the exception of a quorum for the March 27th. Meeting is everyone who is here tonight planning to be around for the 27th of March?

**Rachel Minchew:** Yep.

**Bud Jacobs:** I'm not sure.

**Don Woodruff:** I'm not sure either. But I'll.

**Terry Cooke:** Let us know in advance.

**Bud Jacobs:** At the end of the month playing golf at Pinehurst. I just don't remember the date.

**Terry Cooke:** Oh, okay. Well, we wouldn't want to interfere with that. [laughter]

**Bud Jacobs:** No that's not something that can be deferred.

**Terry Cooke:** No.

**Don Woodruff:** I was planning on playing golf, but not at somewhere like Pinehurst. More like Pine [inaudible].

**Terry Cooke:** All right, well.

**Bud Jacobs:** Can I let Will know.

**Terry Cooke:** Yeah, certainly. Certainly. I mean, just so long as we have a quorum. And with that, folks, I think we're adjourned. Thank you very much.

**Mimi Stein:** Thank you.

**Ed Fleischman:** Thank you, Terry.

**Terry Cooke:** Thank you all.