



## TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, January 9th, 2024 at 9:00 AM

### MINUTES

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AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS  
HELD ON JANUARY 9th, 2024, AT 9:00 AM

#### Work Session

##### PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

##### ABSENT

#### Regular Meeting

##### PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney

##### ABSENT

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### I. WORK SESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 a.m. A quorum was present, and business could be conducted.

The Mayor Indicated that Mr. Hartman would be joking late due to a dentist appointment.

Mr. Cassidy informed the Council that there would be additional technology in use today on the dais as part of the partnership with the County and the shared use of space. Namely the Clerk's additional headset to communicate with the IT and AV team.

#### A. Strategic Retreat Goals

Frank Cassidy, Interim Town Manager, introduced the topic.

Mr. Cassidy provided an overview of the 2024 Strategic Retreat Goals to Council.

The three main priorities introduced were,

1) resiliency, financial, and workforce,

2) preparedness and technology

3) utilities and affordable housing.

Mr. Cassidy stated that these goals were identified at the October 10<sup>th</sup>, 2023, regular Town Council Meeting and that Ms. Jane Dittmar from the Virginia Institute of Government would facilitate this Strategic retreat. He stated that Ms. Dittmar would be contacting all of Council for their input on the retreat.

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## **B. 18 Court Street Building Updates**

Frank Cassidy, Interim Town Manager, introduced the topic.

Mr. Cassidy provided an update on the 18 Court Street Building to Council. He stated that Fauquier County would be utilizing the space as needed and that the Farmer's market being moved to the building was going very well. He added that staff were still working with the VFW to outline their agreement.

Mr. Cassidy and the Council discussed the County's use of the space and the operating cost share with the VFW and Fauquier County.

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## **C. Agenda Review**

Mr. Cassidy reviewed the agenda. He noted that today's work session would focus on the public hearings scheduled for Council's evening session.

Ms. Casey Squyres, Historic Preservation Planner, introduced the topic of SUP2023-02 Wal-Mart. She provided a brief summary of the item to Council.

Ms. Squyres explained that the SUP was to allow for upgrades to the existing store by implementing an expansion of the store by 6,151 Sq/ft that will accommodate a merchandising pickup staging area, and relocation of existing outdoor seasonal storage containers, restriping of the parking lot, modifications to the exterior of the building, a new color scheme amongst others.

Ms. Squyres explained the history of the site reviewing previous SUPs and actions before the Council.

Councilmember McGuire asked if they anticipated an increase in traffic to the arterial streets.

The representative from the applicant, Mr. Robert Beaman, answered that they did not anticipate an increase in traffic or an increase in customers; the proposed change was meant to provide existing customers with a different mode of picking up merchandise. The SUP conditions included additional traffic-calming measures for one of the streets, so they viewed this as an improvement to the arterial streets.

Councilmember Hamby asked if it was possible to add more signage to prevent people from turning left out of Wal-Mart and into traffic onto Falmouth.

Mr. Bateman stated that they would be glad to work with staff during the site planning process to address that issue.

Mayor Nevill requested that they also review lighting at the entrance, focusing on pedestrian safety.

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Casey Squyres, Historic Preservation Planner, introduced the topic of SUP 2023-03 226 E. Lee Street Accessory Dwelling Unit (ADU). She provided a brief summary of the item to Council.

Ms. Squyres explained that the applicant is seeking a special use permit to construct an accessory dwelling unit by converting an existing barn in the rear yard of the property into a residence, a secondary residence. The property is 985-1049sq/ft. She stated that this was a 1.3-acre property. Zoned R6 and is located within the historic district, located at 226 East Lee Street.

She explained the history of the item and it's path through the Architectural Review Board and Planning Commission and its ties to Warrenton Plan 2040.

Mr. Gagnon asked if staff could provide a brief overview of the Town zoning regulations and guidelines.

Heather Jenkins, Zoning Administrator, addressed Council. She provided an overview of zoning regulations for dwellings and accessory structures and ADUs in the Town of Warrenton. She noted that ADUs and other means of affordable housing were a focus of the current Zoning Ordinance update.

Councilmember Semple noted that there was a requirement that an ADU must have separate sewer and water from the main dwelling. He asked if future applicants would be required to start a new water and sewer tab.

Ms. Jenkins said that it would be up to Public Works to decide whether to separate out or combine water and sewer tabs. Generally speaking, a new structure would typically be required to have separate water and sewer.

Councilmember Semple asked if that was expressly codified.

Ms. Jenkins replied no; it was not included in the Zoning Ordinance.

Councilmember Semple recommended that they amend the current resolution to include the fact that they were referencing the authorizing ordinance. He noted that it was worded differently than the ADU. He asked if it was of concern that they interchanged the terms in this process.

Ms. Jenkins said not necessarily. She explained that this was the only district in their ordinance that called out a dwelling and accessory structure rather than calling it an accessory dwelling unit.

Councilmember Semple recommended that this type of use be moved from permissible to permitted use as a policy matter.

Mayor Nevill noted that some communities had successfully allowed this type of project by right with a simpler permitting process. He encouraged they consider moving this type of use from SUP to by-right in their Zoning Ordinance update.

Councilmember Mooney asked why it was important for the Town to require separate water and sewer for an ADU.

Ms. Squyres answered that it was a requirement based on the comments provided by Public Works and Utilities staff.

Mr. Cassidy explained that if there were two structures going through separate addressing, for building purposes and identification purposes for service lines, the independent structures should have independent service lines.

Councilmember Mooney stated that he believed it was beneficial in most cases to create a separate billing address, but he was unsure whether it was necessary to include it as a condition of approval for this application.

Councilmember Hamby agreed with Councilmember Mooney that they should further review whether it was necessary for the Town government to mandate that ADUs must have separate water and sewer.

Mr. Crim suggested that they could have Condition #7 state that upon subdivision of the property, a new water and sewer tab will be required for the ADU.

Councilmember McGuire emphasized that they must ensure that emergency services knew this building was a separate address and had access.

Councilmember Semple asked why there was no mention of separate electric services for this building.

Mr. Cassidy stated that they would handle the electrical aspect during the site plan stage of this application.

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Heather Jenkins, Zoning Administrator, introduced the topic ZOTA 23-2 A Zoning Ordinance Text Amendment Regarding Assembly Uses in the Industrial District. She provided a brief summary of the item to Council.

She stated that staff had been approached by a property owner that wanted to locate a small church within an existing industrial building. Because in the Town's zoning ordinance, churches

are not an allowed use in the zoning that zoning district, staff could not find a way to permit it. The only way to accomplish this would be through the Text Amendment process. She explained the nuances of the Zoning ordinances, staff approvals, and how zoning is applied. She stated that since staff had been made aware of the issue, they now come before Council to address the issue and initiate a text amendment so that the Town can come into conformance with Federal Law.

Ms. Jenkins examined current uses of the industrial district and other uses of places of worship in Town Limits.

Councilmember McGuire requested that Council discuss this item during closed session due to the sensitivity and legality of the item.

Councilmember Semple noted that there were some existing church activities, although they were office uses and not congregations.

#### **D. Closed Session**

**As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration, or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Town Manager Appointment**

**As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to a proposed Text Amendment 23-2.**

Vice Mayor Hartman moved to convene a closed session as permitted by Virginia Code 2.2-3711 (A)(1) and (A)(8).

Councilmember Mooney Seconded. There was no discussion on the motion.

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney

**Nays:**  
**Abstention:**

**Absent:**

Upon reconvening at from the closed session, Vice Mayor Hartman moved to adopt the following Certification of Closed meeting:

#### **CERTIFICATION OF CLOSED MEETING**

**WHEREAS**, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Mooney seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney

**Nays:**

**Abstention:**

**Absent:**

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Mayor Nevill stated that Councilmen Semple had requested a moment to address the Council.

Councilmember Semple stated that regarding the resolution approved by the Council last week regarding the Arrington project, he learned that Councilmembers met with County officials and staff in September, which he had no knowledge of until prior to the vote last week. He stated that the proposal was complicated and could be considered a boundary line adjustment or annexation, with a number of details that may affect the Town's water and sewer. The public was not notified of those deliberations; yet, at the 2022 strategic planning retreat, they stated that boundary line adjustments were off the table. He clarified that the merits of the Arrington project were to be decided independently, but he felt that the Council was changing its process for this item. He stated that this information did not create a collaborative atmosphere for Council to work together as a whole. He felt unprepared to vote last week because the matter had not been adequately reviewed by Council beforehand. He emphasized that this left him unable to represent his constituents on the matter. He recommended that Council discuss this issue at their strategic planning retreat, because they should prioritize open communications and follow their own internal procedures so they worked together as a team.

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**With no further business, this meeting was adjourned at 10:35 AM on Tuesday, January 9th, 2024.**

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## **II. REGULAR MEETING - 6:30 PM**

The Mayor called the meeting to order at 6:30 p.m. A quorum was present, and business could be conducted.

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### **A. INVOCATION.**

Mr. Scott Christian from the Fauquier Interfaith Coalition led the invocation.

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### **B. PLEDGE OF ALLEGIANCE.**

Mayor Carter Nevill led the Pledge of Allegiance.

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### **C. PROCLAMATIONS, RECOGNITIONS, AND PROMOTIONS.**

Town Manager Frank Cassidy said there were several staff members they would recognize this evening.

Mr. Cassidy recognized the Community Development Departments' Zoning Official Amber Heflin for passing the Certified Zoning Administrator (CZA) exam; The Human Capital Department's Emergency and Risk Manager Christopher Melmer for receiving the 2023 Life Saving Award from the Fauquier County Chamber of Commerce and Recognition by Senator Mark Warner.

Mr. Cassidy announced the Town's new hires: In the Parks and Recreation Department, Lifeguards Nestor Jerinic, Savina Thorton, and Keegan Barber.

#### **a. Recognition of Amos Crosgrove**

Mayor Nevill recognized Amos Crosgrove for his service on the Board of Zoning Appeals. He noted that Mr. Crosgrove was not present at the meeting so he would deliver his recognition in person or publicly recognize him at next month's meeting.

#### **b. Recognition of Holiday Decorating Contest Winners**

Lauren Kruck, Special Events and Recreation Program Coordinator, recognized the winners of the Holiday Decorating Contest: Ami Cales, Karen Lavarney, and Allison Cathell.

Mayor Nevill congratulated staff and citizens on their recent achievements.

#### D. CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: January 9, 2024		
Name	Address	Topic
Scott Christian	Marshall District	Black Lives Matter Vigil for Action
Joe Figarelli	102 Winchester Street	Negative campaign mailers

Scott Christian spoke regarding the Black Lives Matter Vigil for Action.

Joe Figarelli spoke regarding negative mail received about the upcoming election cycle.

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#### E. APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilman Hamby was to approve the agenda.

Seconded by Vice Mayor Hartman.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the agenda was approved.

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#### F. PUBLIC HEARINGS

- a. **SUP 2023-02 Walmart Amendment:** The Applicant, Wal-Mart, is requesting a Special Use Permit (SUP) Amendment to SUP #10-04 to allow for upgrades to the existing store by implementing the following improvements: 1) expanding the store by approximately 6,151 square feet to accommodate a merchandise pick-up staging area, which will require the relocation of an existing outdoor storage area, 2) re-striping portions of the parking area in order to provide spaces for customers picking up pre-ordered merchandise, and 3) modifying the exterior Store elevations to include an addition and new colors at 700 James Madison Highway

Casey Squyres, Historic Preservation Planner, introduced the topic. She provided a brief summary of the item to Council.



Ms. Squyres noted the added conditions of approval, which were to include signage prohibiting left turns onto James Madison Highway/East Shirley Avenue at time of site plan approval, and that lighting be included to address pedestrian safety at property's entrance onto James Madison Highway/East Shirley Avenue at time of site plan approval.

The public hearing was opened at 6:42 p.m.

No one spoke at the public hearing.

The public hearing was closed at 6:42 p.m. and the matter rested with Council.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Hamby was to approve SUP 2023-02 Walmart Amendment with the recommended conditions.

Seconded by Vice Mayor Hartman.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the SUP 2023-02 was approved.

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**b. SUP 23-03 226 E. Lee Street ADU:** The Applicant, Jim and Nell Lawrence, are seeking a Special Use Permit to construct an Accessory Dwelling Unit (ADU) by converting an existing barn into a residence. The 1.3 acre property is zoned R6 (Residential) and is located within the Historic District at 226 E. Lee Street. The Future Land Use Map designates the property in the Old Town Character District as Medium Density.

Casey Squyres, Historic Preservation Planner, introduced the topic. She provided a brief summary of the item to Council.

Ms. Squyres noted an amendment to the recommended conditions of approval, which was that if the property is subdivided in a manner that results in the ADU becoming its own parcel, separate water and sewer taps from the primary residence shall be required by the Applicant/Property Owner.

The public hearing was opened at 6:44 p.m.

No one spoke at the public hearing.

The public hearing was closed at 6:44 p.m. and the matter rested with Council.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Semple was to approve SUP 23-03 226 E. Lee Street ADU with the recommended conditions.

Seconded by Councilmember Hamby.

Mayor Nevill expressed his appreciation for the Architectural Review Board's input on this item. The design of the ADU, reflecting the vernacular and rustic style maintains the character of the property. The ARB is an asset in guiding these applications to ensure the best design outcomes for properties in the Town.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the SUP 23-03 was approved.

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**c. ZOTA-23-2 A Zoning Ordinance Text Amendment Regarding Assembly Uses in the Industrial District:** A public hearing for revisions to Zoning Ordinance Article 3, Section 3-4.12 – *Industrial District* to address allowable Assembly uses in the District. The Ordinance currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational and recreational purposes, where these uses are classified as Assembly uses by the Building Code. The Building Code classifies Places of Worship such as churches as an Assembly use, however Places of Worship are not listed as either a Permitted use or a Permissible Use in the Industrial District. A text amendment to Section 3-4.12 was initiated by Town Council on May 9, 2023. The Planning Commission held a public hearing on November 28, 2023 and recommended approval of "Option A," to allow Assembly uses in the Industrial district with an approval threshold where these uses will require the approval of a Special use Permit per Zoning Ordinance Section 3-4.12.3 *Permissible Uses* for any Assembly use that exceeds 300 persons and/or is 10,000 square feet or greater in size.

Heather Jenkins, Zoning Administrator, introduced the topic. She provided a brief summary of the item to Council.

The public hearing was opened at 6:48 p.m.

No one spoke at the public hearing.

The public hearing was closed at 6:48 p.m. and the matter rested with Council.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Semple was to adopt ZOTA-23-2 A Zoning Ordinance Text Amendment Regarding Assembly Uses in the Industrial District Option A.

Seconded by Vice Mayor Hartman.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the ZOTA-23-2 A Zoning Ordinance Text Amendment Regarding Assembly Uses in the Industrial District Option A was approved.

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## **G. CONSENT AGENDA**

There were no items on the Consent Agenda.

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## **H. NEW BUSINESS**

### **a. Re-Appointment of Local Board of Building Code Appeals Members**

Frank Cassidy, Interim Town Manager, introduced the topic. He provided a brief summary of the item to Council.

Mayor Nevill sought a motion on the item.

Motion put forth by Vice Mayor Hartman was to reappoint James F. Tucker, James F. Austin Jr., Frank S. Foley, and Wayne G. Carson to the LBBCA.

Seconded by Councilmember Mooney.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the LBBCA members were reappointed.

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## **I. UNFINISHED BUSINESS**

### **a. Appointment of the Town Manager of the Town of Warrenton**

Mayor Nevill introduced the topic. He provided a brief summary of the item to Council.

Mayor Nevil sought a motion on the item.

Motion put forth by Vice Mayor Hartman was to adopt the resolution to appoint Mr. Francis G. Cassidy as Town Manager of the Town of Warrenton.

Seconded by Councilmember Semple.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney.

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the resolution was adopted, and Mr. Francis G. Cassidy was appointed as Town Manager of the Town of Warrenton.

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## **J. TOWN ATTORNEY'S REPORT.**

Mr. Crim said that he had nothing to report at this time.

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## **K. TOWN MANAGER'S REPORT.**

Mr. Cassidy reported that the new traffic pattern was set up today. They expected citizen input because they were trying to assess the effects of this new traffic pattern on the arterial streets. Staff would be present on site today and tomorrow. He noted that they had heard a lot of positive feedback regarding the change as well as negative feedback, and they appreciated that.

Mr. Cassidy reported that Mr. Friend would be speaking at the Planning Commission next week to provide an update on utilities, and there would be a brief overview of the boundary line adjustment (BLA) process at the Planning Commission next week as well.

Mr. Cassidy reported that the 2024 Joint Community Academy with the Police Department was now open, and he encouraged everyone to sign up. Applications would be accepted from now until February 29, 2024.

Mr. Cassidy reported that some topics that would return to Council in February included items on affordable housing and the wastewater treatment plant due to the recent progress made. He noted that the plant was under a lot of stress because of the rain and they were currently working on those issues; staff had been working 24/7 for the last four days and were keeping the situation under control.

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## **L. COUNCILMEMBERS TIME.**

**Mr. Mooney:** Thanked Mr. Cassidy for accepting the position of Town Manager. Looked forward to working with VFW on 18 Court Street and make use of the space well. Thanked staff for working with VFW on that initiative. Congratulated the winners of the Holiday Decorating Contest. Thanked everyone for making Warrenton a very special place with their participation in community events. Thanked citizens for attending the Council meetings. Emphasized the importance of citizen input for projects like the new traffic pattern and noted that the different traffic patterns were available for the public to give feedback on.

**Ms. Sutphin:** Thanked everyone for attending the meeting. Congratulated the winners of the Holiday Decorating Contest. Expressed her enjoyment in viewing all the decorated houses. Noted that she had received numerous calls about the left turn on Main Street. Acknowledged that it would be a process of determining which traffic pattern worked best and delivered the safest mode of travel. Congratulated Mr. Cassidy on his appointment as Town Manager. Thanked Mr. Cassidy for his leadership and teamwork. Noted that Mr. Cassidy did indeed look like Kenny Rogers.

**Mr. Semple:** Congratulated Mr. Cassidy and noted how well things were going under his leadership. Expressed his appreciation for the wonderful Christmas season they had in Warrenton; Main Street was host to a lot of wonderful activities and showed the spirit of the Town. Expressed his eagerness to participate in Council's strategic retreat in order to convene and share a common vision for the future of the Town. Wished everyone well.

**Mr. Hamby:** Expressed his hope that everyone had a good holiday season and happy new year. Congratulated Mr. Cassidy for taking on the permanent role of Town Manager. Thanked staff for their help with the dumpster issues on Green Street, which made a great difference to their constituents. Thanked Town staff for their collaboration with the County to allow the County to use the 21 Main Street building. Asked everyone to stay safe during the upcoming inclement weather.

**Mr. Hartman:** Thanked Town staff for their ongoing work during the bad weather conditions. Asked everyone to keep those staff members in their thoughts and prayers. Congratulated Mr. Cassidy on his well-deserved promotion and appointment, which he was glad to be a part of. Wished everyone a safe, happy, and healthy new year.

**Mr. Gagnon:** Congratulated Mr. Cassidy on his appointment to Town Manager. Expressed his enjoyment in working with him so far and looked forward to working with him on issues in Ward 5. Congratulated the winners of the Holiday Decorating Contest. Expressed his enjoyment in

viewing all the decorated houses. Thanked everyone for attending the meeting and wished everyone a happy new year.

**Mr. McGuire:** Announced that today was National Law Enforcement Appreciation Day. Thanked all members of law enforcement in the community. Noted that 124 police officers gave their lives in defense of this country. Commended them for doing a very difficult and thankless job. Stated that he recently had surgery and had three stitches in his mouth, so it was a bit painful to talk or laugh. Noted that their words did not matter as much as their actions, which were most important. Stated that working for their constituents and doing the right thing was worthwhile. Thanked Mr. Cassidy and Town staff for their ongoing work. Expressed his concern that they were on the brink of a world war, and asked everyone to be extremely vigilant. Expressed his appreciation for Town staff's diligence in addressing unseen issues in the Town. Thanked everyone at the dais and in the audience for attending tonight's meeting.

**Mr. Nevill:** Stated that it was remarkable how many people had told him how beautiful the Town looked with the trees decorated for the holidays. He noted that the efforts they made in decorating were appreciated by everyone, so he commended and thanked everyone who made that possible. Thanked Mr. John Ward and his staff for making it possible and taking such care in their actions. Congratulated Mr. Cassidy on his appointment as Town Manager and he looked forward to continuing to work together. Expressed his confidence in Mr. Cassidy's leadership and the morale he had brought out in their staff.

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#### **M. ADJOURNMENT.**

**With no further business, this meeting was adjourned at 7:12 PM on Tuesday, January 9th, 2024.**

**I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on January 9th, 2024.**



Stephen M. Clough  
Town Recorder

#### **Attachments:**

- 1) Signed legislation.



The Town of Warrenton  
P.O. Box 341  
Warrenton, VA 20188  
P (540) 347-1101  
F (540) 349-2414

## **January 9th, 2024, Regular Town Council Meeting Minutes**

### **Attachment 1: Signed legislation**



## Motion for Convening a Closed Session

Council Meeting Date: January 9<sup>th</sup>, 2024.

I move that the Council convene in closed session to discuss the following:

- ☒ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with **Discussion of Town Manager Appointment** [Give department, job title(s), or job category].
- \_\_\_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: discussion or consideration of the acquisition of real property for a public purpose; OR specifically involving \_\_\_\_\_ [Give location of property], because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.
- \_\_\_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.
- \_\_\_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:  
\_\_\_\_\_ probable litigation involving \_\_\_\_\_ [Give subject]; OR  
\_\_\_\_\_ the pending case of \_\_\_\_\_ [Give case name],  
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.
- ☒ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to **ZOTA 23-2** [Give nature of matter].
- \_\_\_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(29), discussion of the award of a public contract for \_\_\_\_\_ [Give nature of the contract] involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.
- \_\_\_\_\_ As permitted by Virginia Code § \_\_\_\_\_, a matter involving: \_\_\_\_\_.

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote: None



**CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:**  
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

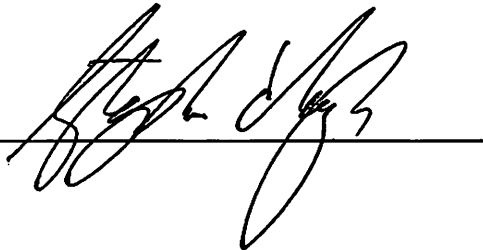
**Absent from Vote:** None

**For Information:**  
Town Clerk

**Effective date:** January 9<sup>th</sup>, 2024.

Stephen Clough, Town Recorder

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A handwritten signature in black ink, appearing to be "Stephen Clough", is written over a horizontal line.

## ORDINANCE 2024-01

January 9, 2024  
Town Council  
Public Hearing  
Ordinance 2024-01

### **AN ORDINANCE TO APPROVE ZOTA-23-2 A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 3, SECTION 3-4.12 INDUSTRIAL DISTRICT TO ADDRESS ASSEMBLY USES IN THE INDUSTRIAL DISTRICT**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Warrenton Town Council may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

**WHEREAS**, the Warrenton Town Council initiated a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on May 9, 2023 to address assembly uses in the Industrial District; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss assembly uses in the Industrial District on August 22, 2023 and on September 19, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on November 28, 2023 and unanimously recommended approval to permit limited assembly uses within the Industrial District to include Places of Worship, where any assembly use of 10,000 square feet or greater, or structure certified for occupancy of more than 300 persons will require the approval of a Special Use Permit by Town Council per Ordinance Section 3-4.12.3 and Section 11-3.10; and

**WHEREAS**, on January 9, 2024 the Warrenton Town Council conducted a public hearing on this matter and considered oral and written testimony; and

**WHEREAS**, the Warrenton Town Council finds that per the Code of Virginia Section 15.2-2286.A.7, this text amendment is in the best interest of public necessity, convenience, general welfare, and good zoning practice; now, therefore, be it

**ORDAINED**, by the Warrenton Town Council this 9<sup>th</sup> day of January 2024, that the Town Council hereby adopts the following text amendment to Article 3, Section 3-4.12 of the Town of Warrenton Zoning Ordinance as set forth herein.

#### **Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

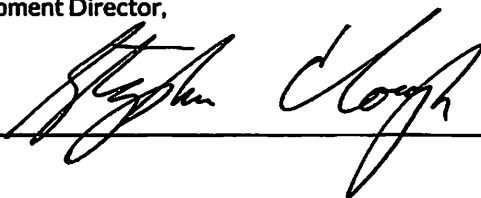
**Nays:**

**Absent from Meeting:**

#### **For Information:**

Community Development Director,  
Town Attorney

ATTEST: \_\_\_\_\_



**Town Recorder****3-4.12 I Industrial District****3-4.12.1 Legislative Intent**

It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of light manufacturing, fabricating, processing, wholesale distributing, warehousing, and limited assembly uses appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district and future residential uses are restricted.

**3-4.12.2 Permitted Uses (by-right)**

- Accessory buildings
- Active and Passive Recreation, and Passive Recreation Facilities
- Active Recreation Facilities of less than 10,000 square feet or certified for occupancy of no more than 300 persons
- Banks and savings and loan offices
- Broadcasting studios and offices
- Business and office supply establishments
- Cabinet, upholstery, and furniture shops
- Cafeteria of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Church (or place of religious worship) of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Clinics, medical or dental
- Commercial uses constituting up to 15% of permitted site or building area
- Conference Centers of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Contractor's office and warehouse without outdoor storage
- Crematory
- Dwellings for resident watchmen and caretakers employed on the premises
- Employment service or agency
- Flex Office and Industrial uses
- Health and or Fitness Facilities of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Institutional buildings of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Janitorial service establishment
- Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines
- Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries
- Mobile Food Vendors subject to Article 9-24
- Monument sales establishments with incidental processing to order but not

## ORDINANCE 2024-01

- including shaping of headstones
- Motion picture studio
- Nurseries and greenhouses
- Offices- business, professional, or administrative
- Off-street parking and loading subject to Article 7
- Open space subject to Article 9
- Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses
- Club, Lodge, or Assembly hall, of less than 10,000 square feet, certified for occupancy of no more than 300 persons
- Rental service establishment
- Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use
- Rug and carpet cleaning and storage with incidental sales of rugs and carpets
- Security service office or station
- Sign fabricating and painting
- Signs, subject to Article 6
- Studios of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit
- Wholesale establishment, storage warehouse, or distribution center. furniture moving

### 3-4.12.3

#### **Permissible Uses (by special use permit upon approval of the Town Council)**

- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Automobile body shop
- Automobile and truck repair and service
- Cafeteria of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Church (or place of religious worship) of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Commercial Kennels
- Conference Centers of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Contractor's storage yard
- Data Center
- Farm equipment, motorcycle, boat and sport trailer sales and service
- Fuel, coal, oil distribution storage yards
- Health or Fitness Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Institutional buildings of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Lumber and building supply with undercover storage.

## **ORDINANCE 2024-01**

- Maintenance and equipment shops with screened outside storage
- Outdoor storage of any kind
- Plumbing and electrical supply with undercover storage
- Club, Lodge, or Assembly Hall of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Restaurant or cafeteria, drive-thru or otherwise
- Self-service mini-warehouse
- Studios of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Temporary fair and show grounds
- Tire and battery sales and service, tire recapping and retreading
- Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings

January 9, 2024  
Mayor H.E. Carter Nevill

**A PROCLAMATION RECOGNIZING AMOS CROSGROVE FOR HIS DEDICATION AND  
SERVICE TO THE TOWN OF WARRENTON, VIRGINIA**

**WHEREAS**, the Board of Zoning Appeals of the Town of Warrenton is the legislative body charged, under the laws of the Commonwealth of Virginia and the Town Zoning Ordinance, to hear and decide appeals and variance requests from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the Zoning Ordinance; and


**WHEREAS**, Amos Crosgrove was appointed to the Warrenton Board of Zoning Appeals in April of 2021; and

**WHEREAS**, Mr. Crosgrove helped conduct meetings through the last two (2) years with knowledge and dedication; and

**WHEREAS**, BZA Member Crosgrove was known for his outstanding contributions of local knowledge and understanding to reach better outcomes; and

**WHEREAS**, Mr. Crosgrove's desire to serve his community showed his empathy, fairness, and sense of duty to the Town; and

**NOW, THEREFORE BE IT PROCLAIMED** that the Mayor of the Town of Warrenton hereby recognizes and deeply appreciates the contributions of Amos Crosgrove for his dedication and service to the Town of Warrenton, Virginia, and its Citizens.

  
\_\_\_\_\_  
H. E. Carter Nevill  
Mayor Town of Warrenton



**A PROCLAMATION RECOGNIZING JANUARY 2024 AS SLAVERY AND HUMAN  
TRAFFICKING PREVENTION MONTH AND JANUARY 11, 2023 AS HUMAN TRAFFICKING  
AWARENESS DAY IN THE TOWN OF WARRENTON, VIRGINIA**

**WHEREAS**, Human trafficking is a nationwide public health and civil rights crisis. Its victims and survivors are everywhere, with each city and community being no exception; and

**WHEREAS**, Human Trafficking includes both forced labor and sex trafficking; and

**WHEREAS**, anyone can be a victim. In the U.S., it is estimated that tens of thousands of victims are being trafficked yearly. 75% are exploited for sex. Almost half are children, and most are women and girls. Victims come from all demographics. Traffickers target individuals who, for a variety of reasons, are vulnerable; and

**WHEREAS**, the Fauquier Anti Sex Trafficking Alliance (FASTA), a service project of the Rotary Club of Warrenton, is striving to increase community awareness and promote prevention. The mission of FASTA is inoculate the Fauquier County community through awareness and prevention education, and supporting survivors and their families when they fail; and

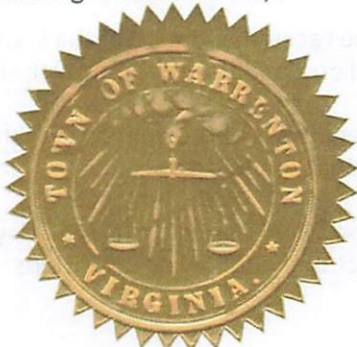
**WHEREAS**, FASTA is an alliance of community organizations, agencies and individuals including: A21, Anti Trafficking International, Bikers Against Child Abuse, Bikers Against Child Trafficking, Boys & Girls Club of Fauquier, Department of Social Services, Fauquier County Sheriff's Office, Fauquier County Public Schools, Fauquier Mental Health Association, FBI, Laurel Ridge Community College, Piedmont Dispute Resolution Center, Rappahannock Rapidan Community Service Board, Reset180, Town of Warrenton Community Development, and Town of Warrenton Police Department, working toward this common goal; and

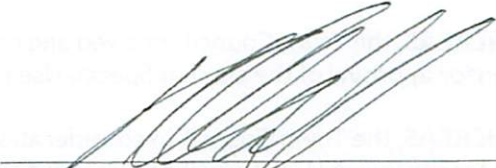
**WHEREAS**, our initiatives focus on raising awareness, educating children and youth, reducing risk factors that make children and youth vulnerable, and stopping the demand; and

**WHEREAS**, all communities must seek to prevent human trafficking before it can occur, by promoting safe, healthy, and supportive environments by changing the culture of acceptance of this evil; and

**WHEREAS**, January was first declared as National Slavery and Human Trafficking Prevention Month in 2010 and Human Trafficking Awareness Day is observed every year on January 11 by Presidential Proclamation; and

**NOW, THEREFORE BE IT PROCLAIMED** that the Mayor of the Town of Warrenton declares January 2024 as Slavery and Human Trafficking Prevention Month and January 11th as Human Trafficking Awareness Day.



  
H. E. Carter Nevill  
Mayor Town of Warrenton

January 9, 2024  
Town Council  
Regular Meeting  
RES-24-01-001

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-02 FOR WALMART PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON TO AMEND PREVIOUSLY APPROVED SPECIAL USE PERMIT 10-4 (WITH CONDITIONS), DATED MAY 10, 2011 (GPIN 6983-57-7857-000)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Walmart, ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 18.434 acres, identified as GPIN 6983-57-7857-000, located at 700 James Madison Highway in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Special Use Permit pursuant to §11-3.10.3 of the Zoning Ordinance, to amend a May 10, 2011 approval to allow for the construction of a 6,151 square foot expansion with the inclusion of a merchandise pick-up staging area, parking lot modifications, relocation of existing outdoor storage containers, and modifications to the exterior store elevations to include revised color schemes, hereinafter the "Special Use Permit"; and

**WHEREAS**, the Town Council received and approved with conditions a modification of the Special Use Permit on September 12, 2017 to include the use of outdoor storage containers; and

**WHEREAS**, the Town Council received and approved with conditions an amendment to the Special Use Permit on October 13, 2020 for an additional expansion of 1,495 square feet to accommodate online grocery pick-up storage and staging, of which was never constructed; and

**WHEREAS**, the Planning Commission of the Town of Warrenton held a Work Session on the current Special Use Permit on September 19, 2023; and

**WHEREAS**, the Planning Commission of the Town of Warrenton held a Public Hearing on the current Special Use Permit on November 28, 2023; and

**WHEREAS**, the Planning Commission unanimously recommended approval of the application; and

**WHEREAS**, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Town Council received and considered the recommendation of the Planning Commission for approval of the current Special Use Permit based on Conditions of Approval; and

**WHEREAS**, the Town Council, in consideration of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions.

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council on this 9<sup>th</sup> day of January 2024, that SUP 23-02 be, and is hereby, approved, subject to the following conditions:



1. **General:** This Special Use Permit is issued covering the entire Property pursuant to the provisions of § 11-3.10 of the Town of Warrenton Zoning Ordinance.
2. **Site Development:** The Property, when re-developed, shall be developed in substantial conformity with the plan entitled "Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia," Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the "Plan"), and further revised by the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, which Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
3. **Use Parameters: Special Use Permit Area –** The Special Use Permit shall apply to the entire +/- 18.434 acre site.
4. **Architecture:** The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled "Warrenton, VA Store #2437, Elevations," Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the "Elevations"), and further revised by the exhibit entitled "Walmart Warrenton, Virginia, 700 James Madison Hwy., Warrenton, VA 20186, Store No. 2437-276, prepared by WD Partners, and dated May 19, 2023, which Elevations are on file with the Town of Warrenton.
5. **Signage:** No signage shall be permitted on the exterior of the store building that advertises or identifies any third-party tenant located within the store.
  - a. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at "Woodlands Parkway" which is on file with the Town, subject to modifications as approved by the Director of Community Development.
6. **Site Maintenance and Refuse Collection:** Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of- way. The gates shall remain closed when not in use and the

trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).

7. **Environment:** Landscaping of the Property shall be in substantial conformance with that certain plan entitled "Overall Landscape Plan, Walmart Expansion #2437-02 – Site Plan, Warrenton, Fauquier County, VA," consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the "Landscape Plan"), and further revised by Sheet 5 of the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Zoning Administrator after review of the Landscape Plan.
  - a. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application).
8. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.
9. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Grove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by the Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant.  
(Condition Fulfilled July 19, 2011)

10. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a "HAWK" style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a "HAWK" pedestrian signal, or if the cost of the "HAWK" pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property). (Condition Fulfilled July 20, 2011)
11. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town. (Condition Fulfilled June 16, 2011)
12. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.
13. Trailers, containers, or similar delivery vehicles shall be stored behind the screen wall behind the store if stored on the site overnight or longer. Outdoor seasonal storage containers are only to be allowed from October 1 through December 15 annually. The containers should be located as shown on the Site Plan and screened with additional landscaping in substantial conformance with that shown in Insert B on Sheet 5 of the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering.
14. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.

15. Signage shall be installed prohibiting left turn movements onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.
16. Lighting shall be included to address pedestrian safety at the property's entrance onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

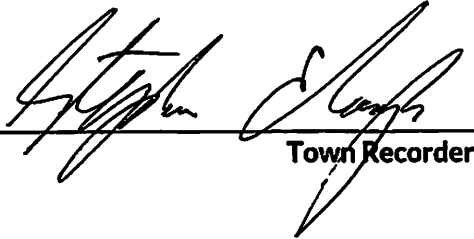
**Nays:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

ATTEST: \_\_\_\_\_

  
Town Recorder

January 9, 2024  
Town Council  
Public Hearing  
RES-24-01-002

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-03 FOR AN ACCESSORY DWELLING UNIT  
AT 226 E. LEE STREET PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE  
TOWN OF WARRENTON**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Mr. and Mrs. Lawrence, ("the Applicant"), is requesting a Special Use Permit approval on a parcel of land containing approximately 1.3 acres, identified as GPIN 6984-52-4022-000, located at 226 E. Lee Street in the Town of Warrenton's Historic District and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant is requesting to convert an existing barn in the rear yard of the Property into an Accessory Dwelling Unit ("ADU") measuring approximately 985-1,049 square feet; and

**WHEREAS**, an Accessory Dwelling Unit ("ADU") is authorized as a permissible use in the R-6 Residential Zoning District pursuant to Article 3-4-3.3 as a dwelling(s) in an accessory building; and

**WHEREAS**, the Warrenton Architectural Review Board held a work session to discuss the Special Use Permit on July 27, 2023; and

**WHEREAS**, the applicant has placed the Certificate of Appropriateness on hold until the conclusion of the Special Use Permit application; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss the Special Use Permit on November 28, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on December 19, 2023; and

**WHEREAS**, the Town Council received and considered the Planning Commission's recommendation for approval of the Special Use Permit based on Conditions of Approval; and

**NOW THEREFORE BE IT RESOLVED**, that the Warrenton Town Council on this 9<sup>th</sup> day of January 2024, that SUP 23-03 be, and is hereby, approved, subject to the following conditions:

1. This Special Use Permit is issued covering the entire Property pursuant to the provisions of §11-3.10 of the Town of Warrenton Zoning Ordinance.
2. The Property shall be developed in substantial conformance with the Special Use Permit Plan with the label "taken from survey provided by James H Harris & Associates April 10, 1986 with the seal of Laura Gargagliano Bartee, Architect dated

November 3, 2023. Minor adjustments may be made to entrances, parking, dimensions and location of any required SWM facilities, the exact configuration and location of the building footprints, and other similar features, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

3. The site is located within the Historic District and therefore is subject to the Town of Warrenton Guide to Historic Resources and any exterior changes or alterations require the submission of a Certificate of Appropriateness (COA) and review and approval by the Architectural Review Board (ARB). No structures shall be modified or constructed until a COA has been issued, per §3-5.3 of the Zoning Ordinance.
4. A Site Development Plan is required with all Special Use Permits, per §11-3.7 of the Zoning Ordinance.
5. Disturbance in excess of 2,000 square feet will require a Land Disturbance Permit.
6. The Accessory Dwelling Unit (ADU) shall not exceed twenty-five (25) percent of the total floor area of the principal dwelling, nor contain less than five hundred (500) square feet of floor area; and
7. If the property is subdivided in a manner that results in the ADU becoming its own parcel, separate water and sewer taps from the primary residence shall be required by the Applicant/Property Owner; and
8. The ADU shall have a separate address and signage from the Principal Residence so as to distinguish the ADU as a separate dwelling to fire, police, and emergency services; and
9. The ADU shall contain adequate parking spaces and driveway configuration in order to allow for proper access from fire, police, and emergency services.
10. Proposed light fixtures and exterior attachment methods shall be reviewed during the Certificate of Appropriateness (COA) process and in accordance with the Zoning Ordinance.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_

  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
RES-24-01-003

**A RESOLUTION TO APPOINT WAYNE "CHIP" G. CARSON, P.E. MEMBER OF THE TOWN OF  
WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Wayne "Chip" G. Carson, P.E is professional fire protection engineer who serves on the Fauquier County LBBCA and works in the Community; and

**WHEREAS**, Mr. Carson was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints Wayne "Chip" G. Carson, P.E. as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10th, 2024, and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10th, 2024.

**ATTACHMENT:** None

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:** None

**Adopted:**

**For Information:**

Building Code Official  
Director of Community Development

**ATTEST:** \_\_\_\_\_

  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
RES-24-01-004

**A RESOLUTION TO APPOINT JAMES F. TUCKER MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. James F. Tucker is professional architect who is licensed through the State of Virginia and who serves on the Fauquier County LBBCA; and

**WHEREAS**, Mr. Tucker was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints James F. Tucker as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:** None

**For Information:**

Building Code Official  
Director of Community Development

**ATTEST:** \_\_\_\_\_

  
Town Recorder



January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
RES-24-01-005

**A RESOLUTION TO APPOINT JAMES F. AUSTIN MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. James F. Austin is a real estate manager who works in the Community; and

**WHEREAS**, Mr. Austin was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints James F. Austin as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:** None

**For Information:**

Building Code Official

Director of Community Development

ATTEST: \_\_\_\_\_

  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
RES-24-01-006

**A RESOLUTION TO APPOINT FRANK S. FOLEY MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. Frank S. Foley is a plumbing contractor who works in the Community; and

**WHEREAS**, Mr. Foley was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints Frank S. Foley as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:** None

**For Information:**

Building Code Official  
Director of Community Development

**ATTEST:** \_\_\_\_\_

  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
RES-24-01-007

**A RESOLUTION APPOINTING FRANCIS G. CASSIDY AS THE TOWN MANAGER FOR THE TOWN OF WARRENTON, VIRGINIA**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, pursuant to Town Charter Section 6-1, "There shall be a Town Manager who shall be the chief executive officer of the Town and shall be responsible to the Council for the proper administration of the Town government. He shall be chosen by the Council without regard to his political beliefs and solely on the basis of his executive and administrative qualifications. He shall be appointed for an indefinite period and shall hold office during the pleasure of the Council"; and

**WHEREAS**, Francis G. Cassidy was appointed as the Interim Town Manager on April 11<sup>th</sup>, 2023, for a one-year term; and

**WHEREAS**, the Town Council of the Town of Warrenton has been pleased with the communication, prowess, and leadership of Mr. Cassidy; and

**WHEREAS**, after reviewing potential candidates from a nationwide search facilitated by Baker Tilly the Council decided to offer Mr. Cassidy the position of Interim Town Manager for a period of one year; and

**WHEREAS**, the Town Council directed the Mayor and Town Attorney to enter into contract negotiations with Mr. Francis G. Cassidy for the position of Town Manager; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council is hereby appointing Francis G. Cassidy as the Town Manager for the Town of Warrenton, Virginia; and

**BE IT FURTHER RESOLVED**, that the Town Council directs the Mayor to execute the contract with Mr. Cassidy as presented.

**ATTACHMENT:**     None

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

**Nays:**

**Absent from Meeting:** None

**For Information:**

Town Clerk

Town Attorney

**ATTEST:** \_\_\_\_\_

  
Town Recorder