



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, September 08, 2026 at 9:00 AM

AGENDA

Possible additions to the agenda and related materials are not set forth herein.

Times set forth are approximate and may be adjusted as necessary.

I. WORKSESSION - 9:00 AM

A. **Town Code Amendments Related to Construction Hours and Polystyrene Requirements:**

Staff will present proposed Town Code amendments addressing permitted construction hours under the Town's noise regulations and implementation of new state requirements related to expanded polystyrene products. Town Council direction is requested prior to staff preparing amendments for future consideration. *Presenter: Rob Walton, Director of Community Development.*

B. **FY 2028 Budget Development and Planning**

Staff will present the FY 2028 budget development calendar, proposed guidance and deadlines for outside agency funding requests, and the anticipated budgetary impact of Fauquier Health's transition to nonprofit status. Town Council will be asked to provide direction and confirm the proposed budget development approach. *Presenter: Brooke Campbell, Budget Manager.*

C. **Commercial Refuse Collection Ordinance Implementation Update.**

Staff will provide an update on implementation of the Town's commercial refuse collection requirements, including outreach to affected businesses, transition to private collection services, compliance efforts, and remaining implementation steps. *Presenter: Lauren Kruck, Project Manager.*

D. **Planning Commission Update.**

Staff will provide an update on recent Planning Commission Meetings, information presented and action taken. *Presenter: Casey DeHaven, Planning Manager.*

E. **Public Safety Committee Update.**

Committee Chair, Michele O'Halloran, Ward 4 will provide an update on recent Public Safety Committee Meetings, information presented and items discussed. *Committee Members: Michelle O'Halloran, Ward 4 (Chair) and David McGuire, At-large. Staff Liaison: Tim Carter, Police Chief.*

F. Finance Committee Update

Committee Chair, Bill Semple, Ward 2 will provide an update on recent Finance Committee Meetings, information presented and items discussed. *Committee Members: Bill Semple, Ward 2 (Chair) and Paul Mooney, At-large. Staff Liaison: Stephanie Miller, Director of Finance.*

G. Agenda Review

Staff will provide an overview of the 6:30 p.m. Regular Meeting agenda and provide Town Council an opportunity to raise questions, comments, or requested changes. *Presenter: Judson Rex, Town Manager.*

H. Closed Session

I. Main Street Project

The Town Council will discuss the Main Street Project. *Presenter: Judson Rex, Town Manager*

II. REGULAR MEETING - 6:30 PM

A. INVOCATION.

B. PLEDGE OF ALLEGIANCE.

C. PROCLAMATIONS AND RECOGNITIONS.

a. ExcellenceinAction!

D. CITIZEN'S TIME.

E. APPROVAL OF THE AGENDA.

F. PUBLIC HEARINGS.

- a. Special Use Permit SUP 26-03: PlayVerse LLC.** The Applicant, Mr. Joe Owwoeye-Gold, is seeking a Special Use Permit to allow for an active recreation facility for children in an existing tenant space on the subject property. The shopping center is split between two parcels on Frost Avenue, 613 Frost Avenue (GPIN 6974-85-8166-000) & 569 Frost Avenue (GPIN 6974-95-2114-000) and zoned to the Commercial (C)

district. The combined parcels are approximately 10.738 acres. *Presenter: Casey DeHaven, Planning Manager*

- b. **Special Use Permit SUP 26-01: Dominion Energy - Elm Substation Modernization.** The Applicant, Dominion Energy, is requesting a Special Use Permit for substation modernization and expansion for safe and reliable electric service at an existing property located on the northwest corner of Madison Street and Linden Street. The property is zoned R-10 and is approximately 0.62 acres (GPINs: 6984-40-6668-000, 6984-40-6784-000, 6984-40-7708-000, 6984-40-7833-000). *Presenter: Casey DeHaven, Planning Manager*
- c. **Rezoning ZMA 2026-01: 18 Court Street** - The Applicant, Mr. Kevin Ash, is seeking a Zoning Map Amendment (ZMA) of 18 Court Street (ZMA 2026-01) from Public-Semi-Public (PSP) to Central Business District (CBD) zoning per Article 11-3.9 of the Zoning Ordinance. The proposal includes redevelopment of the 18 Court Street (GPIN: 6984-33-8623-000) property into a restaurant and club. *Presenter: Casey DeHaven, Planning Manager*
- d. **Ordinance 2026-12: An Ordinance regulating the operation of electric power-assisted bicycles, electric scooters, electric skateboards, and other electric mobility devices within the Town of Warrenton, Virginia.** The proposed ordinance amends Chapter 10 of the Town Code to prohibit the riding of these electric devices on Town sidewalks and crosswalks where official signs are posted. Additionally, it establishes parking restrictions to prevent the obstruction of pedestrian traffic and accessible routes, requires protective helmets for riders 14 years of age or younger, and establishes civil penalties for violations. The ordinance explicitly does not authorize, permit, or regulate any commercial shared mobility or dockless rental programs. *Presenter: Timothy Carter, Chief of Police*
- e. **Ordinance 2026-13: An Ordinance to amend the Code of Warrenton, Virginia, by adding a new section prohibiting distributing handbills, soliciting contributions, or selling merchandise or services in highways.** The proposed ordinance aims to protect pedestrian and traffic safety by prohibiting individuals from standing, walking, or remaining in public highways—including travel lanes, shoulders, and medians—to distribute materials, solicit contributions, or sell goods and services to motor vehicle occupants. It similarly prohibits vehicle occupants from participating in these hand-to-hand exchanges while in the highway. The ordinance is designed to be content-neutral and establishes escalating civil fines ranging from \$100 to \$300 for violations, with an option for community service. Constitutionally protected speech and activities on sidewalks, parks, and other areas outside the highway remain permitted. *Presenter: Timothy Carter, Chief of Police*

G. CONSENT AGENDA.

a. Approval of Town Council Minutes

The Town Council will consider approval of prepared minutes for the October 14th, 2025, Regular Town Council Meeting. *Presenter: Stephen Clough, Town Clerk*

H. NEW BUSINESS.

a. Main Street Project

The Town Council will discuss the Main Street Project.

I. UNFINISHED BUSINESS.

J. TOWN ATTORNEY'S REPORT.

K. TOWN MANAGER'S REPORT.

L. COUNCILMEMBERS TIME.

M. ADJOURNMENT.



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item A.

STAFF REPORT

Council Meeting Date:	September 8, 2026
Agenda Title:	Town Code Section 11-19(7) Noise Related to Building Operations
Requested Action:	Hold the Work Session
Department / Agency Lead:	Community Development
Staff Lead:	Rob Walton, Director of Community Development

EXECUTIVE SUMMARY

Section 11-19(7) of the Town Code allows building operations to take place between the hours of 8am and 7pm seven (7) days a week, except in cases of urgent necessity. The Town of Warrenton has, in the recent past, required contractors to obtain permission from the Town Manager to allow building operations to take place on weekends and Holidays even though the Town Code does not currently require the approval. Staff has typically placed Conditions on the approvals that any valid complaints would result in the revocation of the weekend/Holiday work approval. The purpose of this Town Code Text Amendment is to bring the Town Code into alignment with Town practices.

Staff proposes adjusting the language of Section 11-19(7) to require approval by the Town Manager prior to any weekend/Holiday work to control the amount of noise produced from job sites near residential areas. A recent example is a subdivision was allowed to conduct weekend work, however, after a valid complaint was received, the weekend work was limited to indoor contractor work only to reduce the amount of noise heard by neighbors.

Once the work session is complete and Town Council has provided clear policy direction to move forward, this item will be placed on the next Public Hearing agenda.

Background

Section 11-19(7) of the Town Code allows building operations to take place between the hours of 8am and 7pm seven (7) days a week, except in cases of urgent necessity. The Town of Warrenton has, in the recent past, required contractors to obtain permission from the Town Manager to allow building operations to take place on weekends and Holidays even though the Town Code does not currently require the approval. Staff has typically placed Conditions on the approvals that any valid complaints would result in the revocation of the weekend/Holiday work approval. The purpose of this Town Code Text Amendment is to bring the Town Code into alignment with Town practices.

STAFF RECOMMENDATION

Town Council should review the proposed Town Code Text Amendment and provide guidance on whether the proposed Code amendment meets the desired Town Council policy for administering the Town Code provision. Staff recommends conducting the work session and holding the Public Hearing at the next available meeting.

Service Level/Collaborative Impact

Adoption of the Town Code Text Amendment would limit the amount of noise produced from job sites over the weekend and during Holidays by making contractors aware that weekend work will be monitored and could be revoked if excessive noise creates a problem with surrounding residents.

Fiscal Impact

There is no fiscal impact to the Town of Warrenton.

Legal Impact

There is no legal impact associated with the Town Code Text Amendment.

ATTACHMENTS

1. Draft Town Code Text Amendment to Section 11-19(7)

Chapter 11 OFFENSES—MISCELLANEOUS¹

ARTICLE I. IN GENERAL

Sec. 11-19. Noise.

(a) The following acts, are declared to be a violation of this section:

- (1) *Blasting horns.* The creation by means of any signal device of any loud or harsh noise blowing beyond five (5) seconds, and the sounding of such device for any unnecessary period of time;
- (2) *Pets.* The keeping of any animal which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the times of 8:00 a.m. and 10:00 p.m. Sunday through Monday;
- (3) *Vehicles.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or used or repaired in such manner as to create loud or unnecessary noises, particularly grating, grinding, rattling, or riveting;
- (4) *Whistles.* The blowing of any whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger;
- (5) *Exhaust discharge.* The discharge into the open air of the exhaust from any steam engine, stationary internal combustion engine or motorboat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom. Such muffler or other device installed may not be a gutted muffler, muffler cutout, or straight exhaust. The exhaust system is required to be in good working order and in constant operation to prevent excessive or unusual levels of noise; provided however, that for motor vehicles, such exhaust system shall be of a type installed as standard factory equipment, or comparable to that designed for use on the particular vehicle as standard factory equipment. An exhaust system is a violation of this section if it permits the escape of noise in excess of that permitted by the standard factory equipment exhaust system of private passenger motor vehicles or trucks of standard make;
- (6) *Devices using compressed air.* The use of any mechanical device operated by compressed air, unless the noise created thereby is effectively muffled and reduced;
- (7) *Building operations.* The erection, including excavation, demolition, alteration or repair, of any building in a residential or business district other than between the hours of 8:00 a.m. and 7:00 p.m. Monday through Friday, except in cases of urgent necessity in the interest of public safety, and then only with approval from the proper town officials. Building Operations during the weekend (Saturday and Sunday) and Federally-designated Holidays, or outside the hours listed above, shall require approval from the Town Manager, with notification provided to the Town Council. Conditions may be placed on the approval to control the amount of noise emitted from the site. Violating the approval Conditions may result in the revocation of the weekend/Holiday/outside normal hours work approval;

¹State law reference(s)—Crimes and offenses generally, Code of Virginia, Title 18.2.

- (8) *Noises near schools, hospitals, churches, etc.* The creation of any excessive noise on any street adjacent to any school, institution of learning, library, sanitarium, hospital or court, while the same is in session, or adjacent to any church during the church services, which interferes with the work or worship in any such place or institution; provided, that signs must be displayed in such streets indicating that the same is a school, hospital, church, library, sanitarium or court;
 - (9) *Loading and unloading operations.* The creation of loud and excessive noises in connection with loading or unloading any vehicle or repairing any vehicle or opening and destroying bales, boxes, crates and containers except between 9:00 a.m. and 7:00 p.m.;
 - (10) *Bells or gongs.* The sounding of any bell or gong attached to any building or premises which is plainly audible in a dwelling in the vicinity thereof with the windows and doors closed with the exception of churches or any government building or courthouse;
 - (11) *Hawking, peddling or soliciting.* Shouting, loud talking, crying or soliciting by peddlers, hawkers, taxicab drivers, solicitors and vendors which is clearly audible and done for the purpose of commerce;
 - (12) *Noise to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention to any performance or event, show, sale or the display or advertisement of merchandise by the creation of noise;
 - (13) *Loudspeakers or amplifiers.* The use of any mechanical loudspeaker or amplifier, except by special permission of the town manager when the public will not be unreasonably disturbed thereby. An amplified noise permit shall be issued by the town manager prior to the use of any loudspeaker or sound amplifier. Personal amplified noise on residentially zoned properties is exempt from obtaining a permit;
 - (14) *Business noises at night near residences.* The operation of any garage, filling station, auto repair business, taxi business, plant, store, factory or other place of business, between the hours of 8:00 p.m. and 8:00 a.m.
- (b) Any violation of this section shall be penalized on a first offense as a two hundred fifty dollar (\$250.00) civil fine. Any subsequent offense shall be penalized as a five hundred dollar (\$500.00) fine for each occurrence after a twenty-four-hour period.

(Code 1981, § 10-16; Ord. No. 1992-25, 10-13-92; Ord. No. 2020-08, 11-10-20; Ord. of 6-8-21(1))

Cross reference(s)—Animals and fowl, Ch. 3; buildings, Ch. 4; motor vehicles and traffic, Ch. 10; solicitors, Ch. 13; taxicabs, Ch. 16.

State law reference(s)—Power of town to regulate noise from motorcycle mufflers, Code of Virginia, § 15.1-29.12; power of town to regulate or prohibit the use of explosive devices to repel birds, Code of Virginia, § 15.1-29-13; loudspeakers prohibited near polling places, Code of Virginia, § 24.1-96.1.



STAFF REPORT

Council Meeting Date:	September 8, 2026
Agenda Title:	Town Code Amendment – Prohibition of Expanded Polystyrene Containers
Requested Action:	Hold the Work Session
Department / Agency Lead:	Community Development
Staff Lead:	Rob Walton, Director of Community Development

EXECUTIVE SUMMARY

Beginning on July 1, 2025, Section 10.1-1424.3 of the State Code prohibits food vendors from dispensing prepared food to a customer in an expanded polystyrene food service container. This Town Code Text Amendment adds Sections 11-78 through 11-81 as it relates to the prohibition of dispensing prepared foods in polystyrene containers, exemptions, enforcement procedures and definitions. The statewide prohibition has been in effect for over a year.

Once the work session is complete, this item will be placed on the next Public Hearing agenda.

Background

Beginning on July 1, 2025, Section 10.1-1424.3 of the State Code prohibits food vendors from dispensing prepared food to a customer in an expanded polystyrene food service container. This Town Code Text Amendment adds the prohibition to the Town Code and includes additional sections on Exemptions, Enforcement Procedures, and Definitions. It does not appear that many food vendors continue to use polystyrene containers, however, the addition of the regulations to the Town Code gives the Town the ability to fairly administer the discontinuation of these products per State Code. The Circuit Court can assess a civil penalty of fifty (\$50.00) for each day the violation continues.

The granting of waivers/extensions and local enforcement is the responsibility of the locality. There are steps in the business license process where the prohibition of expanded polystyrene containers use can be passed along to the food vendors. These key points of interaction include:

- The application for a new/renewal of a business license;
- Annual Fire Safety Inspection
- Courtesy discussion if a complaint is received

The locality has the ability to grant an exemption for up to one (1) year if the food vendor can show that the prohibition would cause an undue economic hardship. The justification for the exemption request will need to include the food vendor has no reasonable alternative for using the expanded polystyrene containers, and compliance would cause the food vendor significant economic hardship.

Lastly, as part of this program, the Town will need to provide information on its website on how to comply with this the State/Town Code. The information must also include how to file a complaint for a violation of the regulations.

STAFF RECOMMENDATION

Town Council should review the proposed Town Code Text Amendment and provide guidance on whether the proposed Code amendment meets the desired Town Council policy for administering the State Code provision. Staff recommends conducting the work session and holding the Public Hearing at the next available meeting.

Service Level/Collaborative Impact

Adoption of the Town Code Text Amendment will set forth the policy and administration of the program that prohibits the use of expanded polystyrene containers. The new Code will also set forth the process to grant exemptions and enforcement. Ultimately, this proposed Town Code Text Amendment will bring the Town Code into compliance with the State Code by prohibiting the use of polystyrene containers by food vendors.

Fiscal Impact

There could be a fiscal impact to the food vendors who have purchased polystyrene containers for use by the business. There is an exemption process which is valid for 1 year, if granted, this would allow the food vendor to continue using the polystyrene containers if the food vendor can justify there is an undue economic hardship by discontinuing the use of these containers.

Legal Impact

There is no legal impact associated with the Town Code Text Amendment. This proposal has been reviewed by the Town Attorney and aligns with his recommendations.

ATTACHMENTS

1. Draft Town Code Text Amendment – Sections 11-78 through 11-81.

ARTICLE VI. PROHIBITION OF EXPANDED POLYSTYRENE FOOD SERVICE CONTAINERS

Sec. 11-78. Dispensing of Prepared Foods by Food Vendors.

- 1) It shall be unlawful for any food vendor to dispense prepared food to a customer in an expanded polystyrene food service container as enacted by Code of Virginia, § 10.1-1424.3.

Sec. 11-79. Exemptions.

- (a) Town Council may grant an exemption to allow a food vendor, serving in the Town's limits, to dispense prepared foods to customers if the vendor demonstrates to the satisfaction of the locality that compliance would impose an undue economic hardship on the food vendor. The exemption is valid for a period of one (1) year. The vendor may reapply to the locality before the expiration of the exemption, and the locality may grant an additional exemption not to exceed one year for each such reapplication if the food vendor demonstrates a continuing undue economic hardship at the time of reapplication to the satisfaction of the locality.
- (b) The food vendor shall provide the following with the exemption request:
 - i) Justification explaining why there is no reasonable alternative for using the expanded polystyrene containers;
 - ii) Justification explaining why compliance would cause the food vendor significant economic hardship.

Sec. 11-80. Enforcement Procedures.

- (a) Complaints shall be received by the Code Enforcement Officer. The Code Enforcement Officer will determine if the food vendor is dispensing prepared food in an expanded polystyrene container. The Code Enforcement Officer will determine whether the food vendor holds a current Town exemption and whether the observed conduct falls within the terms of the exemption.
- (b) If it is determined that the food vendor has dispensed prepared food in an expanded polystyrene container, the food vendor will be issued a compliance notice. The compliance notice shall include the observed conduct, applicable statute, and corrective action (including the ability to request an exemption).
- (c) Continued noncompliance shall be referred to the Town Attorney to determine whether the evidence warrants a civil action in circuit court seeking the statutory per-day civil penalty (\$50.00).

Sec. 11-81. Definitions.

Expanded Polystyrene Food Service Container – A type of lightweight, plastic foam used to make single-use food containers, cups, plates, and trays, in food service. These items, commonly recognized as disposable packaging, are typically used for transporting food and drinks.

Food Vendor – Any individual, business, or organization that prepares and sells prepared food for public consumption, either on or off the premises. This can include, but not limited to, restaurants, grocery stores, delicatessens, caterers, food trucks, pushcarts, and/or food stands.



Town Code Text Amendments Work Hours/Polystyrene Container Prohibition

**Town Council Work Session
September 8, 2026**

Current Town Code

Item A.

Section 11-19 NOISE

(a) The following acts, are declared to be a violation of this section:

(7) Building operations. The erection, including excavation, demolition, alteration or repair, of any building in a residential or business district other than between the hours of 8:00 a.m. and 7:00 p.m. seven (7) days a week, except in cases of urgent necessity in the interest of public safety, and then only with a permit from the proper town officials;

Enforcement

Item A.

- Contractors who wish to work over the weekend, Holidays, or outside of the permitted hours, have asked the Town Manager for permission.
- Staff has typically placed Conditions on the approval to reduce noise impacts in the surrounding areas.
- Permission to work over the weekends and Holidays between the hours of 8:00 a.m. and 7:00 p.m. are not currently required.
- This Text Amendment would bring the Town Code in line with how this has been administered for the past few years.

Next Steps

- Receive guidance from Town Council on whether the proposed Town Code Text Amendment is the desired policy moving forward.
- Work with the Town Attorney to bring Section 11-19(a)(7) language up to date.
- Advertise and hold a Public Hearing on the Town Code Text Amendment at the next available Town Council Regular Meeting.

Questions?

Expanded Polystyrene Containers Prohibited

Item A.

If adopted to the Town Code:

- Town Council could consider exemption requests
- Staff would enforce prohibition
- Town website will have to be updated informing food vendors how to comply with the regulations as well as how to file a complaint for a violation of this regulation

Staff could remind food vendors of the prohibition during:

- Annual Business License Renewal
- Annual Fire Safety Inspection
- Courtesy discussion if a complaint is received

Proposing to Add Prohibition to the Town Code

Item A.

Section 10.1-1424.3 of the State Code prohibits food vendors from using expanded polystyrene containers when dispensing foods.

- Code was enacted on July 1, 2025. Becomes the localities responsibility to enforce, approve temporary exemptions
- Circuit Court may assess civil penalties.

Next Steps

- Receive guidance from Town Council on whether the proposed Town Code Text Amendment is the desired policy moving forward.
- Work with the Town Attorney to add State regulations to the Town Code.
- Advertise and hold a Public Hearing on the Town Code Text Amendment at the next available Town Council Regular Meeting.

Questions?



Office of the Town Manager
Judson Rex

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item B.

STAFF REPORT

Council Meeting Date: September 8, 2026
Agenda Title: Outside Agency Guidance
Requested Action: Direction on contributions process
Department / Agency Lead: Finance and Procurement
Staff Lead: Brooke Campbell, Budget Manager

EXECUTIVE SUMMARY

The Town Council reviewed the proposed fiscal year (FY) 2028 budget calendar during the June council meeting. The first item on the proposed budget calendar includes making the FY 2028 funding request forms available to outside agencies.

DRAFT FISCAL YEAR 2028 BUDGET CALENDAR	
DATE	EVENT
September 8, 2026	Town Council Work Session Briefing: Budget Calendar & Outside Funding
Week of September 21, 2026	Budget requests made available to Town Departments and Outside Agencies.
October 16, 2026	Senior Leadership Team: Strategic Work Session
Week of October 19, 2026	Any internal department requests due to HC, IT, Fleet, Facilities.
Week of November 2, 2026	Town Department budget requests due to the Finance Department.
December 2026	Finance Director and Budget Manager meet with Town Manager to provide an overview of the compiled budget requests and initial revenue projections.
December 31, 2026	Outside Organization funding requests due to the Finance Department.
December 2026 - January 2027	Town Manager meets with each Town Department to review budget requests.
January 2027	Planning Commission work session to review the draft capital improvement plan for consistency with the Comprehensive Plan. <i>As needed if new projects are added.</i>
January 2027	Council Member Budget Briefings; Finance Committee Meeting
Late January/Early February	Town Council Annual Budget Workshop; Strategic Goal-setting and Budget Preview
February 2027	Planning Commission public hearing on the draft capital improvement plan. <i>As needed if new projects are added.</i>
March 2027	Council Member Budget Briefings; Finance Committee Meeting
March 9, 2027	Budget development progress briefing provided to Town Council.
April 1, 2027	Delivery of the Town Manager's proposed budget to the Town Council.
April 13, 2027	Town Council budget work session #1.
April 27, 2027	Town Council budget work session #2. -Public hearing on the Fiscal Year 2028 Proposed Budget and 2028-2033 Capital Improvement Plan
May 11, 2027	Town Council budget work session #3. -Adoption of the Fiscal Year 2028 Budget, the 2028-2033 Capital Improvement Plan, and the tax rates for the tax year beginning January 1, 2027
July 1, 2026	Beginning of Fiscal Year 2027

BACKGROUND

In prior years, council has directed staff to send the funding request forms via mail and email to the outside agencies who received funding in the previous year in addition to posting the form on our website. If we follow this same process, outside agencies listed in the table below who received funding in FY 2027 would receive the forms via mail and email. Organizations who did not receive funding in FY 2027 would still be able to access the form via our website.

OUTSIDE AGENCIES

DESCRIPTION	FY 2024 ACTUAL	FY 2025 ACTUAL	FY 2026 ADOPTED	FY2027 REQUESTED	FY 2027 ADOPTED
Aging Together	\$4,250	\$4,250	\$4,000	\$5,000	\$4,120
Boys & Girls Club of Fauquier	7,650	7,650	-	-	-
Fauquier Community Action Committee	7,650	7,650	7,000	7,500	7,210
Fauquier Community Child Care	3,443	3,443	3,000	7,500	3,090
Fauquier Food Bank	2,869	2,869	2,500	5,000	2,575
Fauquier Family Shelter Services	5,126	5,126	5,000	6,000	5,150
Fauquier Free Clinic	7,650	7,650	7,500	7,500	7,500
Fauquier Historical Society	7,650	7,650	7,500	10,000	7,725
Hospice Support of Fauquier	4,250	4,250	4,000	5,000	4,120
Laurel Ridge Community College	5,738	5,738	5,500	6,000	5,665
Literacy Volunteers	1,913	1,913	1,900	2,500	1,957
Piedmont Dispute Resolution Center	765	765	750	765	765
TOTAL	\$58,954	\$58,954	\$48,650	\$62,765	\$49,877

NONDEPARTMENTAL

DESCRIPTION	FY 2024 ACTUAL	FY 2025 ACTUAL	FY 2026 ADOPTED	FY2027 REQUESTED	FY 2027 ADOPTED
Transportation Services - Circuit Rider	\$165,666	\$174,009	\$185,927	\$189,503	\$189,503
Main Street Program - Experience Old Town Warrenton	65,000	65,000	60,000	65,000	61,800
VA Commission for the Arts (VCA)- Creative Community Partnership (CCP)	9,000	9,000	9,000	9,000	9,000
Warrenton Volunteer Fire Company	150,000	150,000	130,000	-	-
VA Department of Fire Programs (VDFP) - Aid to Localities (ATL)	45,281	51,541	51,541	56,288	56,288
TOTAL	\$434,947	\$449,550	\$436,468	\$319,791	\$316,591

STAFF RECOMMENDATION

Staff recommends council keep the process consistent with the prior year.

Service Level/Collaborative Impact

Keeping the process consistent will enhance clarity around the budget process.

Policy Direction/Warrenton Plan 2040

This action will support Plan Warrenton 2040 by promoting greater efficiency and an aligned budget process.

Fiscal/Legal Impact

None.

ATTACHMENTS

1. Contributions to Outside Agencies Policy



Policy Title: Contributions to Outside Agencies
Effective Date: December 10, 2019

I. PURPOSE

The purpose of this policy is to outline a framework to evaluate requests for monetary contributions to outside agencies with the intent of prudently administering taxpayer funds.

II. SCOPE

This policy applies to all monetary and in-kind contributions to outside organizations.

III. POLICY

A. Criteria

- i. All requests for monetary contributions to outside agencies shall align with at least one of three areas:
 - a. Complementary Service – the organization proposes to provide a service to offset services provided by the Town and that will provide an enhanced benefit to the Town
 - b. Demonstrable Benefit – the organization proposes to provide a service that the Town might not otherwise provide, but that provides a favorable impact and benefit to the community
 - c. Service the government could provide but does not – the organization proposes to provide a service that the Town would likely provide to its citizens

The following table provides examples of how the proper allocation of public funds relates to the services provided by the government.

EXAMPLES OF WAYS TO DOCUMENT BENEFITS ASSOCIATED WITH CHARITABLE SUPPORT		
Relationship To Government Programs	Example	Nature of Benefit(s)
1. Complementary service	Donation to the Tree Foundation in return for agreement to replace street trees that agency removes because of disease or old age	Tree Foundation has specialized knowledge about trees suitable for area. Tree Foundation shares goal of populating area with more tree, thereby saving energy and enhancing property values for residents. Other grants received by the Tree Foundation mean the government and those it serves save money on replacing trees.
2. Demonstrable benefit	After-school programs	Such programs reduce the need for law enforcement activities in the area. Programs promote public safety and law-abiding youth in a positive, cost-effective manner.
3. Service the government could provide but does not	Homeless shelter and associated placement programs	Such programs help end the cycle of homelessness. Reducing homelessness is one of the government's housing element goals.

B. Eligibility

- i. The following organizations shall **not** be eligible for monetary contributions;
 - a. Religious or political groups;
 - b. Groups that discriminate based on race, color, gender, religion, disability, sexual orientation, marital status, or national origin;
 - c. Individuals;
 - d. For-profit (taxable) entities;
 - e. Groups, as determined by the Town Council, that represent purposes counter to those in the best interests of the citizens.
- ii. Applicants must have a primary place of business in the Town of Warrenton and/or provide public benefit to enhance the quality of life for citizens of the Town.
- iii. A monetary contribution awarded to an outside agency shall not constitute a precedent for contributions of any amount in subsequent years.

- iv. Organizations must remain in good standing with the Town by maintaining compliance with all applicable Town ordinances and remaining current on any billings for fees or services.
- v. Organizations must maintain their nonprofit status throughout the term of the contribution. Should nonprofit status be revoked by the IRS, or if the nonprofit discontinues operations, contributed amounts must be returned to the Town. Should the organization become a party in any litigation against the Town, all funds awarded under this policy shall be suspended.

C. Process

The evaluation and award of monetary contributions to outside agencies shall be part of the Town's annual budget process.

- i. Outside organizations must submit their request for funding to the Town no later than December 31st for the fiscal year beginning the following July. An example of the Outside Organization Funding Request (and required supplemental documentation) that must accompany any request is attached as Exhibit A.
- ii. Staff may request additional information to aid in determining eligibility or programmatic viability.
- iii. As part of its annual budget process, the Town Council shall examine the funding requests considering the benefit(s) provided to Town citizens as detailed in Item III.A.i above.
- iv. The following principles should guide any contributions to outside organizations.
 - a. Grants without restrictions (unrestricted grants) should be avoided.
 - b. Performance-based contracts for specific services should be considered as the appropriate vehicle for any funding.
 - c. Organizations receiving funding will be provided information about any conditions, restrictions, or other requirements related to their funding at the time that they are notified of Council's appropriation.
- v. Only complete applications will be considered. All applicants will be notified no later than February 15th of their application status. Incomplete applications will be given no more than ten (10) calendar days from the

date of notification of the deficiency to provide missing information or to provide clarification at the request of Town staff.

- vi. Organizations that are funded will be required to execute an agreement with the Town that will outline any expectations for both parties.
- vii. The Town Manager will provide the Town Council with a total amount of available funding for contributions to outside agencies. The allocation of this amount among applicants shall be at the sole discretion of the Town Council.



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item C.

STAFF REPORT

Council Meeting Date:	Tuesday, September 8 th , 2026
Agenda Title:	Commercial Refuse Pickup Project
Requested Action:	Define or remove the "standalone professional service businesses" exception within Town Code
Department / Agency Lead:	Interdepartmental effort – Public Works, Town Managers Office, etc
Staff Lead:	Lauren Kruck

EXECUTIVE SUMMARY

In 2021, Chapter 8 of Town Code was updated to specify which businesses and structures in the Town of Warrenton were eligible for municipal trash collection and which must obtain private services. Sec 8-21 states:

Garbage and trash shall be removed by the town from dwellings (defined as single family and duplexes), commercial properties in historic district or standalone professional services businesses. Apartment houses, restaurants, hotels, commercial houses and other places where human beings may dwell or assemble are classified as commercial properties outside the scope of regular trash collection. Such removal shall be under the direction of the town manager and in compliance with the provisions of this article. With the exception of properties classified as commercial by virtue of the type and amount of waste produced by the site and use.

Neither in the Town Code nor Zoning Code is "standalone professional services businesses" defined. In order for staff to properly implement this code update, we request either that this phrase be defined or this exception be stricken from the code.

BACKGROUND

Prior to 2021, Public Works staff collected trash from businesses and residences alike throughout the Town of Warrenton. The original code stated that "*Garbage and trash shall be removed by the town from dwellings, apartment houses, restaurants, hotels, commercial houses and other places where human beings may dwell or assemble.*" When the Town Code was updated in May 2021, the code was changed in order to exclude the pickup of commercial trash outside of the historic district. It clarifies that apartment complexes, restaurants, commercial houses, and other commercial properties must arrange for their own garbage pickup. However, it makes an exception for all businesses within the historic district, along with "standalone professional service businesses" anywhere in the town. It is unclear why the standalone professional services businesses were not included as commercial businesses.

While no definition of “standalone professional service businesses” exists within Town Code, the Zoning Code does contain the phrase “**Business and Professional Office.**” This phrase refers to a “building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.” It is unclear whether “standalone professional service business” in Town Code is the equivalent of “business and professional office,” in Zoning Code.

At this time, there are 109 businesses outside of the historic district but within the Town of Warrenton that have their garbage picked up by the town. In order to implement the change of code and cease pickup to these businesses, staff would like to understand what qualifies as a “standalone professional service business.” Alternatively, this phrase could be stricken altogether from the code, in order to make it a more clear-cut distinction. In that case, all commercial businesses and organizations outside of the historic district would no longer receive trash services from the town.

Once this change is implemented, commercial businesses that are affected will be responsible for their own trash removal. Staff will assist in providing recommendations for private trash collection businesses that offer service within the Warrenton area. The affected business will be required to comply with all zoning requirements once the change takes effect such as providing a dumpster, dumpster pad, and enclosure if necessary. This will be an expense for the affected business.

For the Public Works staff, the reduction in commercial business trash pickup will allow staff to assist in other ongoing Public Works projects. Furthermore, the reduction in stops will be replaced with pickup demands from new residential units within the Town. From FY26-FY30 there is a projection for at least 330 new detached dwellings or duplexes which would require municipal trash pickup.

STAFF RECOMMENDATION

Staff recommends striking the “standalone professional services businesses” exception from the town code. Therefore, Sec 8-21 would read:

*Garbage and trash shall be removed by the town from dwellings (defined as single family and duplexes), **and commercial properties in the historic district** ~~or standalone professional services businesses~~. Apartment houses, restaurants, hotels, **professional services businesses**, commercial houses and other places where human beings may dwell or assemble are classified as commercial properties outside the scope of regular trash collection. Such removal shall be under the direction of the town manager and in compliance with the provisions of this article. With the exception of properties classified as commercial by virtue of the type and amount of waste produced by the site and use.*

This would clarify that all commercial properties and businesses outside of the historic district are responsible for their own waste removal.

Service Level/Collaborative Impact

If we cease municipal trash services to all commercial entities outside of the historic district, this will result in the reduction of 109 stops from the public works refuse collection routes.

It is unknown how many of the 109 qualify as “standalone professional service businesses,” as this term is not defined. Presumably, businesses such as law firms, banks, real estate offices, insurance firms, etc. would be considered “professional service businesses.” However, many businesses included in the list of 109 are less clear—would medical practices, veterinarians, therapists, and funeral homes be included? Would nonprofits?

If we cease services to all 109, it is estimated that roughly 49 of these addresses would need a dumpster for trash (to include a dumpster pad and enclosure). However, quite a few of these addresses/businesses share a collection area, so it would likely be (roughly) 16 new dumpsters, not 49. The remaining 60 addresses could likely contract private can service once a week.

Policy Direction/Warrenton Plan 2040

“CF-1: Serve as the central inviting public service center for Town and County residents with a proportionate share of community services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.”

“CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure.”

Fiscal Impact

Once the commercial refuse pickup stops, the business or apartment complex will be responsible for hiring private services and handling trash in compliance with Town Code. This may mean the installation of dumpster pads, fencing, and the rental of dumpsters themselves. This will have a fiscal impact on the businesses affected. The number of businesses affected will vary based on the definition of “standalone professional service businesses.”

For the Town, there is no immediate fiscal impact.

Legal Impact

There are no legal impacts known at this time.

ATTACHMENTS

- 1. Town Code – Ch. 8
- 2. Pre-2021 Town Code – Ch. 8

Chapter 8 GARBAGE, TRASH AND WEEDS¹

ARTICLE I. IN GENERAL

Sec. 8-1. Definitions.

For the purposes of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

Garbage. All wastes to be disposed of from the preparation, cooking and serving of food, vegetables, fruit and meat scraps from residences, hotels, restaurants and other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

Trash. All rubbish, refuse, shrubbery cuttings, leaves, cans, bottles, boxes, paper and other similar materials. "Trash" as defined in this section shall not include batteries, tires, household furniture and appliances, or any automotive parts or equipment.

(Code 1981, § 7-1)

State law reference(s)—Definitions applicable to Virginia Waste Management Act, Code of Virginia, § 10-264.

Sec. 8-2. Depositing, etc., garbage, etc., in public places.

It shall be unlawful for any person to throw or deposit on any street or public place of the town or the premises of any other person any garbage, rubbish, dirt, filth, shavings, manure, offal, ashes or any other article or substance calculated to render streets, public places or premises unsightly or to affect injuriously the health of the community.

(Code 1981, § 7-2)

Cross reference(s)—Streets and sidewalks, Ch. 14.

¹Cross reference(s)—Administration, Ch. 2; animals and fowl, Ch. 3; buildings, Ch. 4; fire prevention and protection, Ch. 7; licenses, Ch. 9; motor vehicles and traffic, Ch. 10; solicitors, Ch. 13; streets and sidewalks, Ch. 14; water and sewers, Ch. 17; inoperative vehicles, § 10-84 et seq.; discharge of garbage into sewer system, § 17-216.

State law reference(s)—Virginia Waste Management Act, Code of Virginia, § 10-263 et seq.; removal of trash, garbage, weeds, etc., from property, Code of Virginia, § 15.1-11; contracts for garbage and refuse pickup and disposal services, waste recovery facilities, Code of Virginia, § 15.1-28.02; ordinances requiring delivery of garbage, trash and refuse to certain facilities, Code of Virginia, § 15.1-28.03; regulation of garbage and refuse pickup and disposal services, Code of Virginia, § 15.1-28.1; municipal collection and disposal of refuse, regulation of disposal facilities, Code of Virginia, § 15.1-857; mailing of summons for violation of trash ordinance, Code of Virginia, § 19.2-76.2; dumping trash, etc. on highway, right-of-way or private property, Code of Virginia, §§ 33.1-346, 33.1-346.1; dump creating fire hazard to public bridge, Code of Virginia, § 33.1-347.

State law reference(s)—Litter control and recycling, Code of Virginia, § 10-277 et seq.

Secs. 8-3, 8-4. Reserved.

Editor's note(s)—Ordinance No. 1993-3, adopted March 9, 1993, repealed §§ 8-3 and 8-4 in their entirety.

Formerly, such sections pertained to the burning of trash on streets, alleys or private property and derived from §§ 7-3, 7-4 of the 1981 Code.

Secs. 8-5—8-20. Reserved.

ARTICLE II. COLLECTION

DIVISION 1. GENERALLY

Sec. 8-21. By town; method and supervision generally.

Garbage and trash shall be removed by the town from dwellings (defined as single family and duplexes), commercial properties in historic district or standalone professional services businesses. Apartment houses, restaurants, hotels, commercial houses and other places where human beings may dwell or assemble are classified as commercial properties outside the scope of regular trash collection. Such removal shall be under the direction of the town manager and in compliance with the provisions of this article. With the exception of properties classified as commercial by virtue of the type and amount of waste produced by the site and use.

(Code 1981, § 7-5; Ord. of 5-11-21(1))

Sec. 8-22. Frequency.

Collections of garbage and trash made pursuant to this article shall be made at such intervals as, in the judgement of the town council, may be necessary and as the funds available for the purpose will permit, in the interests of maintenance of public health. A schedule will be posted on our website, designating the assigned routes and days for service.

(Code 1981, § 7-6; Ord. of 5-11-21(1))

Sec. 8-23. Storage of garbage, etc., pending removal.

It shall be the duty of every owner or other person in charge of premises within the town to keep all garbage and trash which may have accumulated on the premises suitably confined pending its removal.

(Code 1981, § 7-7)

Sec. 8-24. Preparation of certain paper items.

In the commercial areas of town, all paper cartons shall be folded flat except where there is a large quantity of loose paper, which shall be stored in these cartons pending collection. Paper cartons and cartons containing loose paper shall be stored within a building or enclosure pending removal and shall not be permitted to be scattered on the premises of the owner or others. If the amount of paper items presented for collection exceeds

the capabilities of the town, the town reserves the right to require disposal of such at the commercial vendor's own expense.

(Code 1981, § 7-9; Ord. of 5-11-21(1))

Sec. 8-25. Certain materials prohibited from collection.

- (a) Earth, rocks, building materials and tree limbs shall not be placed in any garbage or trash receptacle or collected by the town.
- (b) Batteries, tires, household furniture and appliances or any automotive parts and equipment shall not be placed in any garbage or trash receptacle or collected by the town.

(Code 1981, § 7-10)

Sec. 8-26. Separation of certain paper items.

All corrugated cardboard and trash newspapers shall be segregated and removed from garbage and trash generally to be collected and removed by the town as described in section 8-41. Any garbage or trash placed for pickup containing corrugated cardboard or newspaper shall not be picked up by the town for collection processing.

- (1) On the day of the week designated by the town for newspaper collection and pickup, all newspapers to be collected and recycled shall be placed curbside in the same manner and location as required by section 8-43 herein.
- (2) All corrugated cardboard shall be placed curbside in the same location as required by section 8-43 herein, and identified in a manner as to be separate from all other garbage and trash to be collected.
- (3) On the day of the week designated by the town for curbside recycling, collection recycling containers (bag, bin, etc.) or transparent bags shall be placed curbside in the same manner and location as required by section 8-43 herein.

(Ord. No. 1992-14, 8-11-92; Ord. No. 1994-11, 8-9-94; Ord. of 5-11-21(1))

Sec. 8-27. Preparation of tree trimmings and brush.

- (a) Tree trimmings or brush shall be placed on the shoulder of the road or at curbside, and not in the gutter, on the second day of the week for regular scheduled trash pickup, but no sooner than the night before the scheduled pickup, by citizens as required by section 8-43 herein.
- (b) Tree limbs must be no larger than eight (8) inches in diameter and must be cut in lengths no greater than eight (8) feet.
- (c) The following items are prohibited from collection:
 - (1) Limbs or brush mixed with construction debris.
 - (2) Stumps.
 - (3) Trees or brush cut by tree care or removal companies or contractors.
 - (4) Vines and/or any herbaceous or nonwoody plant with thin stems.

(Ord. No. 1994-11, 8-9-94; Ord. No. 2006-06, 6-13-2006; Ord. of 5-11-21)

Editor's note(s)—Ord. No. 1994-11, adopted Aug. 8, 1994, amended the Code by adding § 8-45. For purposes of classification, such new provisions were included as § 8-27 at the discretion of the editor.

Secs. 8-28—8-40. Reserved.

DIVISION 2. CONTAINERS

Sec. 8-41. Required.

All garbage and trash to be collected and removed by the town under this article shall be deposited in containers as described in section 8-42.

(Code 1981, § 7-11)

Sec. 8-42. Duty of occupants, etc., to provide; specifications.

It shall be the duty of every tenant, lessee or occupant of any residence or establishment where people reside, congregate or are employed to provide sufficient garbage or trash containers to handle the accumulation of garbage or trash during the intervals between collections. The containers shall be made of metal or a suitable plastic with a close fitting metal or plastic lid and solid bottom and shall be provided with a handle or grips at the sides for the safe and convenient handling of the containers. In no case shall the containers have a capacity of less than ten (10) gallons nor more than thirty-two (32) gallons, nor shall any container be filled with garbage or other material in excess of seventy-five (75) pounds, except those containers manipulated by some mechanical means. It shall be unlawful to place garbage or trash for collection in a box, tub, crate or any other container except as otherwise provided in this article.

(Code 1981, § 7-12)

Sec. 8-43. Location.

- (a) *Placement.* Containers in which garbage, trash, or recyclables have been deposited for collection by the town, pursuant to section 8-42 of this Code, shall be located for collection by 6:00 a.m. on the scheduled day of collection in the following manner along the said property line and a public/private street.
 - (1) Where curb exists, the containers shall be placed between the back of the curb line and the back of the sidewalk. Where no sidewalk exists, the containers shall be placed no more than ten (10) feet from the back of the curb line.
 - (2) Where there is no curb, the containers shall be placed between the edge of the pavement and the ditch, but in no case shall such container be placed greater than ten (10) feet from the edge of the pavement.
 - (3) Containers are not to be placed on or in front of another property unless written permission is granted. It is the intent that said debris be placed in front of the owner's property.
- (b) *Exceptions.* The town reserves the right, in hardship cases, to collect garbage, trash, and recyclables in backyards. Hardship, as used herein, shall generally be deemed physical impairment, due to disability, age, or infirmity, that prevents the resident from being able to make placement of the containers in the required manner. The town manager, in his sole discretion, or his appointed representative shall make the determination, upon request, as to whether exceptions for hardship can be made.

(Code 1981, § 7-13; Ord. No. 1992-16, 8-11-92; Ord. No. 1994-11. 8-9-94; Ord. No. 2006-06, 6-13-2006; Ord. of 5-11-21(1))

Sec. 8-44. Preparation of garbage.

All garbage, before being deposited in the container, shall be drained of all liquid and be securely bagged.

(Code 1981, § 7-8; Ord. of 5-11-21(1))

Secs. 8-45—8-60. Reserved.

ARTICLE III. CONDITION OF PREMISES²

Sec. 8-61. Duty of owners, etc.

It shall be the duty of every owner or other person in charge of premises within the town, whether or not he avails himself of the garbage and trash disposal service provided for in Articles I and II of this chapter, to keep such premises in a sanitary condition.

(Code 1981, § 7-14)

Sec. 8-62. Notice to remove trash, garbage, etc.

Whenever the owner of any property permits trash, garbage, litter and other substances which might endanger the health or safety of other residents of the town and town manager deems it necessary, the owner of such property shall be notified in writing to remove such garbage, refuse, litter and other substances on such property within a reasonable time, specified in the notice. If the owner refuses to comply with the notice, the town manager may, in his discretion, have such trash, garbage, litter and other substances in question removed by the agents or employees of the town and the cost and expense thereof shall be chargeable to and paid by the owner of such property. If the cost and expenses are not paid by the owner, the amount shall be assessed against the owner and such assessment shall become a lien upon the property as in the case of taxes and levies and shall be collected as real estate taxes are collected.

(Code 1981, § 7-15)

Sec. 8-63. Notice to cut weeds.

Whenever any property in the town is permitted to become unsightly or malodorous by being overgrown with grass, weeds, or other foreign growth, and other substances which might endanger the health, safety and welfare of other residents of the town, all of which is hereby declared a nuisance, and the town manager deems it necessary, the owner thereof shall be notified in writing to cut the grass, weeds and other foreign growth on such property within a reasonable time, specified in the notice. If the owner refuses to comply with the notice, the town

²State law reference(s)—Noxious Weed Law, Code of Virginia, § 3.1-296.11 et seq.; removal of trash, garbage, weeds, etc. from property, Code of Virginia, section 15.1-11; authority of town council to control Johnson grass and multiflora rose, Code of Virginia, § 15.1-28.4; weeds and plants on highway rights-of-way, Code of Virginia, § 33.1-209.

manager may, in his discretion, have such grass, weeds and other foreign growth on the property in question cut by the agents or employees of the town and the cost and expenses thereof shall be chargeable to and paid by the owner of such property. If such cost and expenses are not paid by such owner, the amount shall be assessed against the owner and such assessment shall become a lien upon the property as in the case of real estate taxes and shall be collected as real estate taxes are collected. For purposes of this provision, one (1) written notice per growing season to the owner of record of the subject property shall be considered reasonable notice.

(Code 1981, § 7-16; Ord. No. 2016-09, 6-14-16)

Sec. 8-64. Service of notice.

The notices provided for in this article shall be served personally, if possible, but if the person upon whom personal service is to be made cannot be found in the town, such notice shall be sent, by certified mail, to the last known post office address of such person and proof thereof shall be taken and accepted in lieu of personal service.

(Code 1981, § 7-17)

Chapter 8

GARBAGE, TRASH AND WEEDS*

- Art. I. In General, §§ 8-1-8-20
 Art. II. Collection, §§ 8-21-8-60
 Div. 1. Generally, §§ 8-21-8-40
 Div. 2. Containers, §§ 8-41-8-60
 Art. III. Condition of Premises, §§ 8-61-8-64

ARTICLE I. IN GENERAL**Sec. 8-1. Definitions.**

For the purposes of this chapter, the following words shall have the meanings respectively ascribed to them by this section:

Garbage. All wastes to be disposed of from the preparation, cooking and serving of food, vegetables, fruit and meat scraps from residences, hotels, restaurants and other places where food is prepared for human consumption, and all offal from fish, meat and vegetable markets, and all vegetable or organic substances unfit for food that are subject to immediate decay.

***Cross references**—Administration, Ch. 2; animals and fowl, Ch. 3; buildings, Ch. 4; fire prevention and protection, Ch. 7; licenses, Ch. 9; motor vehicles and traffic, Ch. 10; solicitors, Ch. 13; streets and sidewalks, Ch. 14; water and sewers, Ch. 17; inoperative vehicles, § 10-84 et seq.; discharge of garbage into sewer system, § 17-216.

State law references—Virginia Waste Management Act, Code of Virginia, § 10-263 et seq.; removal of trash, garbage, weeds, etc., from property, Code of Virginia, § 15.1-11; contracts for garbage and refuse pickup and disposal services, waste recovery facilities, Code of Virginia, § 15.1-28.02; ordinances requiring delivery of garbage, trash and refuse to certain facilities, Code of Virginia, § 15.1-28.03; regulation of garbage and refuse pickup and disposal services, Code of Virginia, § 15.1-28.1; municipal collection and disposal of refuse, regulation of disposal facilities, Code of Virginia, § 15.1-857; mailing of summons for violation of trash ordinance, Code of Virginia, § 19.2-76.2; dumping trash, etc. on highway, right-of-way or private property, Code of Virginia, §§ 33.1-346, 33.1-346.1; dump creating fire hazard to public bridge, Code of Virginia, § 33.1-347.

§ 8-1

WARRENTON TOWN CODE

Trash. All rubbish, refuse, shrubbery cuttings, leaves, cans, bottles, boxes, paper and other similar materials. "Trash" as defined in this section shall not include batteries, tires, household furniture and appliances, or any automotive parts or equipment. (Code 1981, § 7-1)

State law reference—Definitions applicable to Virginia Waste Management Act, Code of Virginia, § 10-264.

Sec. 8-2. Depositing, etc., garbage, etc., in public places.

It shall be unlawful for any person to throw or deposit on any street or public place of the town or the premises of any other person any garbage, rubbish, dirt, filth, shavings, manure, offal, ashes or any other article or substance calculated to render streets, public places or premises unsightly or to affect injuriously the health of the community.

(Code 1981, § 7-2)

Cross reference—Streets and sidewalks, Ch. 14.

State law reference—Litter control and recycling, Code of Virginia, § 10-277 et seq.

Secs. 8-3, 8-4. Reserved.

Editor's note—Ordinance No. 1993-3, adopted March 9, 1993, repealed §§ 8-3 and 8-4 in their entirety. Formerly, such sections pertained to the burning of trash on streets, alleys or private property and derived from §§ 7-3, 7-4 of the 1981 Code.

Secs. 8-5–8-20. Reserved.

ARTICLE II. COLLECTION

DIVISION 1. GENERALLY

Sec. 8-21. By town; method and supervision generally.

garbage and trash shall be removed by the town from dwellings, apartment houses, restaurants, hotels, commercial houses and other places where human beings may dwell or assemble. Such removal shall be under the direction of the town manager and in compliance with the provisions of this article.

(Code 1981, § 7-5)

GARBAGE, TRASH AND WEEDS

§ 8-26

Sec. 8-22. Frequency.

Collections of garbage and trash made pursuant to this article shall be made at such intervals as, in the judgement of the town council, may be necessary and as the funds available for the purpose will permit, in the interests of maintenance of public health.

(Code 1981, § 7-6)

Sec. 8-23. Storage of garbage, etc., pending removal.

It shall be the duty of every owner or other person in charge of premises within the town to keep all garbage and trash which may have accumulated on the premises suitably confined pending its removal.

(Code 1981, § 7-7)

Sec. 8-24. Preparation of certain paper items.

In the commercial areas of town, all paper cartons shall be folded flat except where there is a large quantity of loose paper, which shall be stored in these cartons pending collection. Paper cartons and cartons containing loose paper shall be stored within a building or enclosure pending removal and shall not be permitted to be scattered on the premises of the owner or others.

(Code 1981, § 7-9)

Sec. 8-25. Certain materials prohibited from collection.

(a) Earth, rocks, building materials and tree limbs shall not be placed in any garbage or trash receptacle or collected by the town.

(b) Batteries, tires, household furniture and appliances or any automotive parts and equipment shall not be placed in any garbage or trash receptacle or collected by the town.

(Code 1981, § 7-10)

Sec. 8-26. Separation of certain paper items.

All corrugated cardboard and trash newspapers shall be segregated and removed from garbage and trash generally to be collected and removed by the town as described in section 8-41.

Any garbage or trash placed for pickup containing corrugated cardboard or newspaper shall not be picked up by the town for collection processing.

- (1) On the day of the week designated by the town for newspaper collection and pickup, all newspapers to be collected and recycled shall be placed curbside in the same manner and location as required by section 8-43 herein.
 - (2) All corrugated cardboard shall be placed curbside in the same location as required by section 8-43 herein, and identified in a manner as to be separate from all other garbage and trash to be collected.
 - (3) On the day of the week designated by the town for curbside recycling, collection recycling containers (bag, bin, etc.) used for the town's curbside recycling program shall be placed curbside in the same manner and location as required by section 8-43 herein.
- (Ord. No. 1992-14, 8-11-92; Ord. No. 1994-11, 8-9-94)

Sec. 8-27. Preparation of tree trimmings and brush.

(a) Tree trimmings or brush shall be placed on the shoulder of the road or at curbside, and not in the gutter, by citizens as required by section 8-43 herein.

(b) Tree limbs must be no larger than eight (8) inches in diameter and must be cut in lengths no greater than eight (8) feet.

(c) The following items are prohibited from collection:

- (1) Limbs or brush mixed with construction debris.
- (2) Stumps.
- (3) Trees or brush cut by tree care or removal companies or contractors.

(Ord. No. 1994-11, 8-9-94; Ord. No. 2006-06, 6-13-2006)

Editor's note—Ord. No. 1994-11, adopted Aug. 8, 1994, amended the Code by adding § 8-45. For purposes of classification, such new provisions were included as § 8-27 at the discretion of the editor.

Secs. 8-28—8-40. Reserved.

GARBAGE, TRASH AND WEEDS

§ 8-43

DIVISION 2. CONTAINERS

Sec. 8-41. Required.

All garbage and trash to be collected and removed by the town under this article shall be deposited in containers as described in section 8-42.

(Code 1981, § 7-11)

Sec. 8-42. Duty of occupants, etc., to provide; specifications.

It shall be the duty of every tenant, lessee or occupant of any residence or establishment where people reside, congregate or are employed to provide sufficient garbage or trash containers to handle the accumulation of garbage or trash during the intervals between collections. The containers shall be made of metal or a suitable plastic with a close fitting metal or plastic lid and solid bottom and shall be provided with a handle or grips at the sides for the safe and convenient handling of the containers. In no case shall the containers have a capacity of less than ten (10) gallons nor more than thirty-two (32) gallons, nor shall any container be filled with garbage or other material in excess of seventy-five (75) pounds, except those containers manipulated by some mechanical means. It shall be unlawful to place garbage or trash for collection in a box, tub, crate or any other container except as otherwise provided in this article.

(Code 1981, § 7-12)

Sec. 8-43. Location.

(a) *Placement.* Containers in which garbage, trash, or recyclables have been deposited for collection by the town, pursuant to section 8-42 of this Code, shall be located for collection by 8:00 a.m. on the scheduled day of collection in the following manner along the said property line and a public/private street.

- (1) Where curb exists, the containers shall be placed between the back of the curb line and the back of the sidewalk. Where no sidewalk exists, the containers shall be placed no more than ten (10) feet from the back of the curb line.

GARBAGE, TRASH AND WEEDS

§ 8-63

(Code 1981, § 7-14)

Sec. 8-62. Notice to remove trash, garbage, etc.

Whenever the owner of any property permits trash, garbage, litter and other substances which might endanger the health or safety of other residents of the town and town manager deems it necessary, the owner of such property shall be notified in writing to remove such garbage, refuse, litter and other substances on such property within a reasonable time, specified in the notice. If the owner refuses to comply with the notice, the town manager may, in his discretion, have such trash, garbage, litter and other substances in question removed by the agents or employees of the town and the cost and expense thereof shall be chargeable to and paid by the owner of such property. If the cost and expenses are not paid by the owner, the amount shall be assessed against the owner and such assessment shall become a lien upon the property as in the case of taxes and levies and shall be collected as real estate taxes are collected.

(Code 1981, § 7-15)

Sec. 8-63. Notice to cut weeds.

Whenever any property in the town is permitted to become unsightly or malodorous by being overgrown with grass, weeds, or other foreign growth, and other substances which might endanger the health, safety and welfare of other residents of the town, all of which is hereby declared a nuisance, and the town manager deems it necessary, the owner thereof shall be notified in writing to cut the grass, weeds and other foreign growth on such property within a reasonable time, specified in the notice. If the owner refuses to comply with the notice, the town manager may, in his discretion, have such grass, weeds and other foreign growth on the property in question cut by the agents or employees of the town and the cost and expenses thereof shall be chargeable to and paid by the owner of such property. If such cost and expenses are not paid by such owner, the amount shall be assessed against the owner and such assessment shall become a lien upon the property as in the case of real estate taxes and shall be collected as real estate taxes are

§ 8-63

WARRENTON TOWN CODE

collected. For purposes of this provision, one (1) written notice per growing season to the owner of record of the subject property shall be considered reasonable notice.
(Code 1981, § 7-16; Ord. No. 2016-09, 6-14-16)

Sec. 8-64. Service of notice.

The notices provided for in this article shall be served personally, if possible, but if the person upon whom personal service is to be made cannot be found in the town, such notice shall be sent, by certified mail, to the last known post office address of such person and proof thereof shall be taken and accepted in lieu of personal service.
(Code 1981, § 7-17)



Commercial Refuse Pickup

Town Council Regular Meeting
September 8th, 2026

Commercial Refuse Pickup – Current Code

- In 2021, Chapter 8 of Town Code was updated to specify which structures in the Town of Warrenton were eligible for municipal trash collection and which must obtain private services. Sec 8-21 states:
- *Garbage and trash shall be removed by the town from dwellings (defined as single family and duplexes), commercial properties in historic district or standalone professional services businesses. Apartment houses, restaurants, hotels, commercial houses and other places where human beings may dwell or assemble are classified as commercial properties outside the scope of regular trash collection. Such removal shall be under the direction of the town manager and in compliance with the provisions of this article. With the exception of properties classified as commercial by virtue of the type and amount of waste produced by the site and use.*

Commercial Refuse Pickup - Clarifications

- Would NOT be picked up:
 - Trash from apartments, restaurants, hotels, commercial houses, other places where humans may dwell or assemble (outside of the historic district).
- Would be picked up:
 - Trash from single family homes & duplexes throughout the Town.
 - Trash from commercial properties within the historic district.
 - Trash from standalone professional service businesses throughout the Town.
 - Defined as?

Commercial Refuse Pickup – Project Status

Item C.

- Progress so far:
 - Generated a list of all commercial properties that receive trash pickup.
 - Clarified which of these properties lay within the Historic District.
 - Estimated the trash output of these businesses.
- Future efforts include:
 - Contacting affected businesses.
 - Creating a deadline for the cessation of services.
 - Working with businesses to ensure they have a new system for managing trash compliant with Town Code.

Commercial Refuse Pickup – Request to Council

Item C.

- Request for clarification:
 - Define or eliminate the phrase “standalone professional service businesses” from Town Code sec 8-21.
- Definition/clarification is crucial to know which businesses outside of the historic district will be affected.



9/8/2026



Commercial Refuse Pickup



5

An aerial photograph of a town street, showing a mix of residential and commercial buildings, trees, and parked cars. The street runs vertically through the center of the image. The word "Questions?" is overlaid in the center in a large, bold, dark blue font.

Questions?



Community Development
Department

STAFF REPORT

Town Council Meeting Date:	September 8, 2026
Agenda Title:	Planning Commission Update
Requested Action:	Informational Purposes
Staff Lead:	Casey DeHaven, Planning Manager

EXECUTIVE SUMMARY

The Planning Commission held a regular meeting on August 18, 2026 which consisted of three (3) public hearings.

SUP 26-01: Dominion Energy – Elm Substation Modernization

The Applicant is requesting a Special Use Permit for substation modernization and expansion for safe and reliable electric service at an existing property located on the northwest corner of Madison Street and Linden Street. The property is zoned R-10 and is approximately 0.62 acres. The proposed expansion of the substation and the existing and proposed fencing (7' in height with 1' of barbed wire) in the R-10 district requires a Special Use Permit (SUP). The Future Land Use Map designates the property within Medium-Density Residential. Article 3-4.2.3 of the Town of Warrenton's Zoning Ordinance (ZO) allows for substations within R-10 with the approval of a Special Use Permit by Town Council.

The Planning Commission held a Work Session on SUP 26-1 and held a public hearing at its August 18, 2026 meeting, where the Planning Commission recommended approval as written, 4-0 (Ainsworth and McGuire absent).

SUP 26-03: PlayVerse LLC

The Applicant is requesting approval of a Special Use Permit (SUP) to allow for an active recreation facility for children in an existing tenant space on the subject property, to include a large play area with ball pit, slides, and three party rooms. The shopping center is split between two parcels on Frost Avenue, 613 Frost Avenue (6974-85-8166- 000) & 569 Frost Avenue (6974-95-2114-000) and zoned to the Commercial (C) district. The combined parcels are approximately 10.738 acres.

The Planning Commission held a Work Session on SUP 26-1 and held a public hearing at its August 18, 2026 meeting, where the Planning Commission recommended approval as written, 4-0 (Ainsworth and McGuire absent).

ZMA 26-01 & ZMA 26-02: Rezoning Requests for 18 Court Street & 10 Hotel Street:

This application requests a zoning map amendment for the property located at 18 Court Street (ZMA 26-01) and 10 Hotel Street (ZMA 26-02) in Warrenton, Virginia, to change the current zoning designation from Public/Semi-Public (PSP) to Central Business District (CBD).

This item was reviewed as a Work Session item at the June 16, 2026 Planning Commission Regular meeting and the Planning Commission public hearing was held on July 21, 2026 where the Commission unanimously recommended approval for both items.

Due to a discrepancy with the associated GPINs for 18 Court Street, Staff has been advised to have the Planning Commission hold a second public hearing for ZMA 26-01. In order to avoid any confusion, 18 Court Street will be reviewed utilizing only the parcel GPIN: 6984-33-8623-000.

ZMA 26-02 for 10 Hotel Street was unanimously recommended for approval by the Town Council during the August 11, 2026 meeting.

The Planning Commission held a public hearing for ZMA 26-01 at its August 18, 2026 meeting, where the Planning Commission unanimously recommended approval as written, 4-0 (Ainsworth and McGuire absent). ZMA 26-01 will move forward to a public hearing at the September 8, 2026 Town Council meeting.

BACKGROUND

No additional background information.

STAFF RECOMMENDATION

For Informational Purposes.



STAFF REPORT

Council Meeting Date:	September 8 th , 2026
Agenda Title:	Public Safety Committee Update
Requested Action:	Receive the information from the presenter
Department / Agency Lead:	Town Council
Staff Lead:	Ms. Michele O'Halloran, Ward 4 Representative.

EXECUTIVE SUMMARY

Ms. Michele O'Halloran will present an update on the Committee.

BACKGROUND

The Town Council has created a Public Safety Committee consisting of Mr. David McGuire and Ms. Michele O'Halloran.

STAFF RECOMMENDATION

Receive the information.

Service Level/Collaborative Impact

These meetings will require input and expertise from multiple Town departments and members of the Council.

Policy Direction/Warrenton Plan 2040

CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for the responsiveness, community trust, and effectiveness.

CF-2.1: Maintain accepted level of service in terms of staffing and response times.

CF-2.2: Incorporate security measures designed to be unobtrusive but affording protection for citizens and users alike at community built and electronic facilities.

CF-2.3: Partner with County on their space and operational needs for the Sheriff's Office, Joint Communications, and Fire Rescue

and Emergency Management.

CF-2.4: Identify and provide new substation and public safety facilities as new development/redevelopment occurs.

CF-2.5: Continue cooperative agreements with the County for public safety needs.

Fiscal Impact

A fiscal impact analysis will be conducted on proposals brought forth by the Committee.

Legal Impact

Legal impact analysis has not been done on this agenda item.

ATTACHMENTS

- 1.
- 2.
- 3.



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item F.

STAFF REPORT

Council Meeting Date:	September 8 th , 2026
Agenda Title:	Finance Committee Update
Requested Action:	Receive the information from the presenter
Department / Agency Lead:	Town Council
Staff Lead:	Mr. William Semple, Vice Mayor

EXECUTIVE SUMMARY

Mr. William Semple, Vice Mayor, Will provide an update to the Council.

BACKGROUND

The Town Council has created a Finance Committee consisting of Mr. Paul Mooney and Vice Mayor William Semple.

STAFF RECOMMENDATION

Receive the information from Mr. Semple.

Service Level/Collaborative Impact

The Committees will require input and expertise from multiple Town departments and members of the Council.

Policy Direction/Warrenton Plan 2040

CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure.

CF-5.1: Implement robust maintenance schedules on community facilities to extend the life of investments.

CF-5.2: Support the Town's current and future population through the provision of timely and comprehensive community facilities.

Fiscal Impact

A fiscal impact analysis will be conducted on proposals brought forth by the Committee

Legal Impact

Legal impact analysis has not been done on this agenda item.

ATTACHMENTS

- 1.
- 2.
- 3.



Motion for Convening a Closed Session

Council Meeting Date: September 8th, 2026

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 _ *[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
 ___ disposition of publicly held real property 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.
- x 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
- x the pending case of ___ **CFFC v. Town/Amazon, Amazon v. BZA & Town of Warrenton, Town v. Rababeh, Fauquier County, Treasurer v. Fairfax et. al** where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town.
- X 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, **Pedestrian Safety, E-Bikes, Golf Carts, Transparency Commission, Property Maintenance and enforcement, Town Council Policies, Main Street Project,** _ *[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:
 Nays:
 Absent from Vote:

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:

Nays:

Absent from Vote:

For Information:

Town Clerk

Effective date: September 8th, 2026.

Stephen Clough, Town Recorder



Office of the Town Manager
Judson Rex

Warrenton Town Council
Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item I.

STAFF REPORT

Council Meeting Date:	September 8 th , 2026
Agenda Title:	Main Street Project
Requested Action:	Receive the information
Department / Agency Lead:	Town Council
Staff Lead:	Judson Rex, Town Manager

EXECUTIVE SUMMARY

The Town Council has requested a discussion and update on the Main Street Project. Town Manager Judson Rex will provide an update on the project.

BACKGROUND

The Main Street Project is a construction project partnered with VDOT for renovations of the sidewalk and paving on Main Street.

STAFF RECOMMENDATION

Receive the information

Service Level/Collaborative Impact

Service level impact has not been reviewed for this item.

Policy Direction/Warrenton Plan 2040

Policy direction / Plan 2040 impact has not been done for this item.

Fiscal Impact

A fiscal impact analysis has not been created for this item.

Legal Impact

Legal impact will be briefed by the Town Attorney in Closed Session.

ATTACHMENTS



STAFF REPORT

Town Council Meeting Date:	September 8, 2026
Agenda Title:	SUP 2026-03: PlayVerse, LLC
Requested Action:	Hold Public Hearing
Department / Agency Lead:	Community Development
Staff Lead:	Casey DeHaven, Planning Manager

EXECUTIVE SUMMARY

The Applicant is requesting approval of a Special Use Permit (SUP) to allow for an active recreation facility for children in an existing tenant space on the subject property, to include a large play area with ball pit, slides, and three party rooms.

The shopping center is split between two parcels on Frost Avenue, 613 Frost Avenue (6974-85-8166-000) & 569 Frost Avenue (6974-95-2114-000) and zoned to the Commercial (C) district. The combined parcels are approximately 10.738 acres.

BACKGROUND

The Planning Commission held a Work Session on SUP 26-3 on July 21, 2026 and recommended it move to a public hearing. The public hearing was held on August 18, 2026 where the Planning Commission recommend approval, 4-0 (Ainsworth and McGuire absent). SUP 26-3 will now move to a public hearing with the Town Council.

STAFF RECOMMENDATION

Hold Public Hearing.

Plan Warrenton 2040

Plan Warrenton 2040 designates 613 Frost Avenue and 569 Frost Avenue as being within the Broadview Commercial Character District and designated as Re-Planned Commercial. The summary of this district states *"Maintain and enhance the existing commercial corridor but add nodal development with mixed-use residential anchors and improve transitions to adjacent single-family neighborhoods. A Form-Based Transect is the best tool to transform Broadview Avenue to a neighborhood commercial corridor, with a consistent street frontage along Broadview and graceful step-downs in scale adjacent to adjoining neighborhoods."*

The majority of Commercial districts follow the *Experience Broadview Character District* policies. These are older highway Commercial areas which are encouraged to be re-planned to provide pedestrian-oriented streetscapes with parking behind buildings, interparcel connections, access and buffers between neighboring residential neighborhoods and, in certain cases, on street parking.

Legal Impact

Conditions of Approval run with the land so as to bind future. Any party or officer identified by title shall be entitled and responsible to the adopted Conditions of Approval.



**Town Council Regular Meeting – Public Hearing
for
SUP 26-3: PlayVerse, LLC.
September 8, 2026**

Request

Item a.

- **PlayVerse LLC**

- The shopping center is split between two parcels on Frost Avenue, 613 Frost Avenue (6974-85-8166-000) & 569 Frost Avenue (6974-95-2114-000) and zoned to the Commercial (C) district. The combined parcels are approximately 10.738 acres.
- Applicant: PlayVerse LLC, Mr. Joe Owoeye-Gold
 - Property Owner: Kalis Holdings LLC
- SUP requesting a change in use of an existing building to allow for an active recreation facility for children in an existing tenant space on the subject property, to include a large play area with ball pit, slides, and three party rooms.
- Plan Warrenton 2040 designates 613 Frost Avenue and 569 Frost Avenue as being within the Broadview Commercial Character District and designated as Re-Planned Commercial

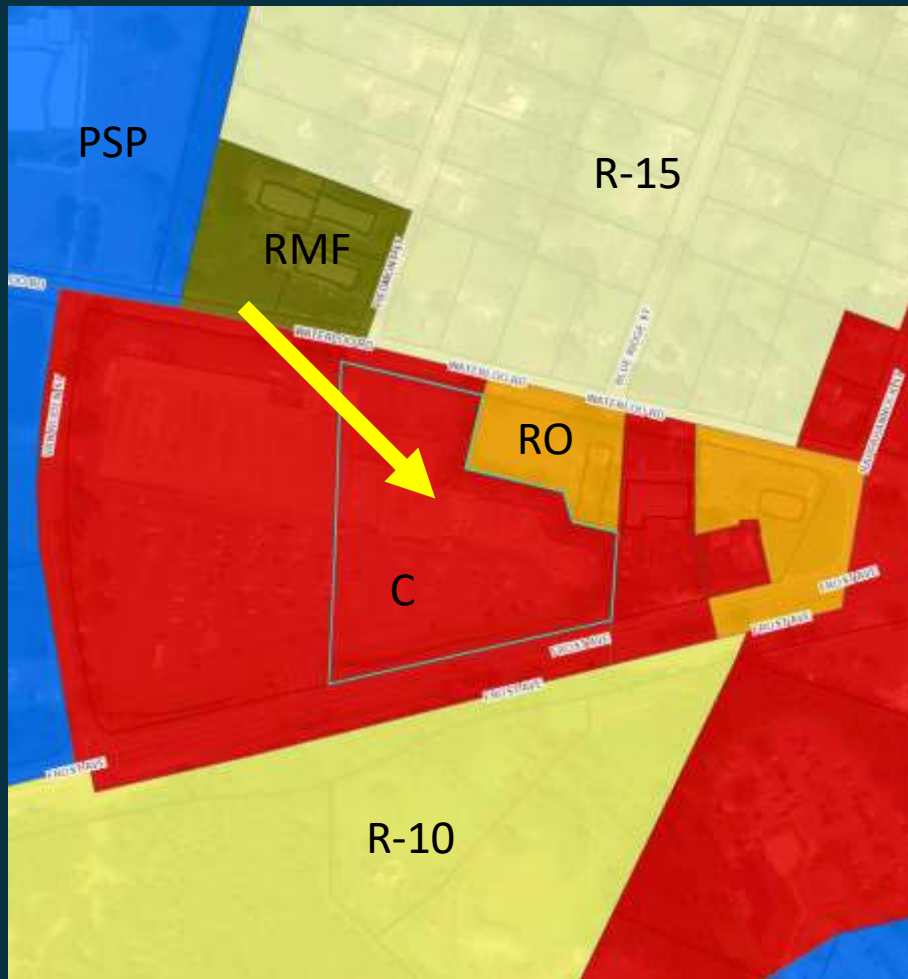
Location



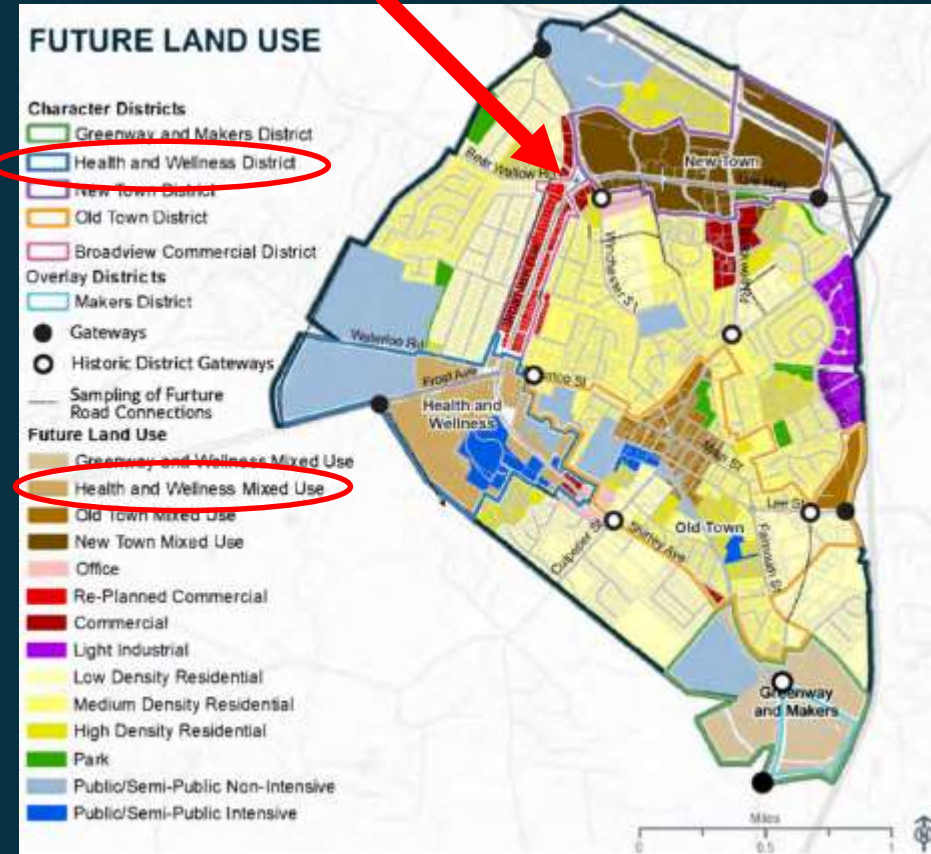
Adjacent Uses

Item a.

Zoning Map



Future Land Use – Old Town



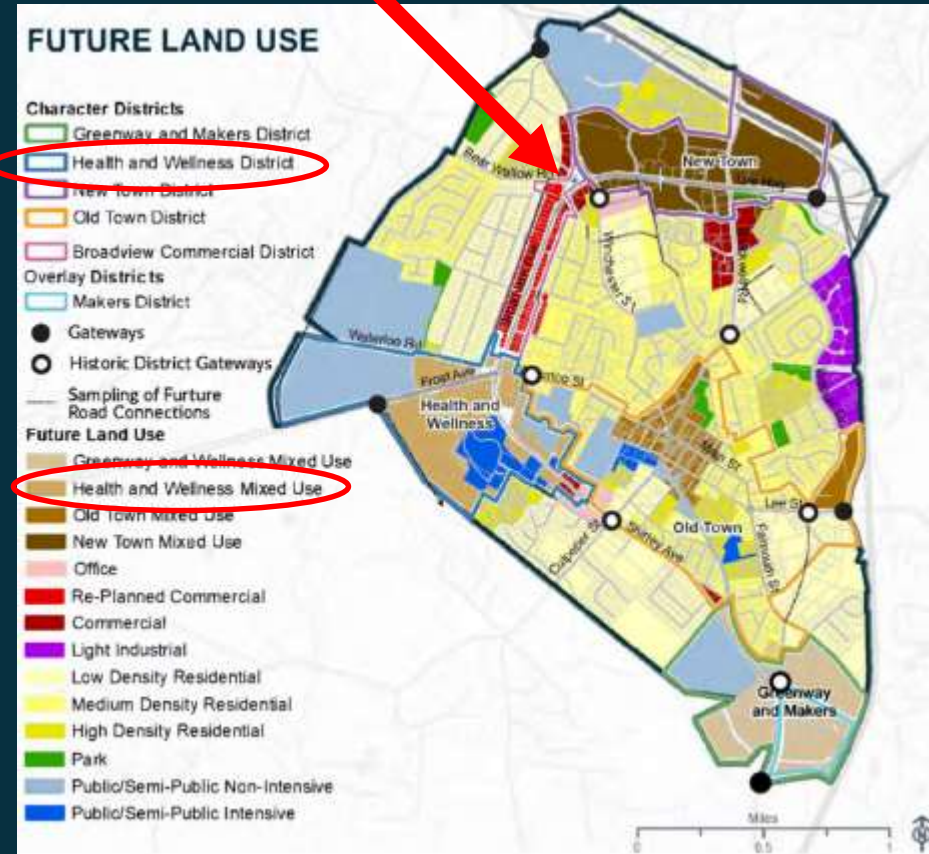
Plan Warrenton 2040

Item a.

Future Land Use Overlays



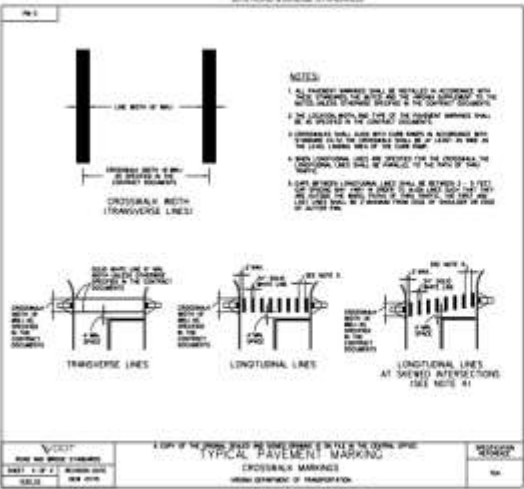
Future Land Use – Old Town







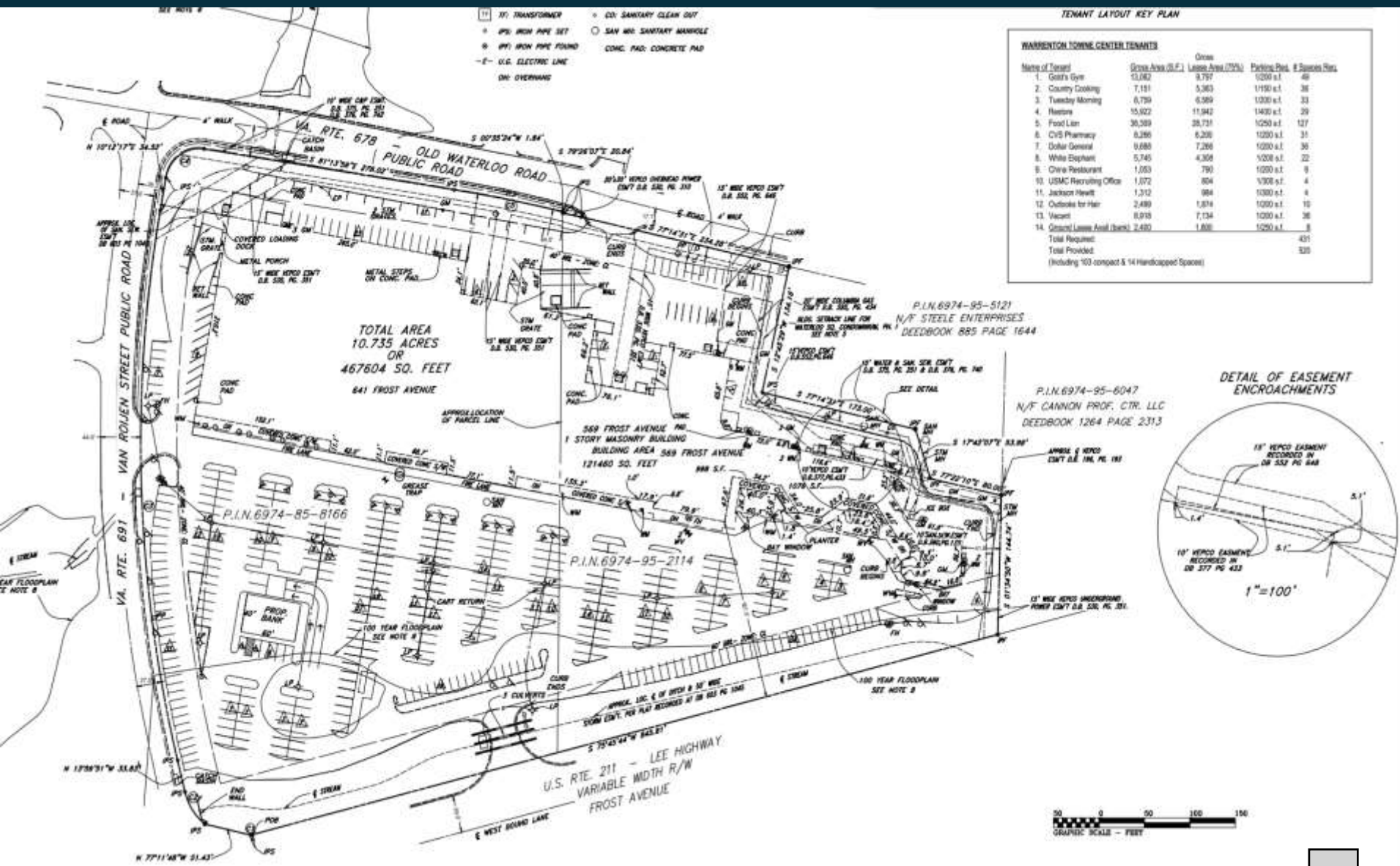
PlayVerse Entrance Crosswalk Design Specifications









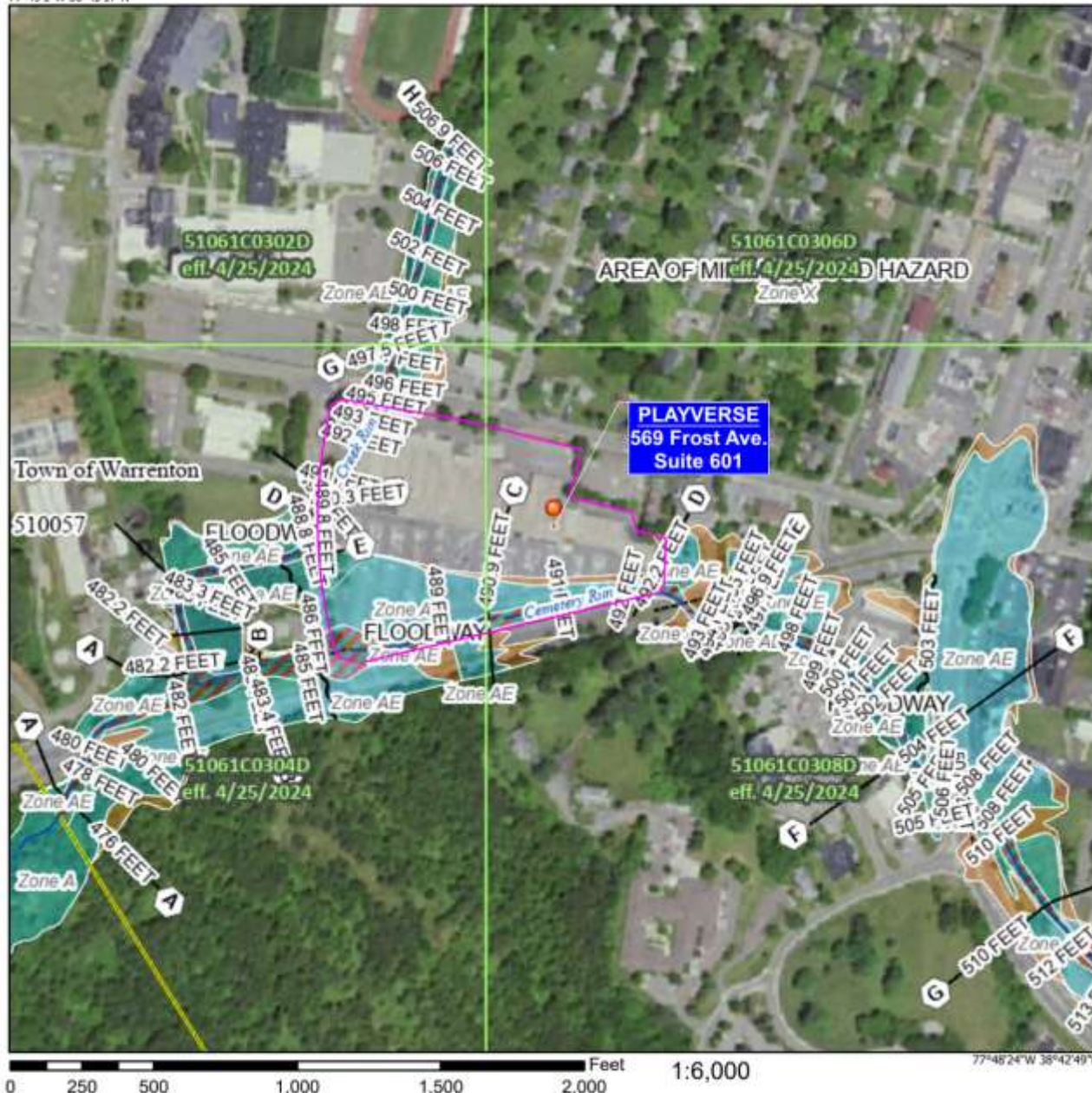


National Flood Hazard Layer FIRMeTte



Item a.

77°49'1"W 38°43'17"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, X, AH
	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X
	Area with Flood Risk due to Levee Zone D
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X
	Effective LOMRs
GENERAL STRUCTURES	Area of Undetermined Flood Hazard Zone D
	Channel, Culvert, or Storm Sewer
OTHER FEATURES	Levee, Dike, or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS	Coastal Transect
	Base Flood Elevation Line (BFE)
OTHER FEATURES	Limit of Study
	Jurisdiction Boundary
OTHER FEATURES	Coastal Transect Baseline
	Profile Baseline
OTHER FEATURES	Hydrographic Feature
	Digital Data Available
MAP PANELS	No Digital Data Available
	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/15/2026 at 10:44 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following elements do not appear: basemap imagery, flood zone legend, scale bar, map creation date, community identifier, FIRM panel number, and FIRM effective date. Map images unmapped and unmodernized areas cannot be used for regulatory purposes.

Considerations for Town Council

Item a.

- Hold Public Hearing
- Application accepted on May 4, 2026
- Planning Commission held Work Session on July 21, 2026
- Planning Commission held Public Hearing on August 18, 2026
- -no speakers present
- Planning Commission recommended Approval – unanimous vote, quorum present.
- Town Council Public Hearing on September 8, 2026
- Town Council decision deadline: May 4, 2027



**Town Council Regular Meeting – Public Hearing
for
SUP 26-3: PlayVerse, LLC.
September 8, 2026**



TOWN OF WARRENTON

Department of Community Development

PO BOX 341
 WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
Permittech@warrentonva.gov
 (540) 347-2405

Land Development Application

Type of Development [select type(s) below]

Permit # _____

Planning	Zoning		
☐ Commission Permit (\$2232)	☐ Administrative Appeal	☐ Concept Plan Review	☐ Record / Vacate Plat
☐ Comprehensive Plan Amendment	☐ As-Built	☐ Easement Plat	☐ Site Development Plan
☒ Special Use Permit	☐ Bond Release/ Reduction	☐ Final Plat	☐ Variance
☐ Rezoning	☐ Bond Extension	☐ Preliminary Plat	☐ Waiver, Administrative
	☐ Boundary Adjustment	☐ Re-approval of Plat	☐ Waiver/Exception, Legislative

☐ Amendment to Existing Approved Application? If Yes, List Application S

Project Description

Project Name: Playverse LLC

Property Address (if no address, give closest cross street): 601 Frost Avenue

Purpose of Request: SUP

Zoning District:

Total Acres: 10.735

Acres for Proposed Use:

Parcel Identification Number(s): 6974-95-2114

Contact Information (Attach separate page if necessary)

All Current Owners

Name & Company: Kalis Holdings LLC

Address: 7918 Jones Branch Drive Suite 400 McLean, Virginia 22102-3919

Phone: 703 585-0100

Email: nkalis@kaliscompanies.com

All Current Applicants (if different then owner):

Name & Company: Playverse LLC

Address: 601 Frost Avenue

Phone: +15714717511

Email: ayodun2016@gmail.com

Representative (if different then owner/applicant):

Name & Company:

Address:

Phone:

Email:

OWNER(S) AFFIDAVIT (Original Signatures Required)

I have read this application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Town of Warrenton officials and other authorized government agents on official business to enter the property to process this application.

APPLICANT(S) AFFIDAVIT (Original Signatures Required)

The information provided is accurate to the best of my knowledge. I acknowledge that all tests, studies, and other requirements of the Town of Warrenton Zoning Ordinance and Subdivision Ordinance and other requirements of review/approval agencies will be carried out at my expense. I understand that the Town may deny, approve or conditionally approve that for which I am applying.

Owner's Signature & Date:

4/10/2026

Applicant's Signature & Date:

4/10/2026
Print Owner's Name: Nicholas Kalis ManagerPrint Applicant's Name: Joe Owoye-Gold
Kalis Holdings LLC



TOWN OF WARRENTON

Community Development Department

PO BOX 341
WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
permittech@warrentonva.gov
(540) 347-2405

Item a.

Pre-Application Meeting Request

Project Name: _____

Type of Application: _____

PIN #(s): _____

Parcel Address: _____ Acreage: _____

Existing Zoning: _____ Proposed Zoning: _____ Ward: _____

Contact Information: *Note: Email will be the primary method of contact unless otherwise specified.*

Representative (to be principal contact): _____

Phone #: _____ Cell #: _____ Email: _____

Applicant(s): _____

Representative (to be principal contact): _____

Phone #: _____ Cell #: _____ Email: _____

Applicant(s): _____

Representative (to be principal contact): _____

Phone #: _____ Cell #: _____ Email: _____

Applicant(s): _____

Representative (to be principal contact): _____

Phone #: _____ Cell #: _____ Email: _____

Applicant(s): _____

By this submission, I hereby grant permission for Town of Warrenton officials to enter the property for purposes solely related to this application.

(Please initial)

Requested Date of Pre-Application Meeting: _____ Number attending: _____

Names of attendees: _____

Note: Property Owner, Applicant/Developer and Project Planner/Engineer/Attorney/Surveyor should attend.

Does anyone in your party have special needs? ☒ No ☐ Yes, list: _____

Have you discussed this proposal with anyone on staff? ☐ No ☒ Yes, who? _____

Is this an active project in the Town or subject to prior approvals? ☒ No ☐ Yes, list: _____

Projected Traffic Generation (vehicle trips per day): _____ Is there a Floodplain on this property? _____



TOWN OF WARRENTON

Community Development Department

PO BOX 341
WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
TELEPHONE (540) 347-2405
permittech@warrentonva.gov

Item a.

Pre-Application Meeting Submission:

Required Materials:

- ☐ 3 copies of this **Pre-Application Meeting Form**, including a complete description of the proposed project.
- ☐ 3 copies **Description of Project**, complete out below or attach.
- ☐ 3 copies **Specific Issues to Discuss Relative to the Project**, complete below or attach.
- ☐ 3 copies of a **Concept Plan** showing the generalized layout of the proposed development, including lots and/ or buildings, anticipated use, access points, open space areas, off-street parking, improvements to existing streets, stormwater areas and similar information. The amount of information needed will depend on the scope of the project. Engineered plans are not expected at this stage and the information should derive from existing data sources such as the County GIS system and existing surveys.

The Concept Plan should be no larger than 24" x 36", use a standard engineering scale between 1" = 10' and 1" = 200', and include:

- ☐ Date of plan and north arrow.
- ☐ Current use of project parcel(s) and adjacent parcels. Total project site acreage.

- ☐ **Digital PDF Copy** of all submission materials (*Please note, if provided, Flash Drives will be returned*)

Recommended Materials:

Please include as much of the following information as possible. The more information that is provided, the better able Staff will be to identify issues and problem areas. If you have any questions or need help in obtaining information, please call Community Development Staff.

- ☐ Topographic contours with intervals no greater than 5 feet.
- ☐ Existing drainage facilities, including major culverts, ponds and streams.
- ☐ The Health Department would like the location of all wells and location (or approximate) of the drainfield.
- ☐ All existing restrictions on the use of the land, including easements and covenants.
- ☐ Soil information from County maps.

All items listed above should be submitted by **4:00 p.m.**, two weeks prior to the requested meeting date.

Please mail or deliver the above items to:

Community Development
PO Box 341 (Mailing Address)
21 Main Street (Physical Location)
Warrenton, VA 20186



TOWN OF WARRENTON

Community Development Department

PO BOX 341
WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
TELEPHONE (540) 347-2405
permittech@warrentonva.gov

Item a.

Description of Project:

Please be as complete as possible; type, use, number of units/lots, square footage, phasing, number of employees, other descriptive relevant information

Specific Issues to Discuss Relative to the Project:

Official Office use Only: _____ Received Stamp:

Scheduled Meeting Date: _____

Time: _____

Location: _____

Scheduled by: _____



TOWN OF WARRENTON

Community Development Department

PO BOX 341
WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
planning@warrentonva.gov
(540) 347-2405

Special Use Permit Application Submission Checklist

Per Zoning Ordinance Article 11-3.10

Project Information		Permit # _____
Project Name:	Playverse Indoor Playground	
Owner:	Kalis Holdings LLC	
Applicant:	Playverse LLC	
Primary Contact:	Joe Owweye-Gold	
Email:	ayodun2016@gmail.com	Phone #: 571-471-7511

Application Submission Requirements

*All below listed materials are required for submission prior to application acceptance. Any elements that are not provided need to be officially addressed in a separate cover letter denoting the material and reason for not providing with the application submission. **The request for omissions to the requirements must be reviewed and approved prior to application acceptance.***

Electronic Copy of Application Submission	
Land Development Application (1 Hardcopy)	
	The applicant's name, address, phone number and email address, and signature.
	The applicant's authorized representative's name, address, phone number and email address.
	The property owner's name, address, phone number and email address and signature.
	- A summary of existing data and conditions of the property, including: - Existing zoning classification - Tax Map and parcel numbers - Address of the property - Total acreage
Statement of Justification (12 Hardcopies)	
	Compatibility of the proposed use with the existing and proposed land uses adjacent to and in the vicinity of the site and any potential impacts on the environment and on the neighborhood due to the proposed use intensity, number of participants, acreage, hours of operation, traffic, lighting, and access.

Proposed Special Use Permit Plan & Vicinity Map (12 Hardcopies, Folded)	
	• A vicinity map depicting the adjacent and nearby (within 1,000 feet) land uses, streets and other data customarily incidental to a vicinity map.
	• A proposed special use permit plan indicating the location of the anticipated structures, setback lines, street pattern, parking provisions, a screening plan, and common open space if applicable. Such plans shall be contained on sheets measuring a minimum of 18" X 24" and a maximum of 36" X 24".
	• An analysis of the impact on the Town's transportation network and the ability of adjacent streets and intersections to efficiently and safely move the volume of traffic generated by the development, along with estimates of cost and means of providing improvements required to service the proposed special use.
	• An analysis of the impact on the Town's community facilities including estimates of costs and means of providing the additional community facilities which will be needed to serve the proposed special use. Community facilities include, but shall not be limited to, sewage disposal facilities and systems, solid waste disposal facilities and systems, water supply facilities and systems, storm drainage facilities and systems, and electrical utility facilities and systems.
	• An analysis of the ability of the Town to provide police and fire protection to the proposed special use.
	• The proposed configuration and intensity of lighting facilities to be arranged in such a manner to protect the streets and neighboring properties from direct glare or hazardous interference.
	• Noise impact and abatement studies to determine potential impact on adjoining properties and neighborhoods.
	• The delineation of any necessary screening for any uses or structural features deemed to be incompatible with the objectives of this Article, the remainder of this Zoning Ordinance, or the Comprehensive Plan including walls, fences, plantings, and/or other enclosures. Other landscaping to enhance the effectiveness of the screening and to insure the compatibility of use may also be required.
	• The delineation of screening and buffering of all parking areas will be required in accordance with a landscaping plan. Parking areas forward of the established building setback line will be prohibited.
	• The delineation of major trees on the site. Except to protect the public safety, avoid property loss, or provide for required parking, all major trees forward of the building setback line may be required for preservation if their removal would diminish the character of the neighborhood.

Evaluation Criteria; Issues for Consideration (§11-3.10.3)

In considering a Special Use Permit application, the following factors should be considered. The applicant also shall address these factors in its **statement of justification**:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
9. The timing and phasing of the proposed development and the duration of the proposed use.
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.
13. Whether the proposed use will facilitate orderly and safe road development and transportation.
14. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.
15. Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.
16. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

17. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.
18. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the Town, if applicable.
19. The location, character, and size of any outdoor storage.
20. The proposed use of open space.
21. The location of any major floodplain and steep slopes.
22. The location and use of any existing non-conforming uses and structures.
23. The location and type of any fuel and fuel storage.
24. The location and use of any anticipated accessory uses and structures.
25. The area of each proposed use.
26. The proposed days/hours of operation.
27. The location and screening of parking and loading spaces and/or areas.
28. The location and nature of any proposed security features and provisions.
29. The number of employees.
30. The location of any existing and/or proposed adequate on and off-site infrastructure.
31. Any anticipated odors which may be generated by the uses on site.
32. Refuse and service areas.

Other Required Documents/Forms	
	• Disclosure of Real Properties of Interest.
	• Certificate of Payment of Taxes, verifying that real estate taxes have been paid for all property included in the application.
	• A signed and notarized Land Use Application Affidavit when an applicant's representative is submitting an application on behalf of a property owner.
	• A record of the Pre-Application meeting.
	• All Fees as adopted by Town Council.

Date Stamp

TOWN OF WARRENTON

P.O. Drawer 341
Warrenton, VA 20188
(540) 347-1101 x106
Permittech@warrentonva.gov



Item a.

LAND USE APPLICATION: AFFIDAVIT

NO. _____

This affidavit certifies that the party listed, who is listed as the Applicant's Representative on a land use application, has been granted authorization to make an application and act on behalf of a property owner. It must be filled out completely by the property owner if another party is submitting an application(s) on the owner's behalf. This form must be notarized and must be submitted prior to issuance. Copies of affidavits are unacceptable.

I, Nicholas Kalis, Manager for Kalis Holdings LLC am the owner of the property listed below and I certify that I have granted, Joe Owoye-Gold and his architect McDonald as my duly authorized agent^s and give permission to make a land use application and act on my behalf for the following address:

601 Frost Avenue, Warrenton, Virginia 20186

for the land use application of Playverse LLC

Signature of Property Owner: *Nicholas Kalis* MANAGER Date: April 10 2026

(FOR NOTARY USE ONLY)

State/District of Virginia City/Town/County of Fairfax

a Notary Public in and for the aforesaid hereby certify that the following person:

Nicholas Kalis

appeared before me in the State/District and City/Town/County aforesaid and executed this affidavit on the following date (month, day, and year): April 10, 2026

Notary Signature: *Gregory A Pueppka* Registration Number: 324489

My Commission Expires: Dec 31, 2026



Special Use Permit (SUP) – Statement of Justification

**Project: PlayVerse – Children’s
Indoor Recreational Facility**

**Location: 569 Frost Avenue, Suite 601,
Warrenton Towne Center, Warrenton. VA
20186.**

Statement of Justification

This Statement of Justification is submitted in support of a Special Use Permit (SUP) application for PlayVerse, an indoor children's recreational facility located at 601 Frost Avenue, Warrenton, Virginia. PlayVerse is a family-oriented business designed to provide a safe, supervised, and engaging indoor environment, offering year-round recreational opportunities for children of Town residents and visitors.

The proposed facility will occupy an existing commercial tenant space currently designated for mercantile (retail) use. All activities will occur entirely indoors, with no exterior expansion or site modifications proposed. While the physical characteristics of the building will remain unchanged, the operational nature of the use constitutes an indoor recreational facility, which requires approval of a Special Use Permit under the Town of Warrenton Zoning Ordinance.

The proposed use is well suited to its location within an established shopping center that includes a mix of retail, service, and dining establishments. As a neighborhood-serving recreational amenity, PlayVerse is expected to function as a small-scale activity generator within the center, attracting families and encouraging cross-visitation to adjacent businesses, thereby supporting overall commercial vitality.

In addition, the facility addresses a local demand for children's indoor recreational opportunities. By providing this amenity within Town limits, the project reduces the need for residents to travel to neighboring jurisdictions for similar services, helping to retain local spending and enhance community convenience.

The proposed use aligns with the goals of the Town of Warrenton Comprehensive Plan by promoting the adaptive reuse of existing commercial space, expanding family-oriented services and community amenities, and enhancing quality of life for residents.

For these reasons, the applicant respectfully submits that PlayVerse satisfies the criteria for approval of a Special Use Permit and represents a low-impact, high-value use that is consistent with the public health, safety, and general welfare of the Town of Warrenton.

Criterion 1: Consistency with the Comprehensive Plan

The proposed PlayVerse indoor children's recreational facility is consistent with the Town of Warrenton Comprehensive Plan, which encourages commercial activity that supports families, promotes community-oriented services, and reuses existing commercial spaces. The project activates an existing tenant space within an existing shopping center, aligns goals for economic vitality, and provides a recreational amenity that serves residents without requiring new land development or construction.

Criterion 2: Compatibility with Adjacent and Nearby Land Uses

The proposed PlayVerse indoor recreational facility is compatible with adjacent retail, service, and restaurant uses within Warrenton Towne Center. As a family-oriented recreational use, it complements and supports surrounding businesses by encouraging cross-visitation. All activities occur entirely within an enclosed tenant space, ensuring no external operational impacts on neighboring properties.

Criterion 3: Appropriateness of Use in the Zoning District

The property is zoned Commercial (C), where active recreational facilities are permitted with approval of a Special Use Permit. The proposed use meets the intent of the district by providing a commercial recreational service that complements existing retail uses and contributes to the vitality of the shopping center.

Criterion 4: Impact on the Character of the Area

The proposed use will not alter the established commercial character of the area. No exterior building modifications are proposed. As an entirely indoor facility, PlayVerse does not generate external noise, light, or visual changes, and remains consistent with the existing retail environment along Frost Avenue.

Criterion 5: Traffic Generation and Roadway Capacity

Traffic generated by PlayVerse is expected to be comparable to existing retail occupancy within the shopping center. The facility employs a structured, session-based model with timed entry, staggered ingress and egress, and controlled overlap between sessions. This operational approach distributes traffic evenly and prevents peak congestion. Existing roadways and access points are adequate to support the proposed use without adverse impact.

Criterion 6: Pedestrian and Vehicular Safety

Pedestrian and vehicular access will utilize existing, established circulation patterns within the shopping center. To enhance safety, a new pedestrian crosswalk will be installed to connect the existing infrastructure directly to the facility. No changes to driving aisles, curb cuts, or access points are proposed. The facility's entrance is clearly visible and accessible, supporting safe drop-off and pedestrian movement consistent with current site conditions.

In addition, the site is served by the Gold Route of Virginia Regional Transit (Circuit Rider), which includes a stop at the shopping center. This provides an additional safe and accessible transportation option for visitors and employees, supporting multimodal access to the facility

Criterion 7: Adequacy of Parking Supply

The shared parking supply within the shopping center is adequate to support the proposed use. PlayVerse utilizes a timed-entry system with staggered scheduling, ensuring predictable and distributed parking demand. Peak usage periods occur primarily during afternoons, evenings, and weekends, complementing other tenant demand patterns and avoiding concentrated parking surges.

Criterion 8: Parking Layout, Circulation, and Access

Parking layout and circulation will remain unchanged. Existing parking aisles, striping, and access points provide efficient and safe circulation for vehicles and pedestrians. The shared parking configuration supports flexibility among tenants and does not require modification to accommodate the proposed use.

Criterion 9: Adequacy of Public Streets and Access Points

The site is served by Frost Avenue and other established public roadways that currently support the shopping center's operations. No new access points are proposed. Existing streets and access infrastructure, as illustrated in the approved site and parking plan, are adequate to support the proposed use without creating congestion or safety concerns.

Criterion 10: Impact on Public Utilities (Water, Sewer, Stormwater)

The proposed use will utilize existing water, sewer, and stormwater infrastructure serving the shopping center. As illustrated in the approved site and parking plans, no upgrades or modifications to public utilities are required. No significant increase in demand beyond typical commercial use is anticipated.

Criterion 11: Stormwater Management and Drainage

No land disturbance or exterior improvements are proposed as part of this application. Existing stormwater management facilities will continue to function as designed, and the project will not alter drainage patterns or runoff characteristics.

Criterion 12: Environmental Impacts (Air, Water, Noise)

The proposed use is entirely contained within an enclosed commercial space and does not involve emissions, hazardous materials, or outdoor operations. No food preparation or other activities that generate odors will occur on site. As such, there will be no impact on air quality, water resources, surrounding environmental conditions, or adjacent properties.

Criterion 13: Noise Impacts and Mitigation

All noise generated by PlayVerse is confined within the building. The existing structure provides sufficient sound attenuation, resulting in negligible noise levels at the exterior. No outdoor speakers or amplified sound systems are proposed, and no adverse impact on adjacent tenants or nearby properties is anticipated.

Criterion 14: Lighting Impacts and Compliance

No changes to exterior lighting are proposed. All lighting associated with the facility is internal and contained within the tenant space. As such, the use does not generate glare or light spill affecting adjacent properties or public areas

Criterion 15: Signage and Visual Impacts

PlayVerse proposes minimal and compliant signage consisting of:

- Approximately 1-inch-high decal lettering on the glass entry door, and
- Approximately 24-inch-high lettering mounted on the existing sign panel above the storefront.

All signage will conform to Town of Warrenton regulations and will be consistent with the design and scale of existing tenant signage within the shopping center, resulting in no adverse visual impact.

Criterion 16: Landscaping and Buffering

Existing landscaping within the shopping center will remain unchanged. The proposed use does not require additional buffering, as it is located within an established commercial setting with adequate separation from residential uses.

Criterion 17: Screening of Service Areas and Utilities

No new service areas are proposed. Existing dumpsters and refuse areas, including trash bins located along the rear of the shopping center building, are already screened and will continue to operate in compliance with Town requirements.

Criterion 18: Building Design and Architectural Compatibility

The project involves interior tenant improvements only. The exterior building design will remain consistent with the existing shopping center architecture, ensuring compatibility with surrounding development.

Criterion 19: Scale, Massing, and Site Layout

The proposed use does not change the scale, massing, or layout of the existing building or site. The facility fits within the existing tenant space and maintains the established development pattern as approved and built.

Criterion 20: Hours of Operation

PlayVerse will operate using a phased, demand-driven schedule aligned with peak family activity while minimizing off-peak impacts:

- Monday–Thursday: 2:00 PM – 8:00 PM
- Friday: 2:00 PM – 9:00 PM
- Saturday: 10:00 AM – 9:00 PM
- Sunday: 10:00 AM – 7:00 PM

Weekday mornings (10:00 AM – 2:00 PM) will be reserved for low-impact uses such as homeschool groups and private bookings.

To accommodate operational flexibility, PlayVerse requests permitted hours of:

- 9:00 AM – 10:00 PM (Sunday–Thursday)
- 9:00 AM – 11:00 PM (Friday–Saturday)

These hours remain consistent with commercial activity patterns and do not introduce late-night impacts.

Criterion 21: Intensity of Use and Occupancy

The intensity of the proposed use is appropriate for the size and configuration of the existing tenant space and remains comparable to retail occupancy. Occupancy will be established and

regulated in accordance with the Virginia Uniform Statewide Building Code and Fire Code requirements.

PlayVerse will actively manage capacity to ensure safe operations and compliance with approved occupancy limits. Operations will be supported by a maximum of five (5) employees onsite during peak periods, ensuring adequate supervision, safety monitoring, and controlled facility operations. The resulting level of activity does not represent an over-intensification of the site.

To demonstrate the managed nature of the facility, the following table outlines the estimated concurrent visitor load during operational hours

Day Range	Off-Peak Load Range (Concurrent Guests)	Peak Load Range (Concurrent Guests)
Monday – Thursday	0 – 30 guests	30 – 45 guests
Friday	0 – 40 guests	50 – 70 guests
Saturday	0 – 10 guests	35 – 85 guests
Sunday	0 – 5 guests	25 – 75 guests

- **Note on Load Structure:** Off-peak loads account for early morning staff preparation buffers and tightly managed, low-impact private cohorts (e.g., homeschool groups). Peak loads reflect standard family recreational hours when public schools are out of session.
- **Projections Disclaimer:** The ranges provided above represent operational estimates under typical, baseline business conditions. These figures do not account for external anomalies, including economic shutdowns, unexpected public health restrictions, or extreme fluctuations in business acceleration/blossomness. Actual daily occupancy remains strictly regulated by the building's official life-safety and fire code thresholds

Criterion 22: Safety, Security, and Emergency Access

The facility will comply with all applicable safety and fire code requirements. Existing emergency access routes serving the shopping center will remain unobstructed, and the site provides adequate access for emergency vehicles.

Interior plans identify key safety features, including the existing fire hydrant located in the arcade along the front of the unit and designated fire extinguisher locations within the tenant space. Onsite staff will monitor operations and ensure adherence to safety protocols.

Criterion 23: Fire Protection and Life Safety

PlayVerse will meet all Virginia Uniform Statewide Building Code and fire safety requirements. The tenant space is located within an existing, code-compliant commercial building equipped with approved fire protection systems.

Interior plans identify access to an existing fire hydrant located in front of the unit and include designated fire extinguisher locations within the space. All fire suppression systems, exits, and life safety features will remain compliant and will be verified through the building permit process.

Criterion 24: ADA Accessibility and Universal Design

The facility will be designed to meet current ADA accessibility standards. Any required upgrades to entrances, restrooms, or interior circulation will be addressed as part of the architectural and building permit review.

Criterion 25: Impact on Public Services (Police, Fire, EMS)

The proposed use is not expected to place an undue burden on police, fire, or emergency medical services. Indoor recreational facilities generally generate minimal service calls and operate similarly to other commercial uses in the area.

Criterion 26: Economic Impact and Community Benefit

PlayVerse contributes positively to the local economy by activating an existing commercial space, generating employment, and increasing foot traffic within the shopping center. The facility provides a family-oriented recreational amenity that supports surrounding retail and restaurant businesses and aligns with the Town's goals for economic development and community welfare.

Criterion 27: Effect on Property Values

The proposed use will not have a negative affect on surrounding property values. By utilizing an existing, fully serviced commercial space and introducing a family-oriented indoor recreational amenity, PlayVerse enhances the overall attractiveness, functionality, and convenience of the shopping center and increases its value to the surrounding community.

Criterion 28: Phasing and Timing of Development

The project will be completed in a single phase consisting of interior improvements and equipment installation. Upon approval of the Special Use Permit and applicable permits, PlayVerse anticipates opening within approximately eight (8) weeks. No exterior construction or long-term phased development is proposed.

Criterion 29: Compliance with Applicable Ordinances and Codes

The applicant commits to full compliance with all applicable Town of Warrenton ordinances, the Zoning Ordinance, and the Virginia Uniform Statewide Building Code.

Criterion 30: Ability to Meet Conditions of Approval

The applicant acknowledges and agrees to comply with any reasonable conditions imposed as part of SUP approval to ensure compatibility with surrounding uses and protection of the public interest.

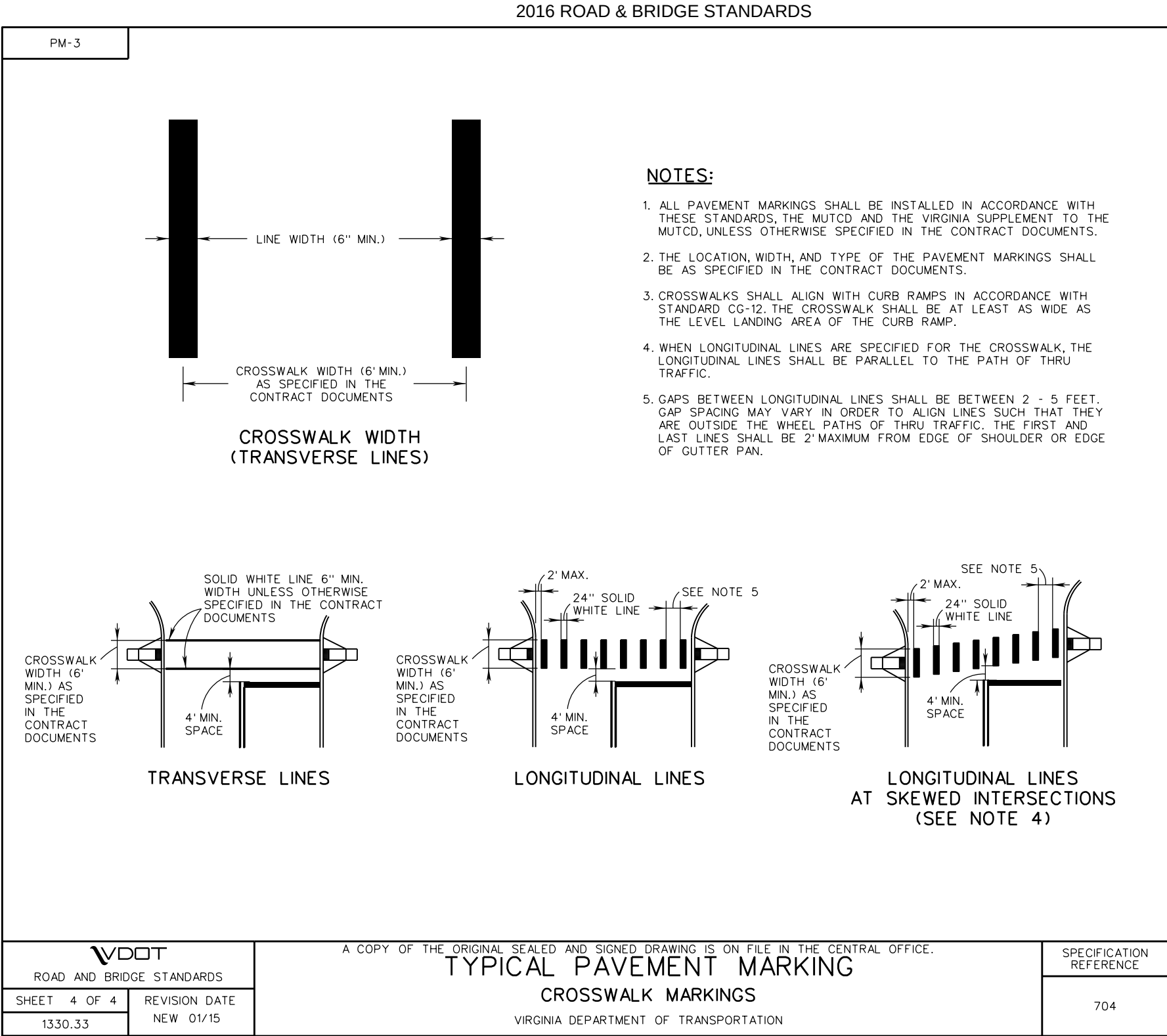
Criterion 31: Mitigation of Potential Adverse Impacts

Potential impacts related to traffic, parking, and occupancy are mitigated through PlayVerse's operational model, including timed entry sessions, staggered arrivals and departures, and controlled occupancy levels. As an entirely indoor use with no external effects, the facility presents no significant adverse impacts to the surrounding area.

Criterion 32: Public Health, Safety, and General Welfare

The proposed PlayVerse facility with its family friendly business model promotes public health and general welfare by providing a safe, indoor recreational environment for children and families. The facility will operate under established safety protocols, with employees trained in child safety, emergency procedures, and facility operations. Daily activities will be supervised and managed by trained personnel with experience in safety and professional facility management, ensuring responsible operations that are compatible with the surrounding commercial area.

PlayVerse Entrance Crosswalk Design Specifications



SPECIAL USE PERMIT PLANS
FOR
PLAYVERSE INDOOR PARK
TOWN OF WARRENTON, VIRGINIA

PREPARED BY
MACDONALD ARCHITECTURE & TECHNOLOGY

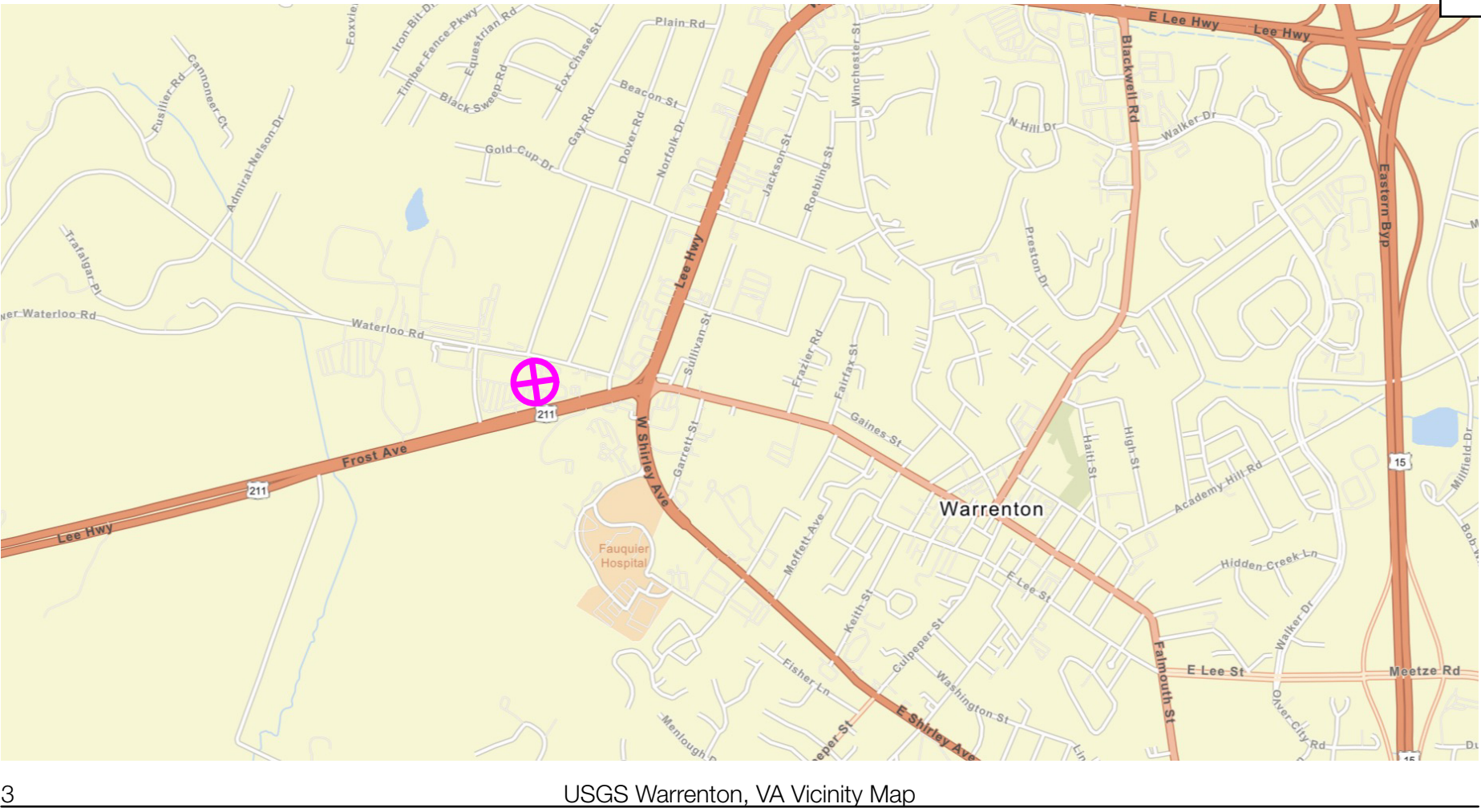
14115 Lovers Lane
Suite 157A Building B
Culpeper VA 22701
+1 540 349 5004
info@macdonaldarchitects.com



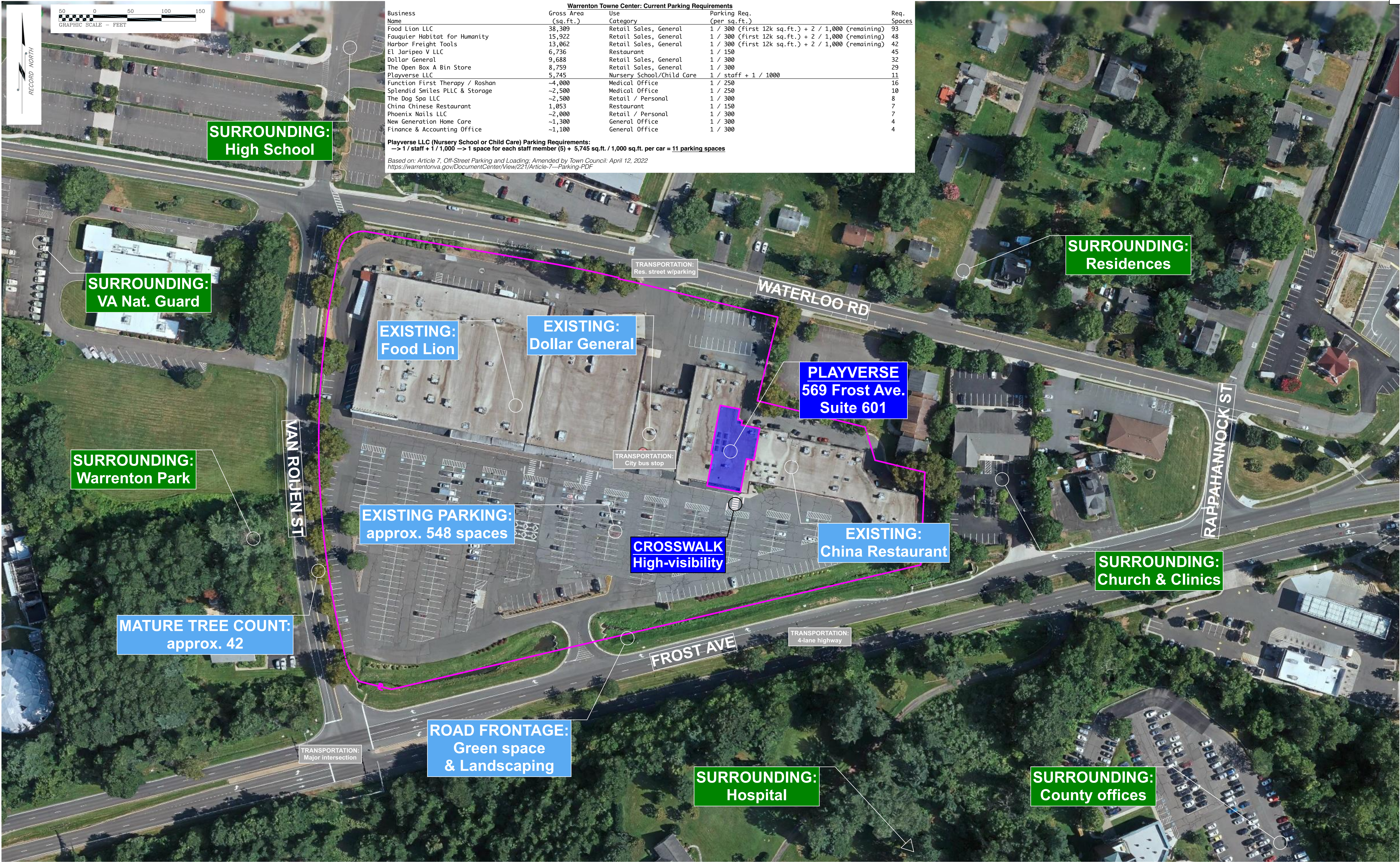
FOR
PLAYVERSE LLC
569 Frost Avenue, Suite 601
Warrenton VA 20186

AT
KALIS HOLDINGS LLC
7918 Jones Branch Drive
Suite 400
McLean, VA 22102-3319

JUNE 26, 2026



SHEET INDEX	
SUP Submission: SUP 26-3	
11.00	Cover Page
11.01	Site Aerial View
11.02	Crosswalk
11.03	As-Built Plan
11.04	Future Build-Out Plan
Addendum DRH SITE PLAN	
Addendum FEMA FLOODPLAIN	

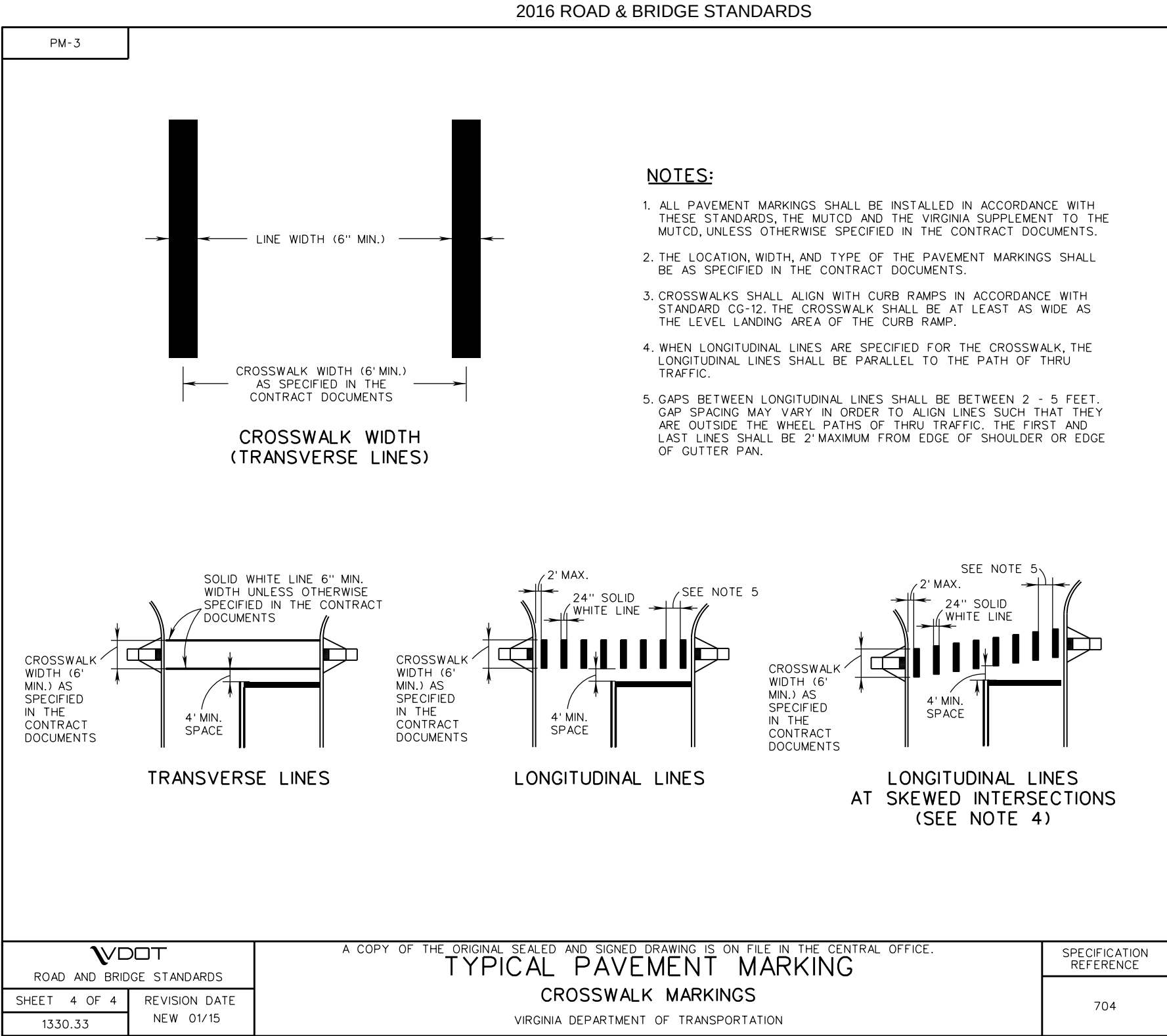


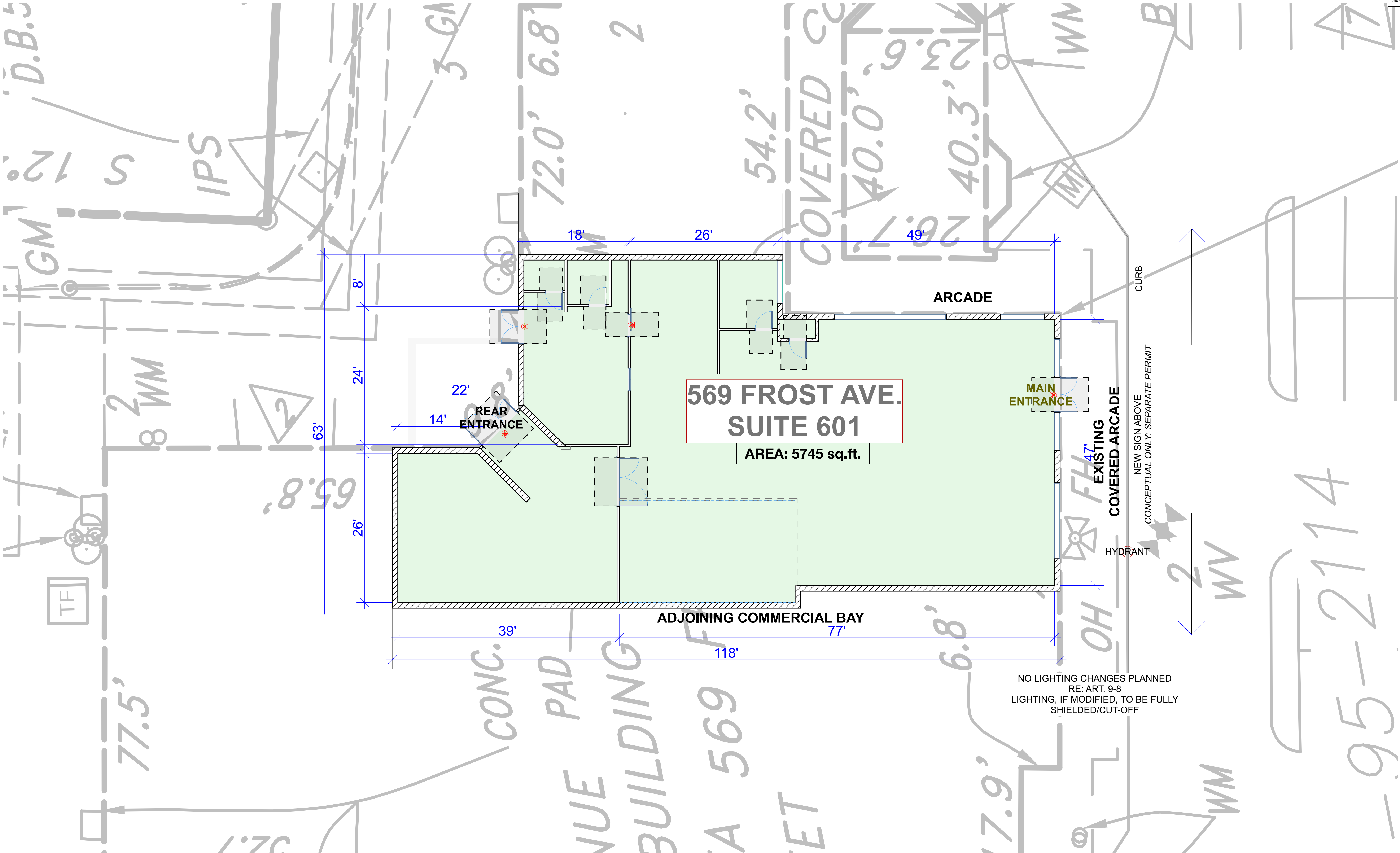
Warrenton Towne Center: Current Parking Requirements				
Business Name	Gross Area (sq. ft.)	Use Category	Parking Req. (per sq. ft.)	Req. Spaces
Food Lion LLC	38,309	Retail Sales, General	1 / 300 (first 12k sq.ft.) + 2 / 1,000 (remaining)	93
Fauquier Habitat for Humanity	15,922	Retail Sales, General	1 / 300 (first 12k sq.ft.) + 2 / 1,000 (remaining)	48
Harbor Freight Tools	13,062	Retail Sales, General	1 / 300 (first 12k sq.ft.) + 2 / 1,000 (remaining)	42
El Jarapeo V LLC	6,736	Restaurant	1 / 150	45
Dollar General	9,688	Retail Sales, General	1 / 300	32
The Open Box A Bin Store	8,759	Retail Sales, General	1 / 300	29
Playverse LLC	5,745	Nursery School/Child Care	1 / staff + 1 / 1000	11
Function First Therapy / Roshan	~4,000	Medical Office	1 / 250	16
Splendid Smiles PLLC & Storage	~2,500	Medical Office	1 / 250	10
The Dog Spa LLC	~2,500	Retail / Personal	1 / 300	8
China Chinese Restaurant	1,053	Restaurant	1 / 150	7
Phoenix Nails LLC	~2,000	Retail / Personal	1 / 300	7
New Generation Home Care	~1,300	General Office	1 / 300	4
Finance & Accounting Office	~1,100	General Office	1 / 300	4

Playverse LLC (Nursery School or Child Care) Parking Requirements:
--> 1 / staff + 1 / 1,000 --> 1 space for each staff member (5) + 5,745 sq.ft. / 1,000 sq.ft. per car = 11 parking spaces

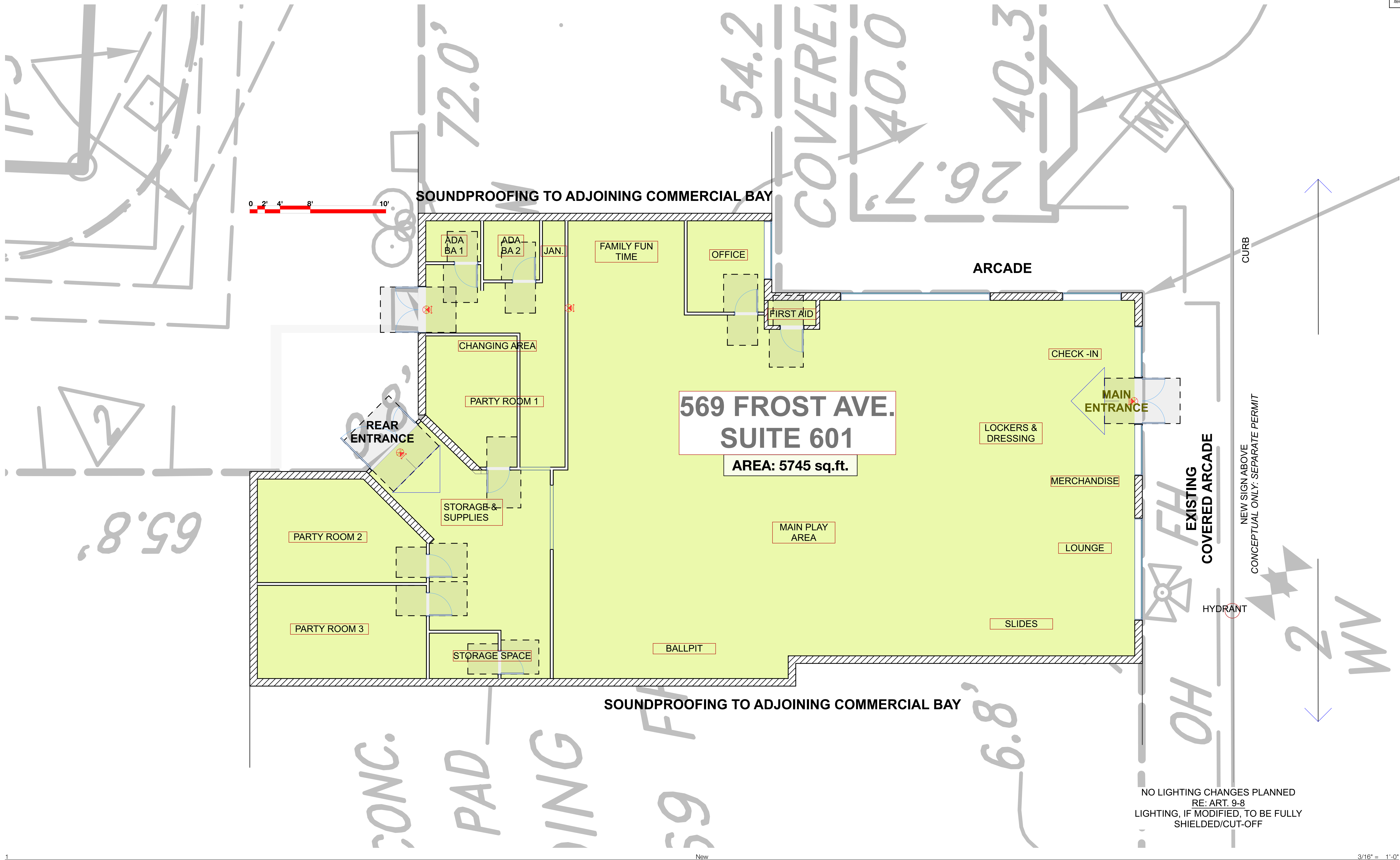
Based on: Article 7, Off-Street Parking and Loading; Amended by Town Council; April 12, 2022
<https://warrentonva.gov/DocumentCenter/View/221/Article-7---Parking-PDF>

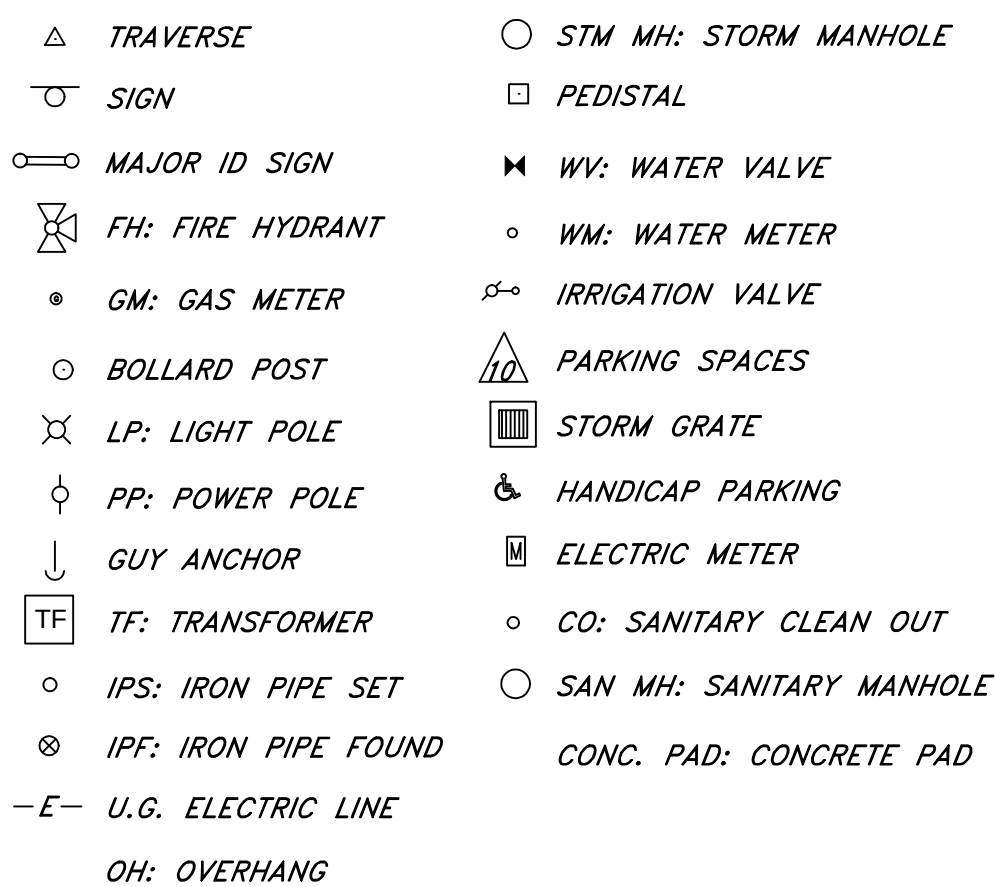
PlayVerse Entrance Crosswalk Design Specifications



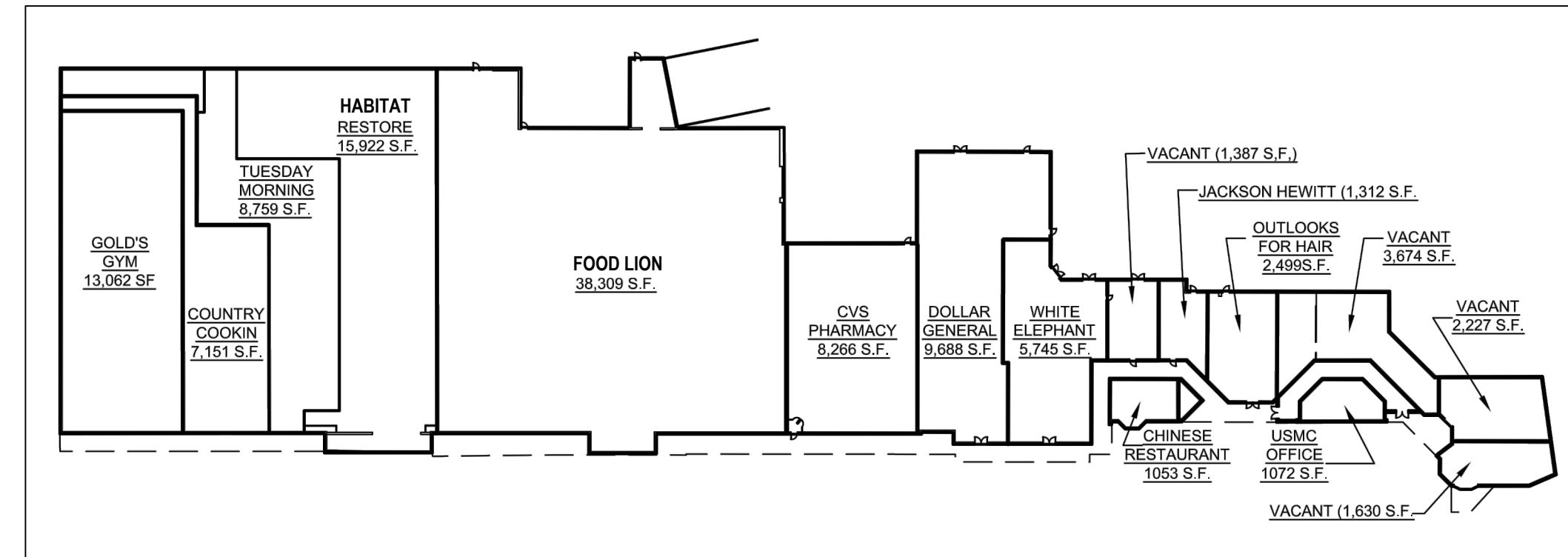


1 As built 1:85.33





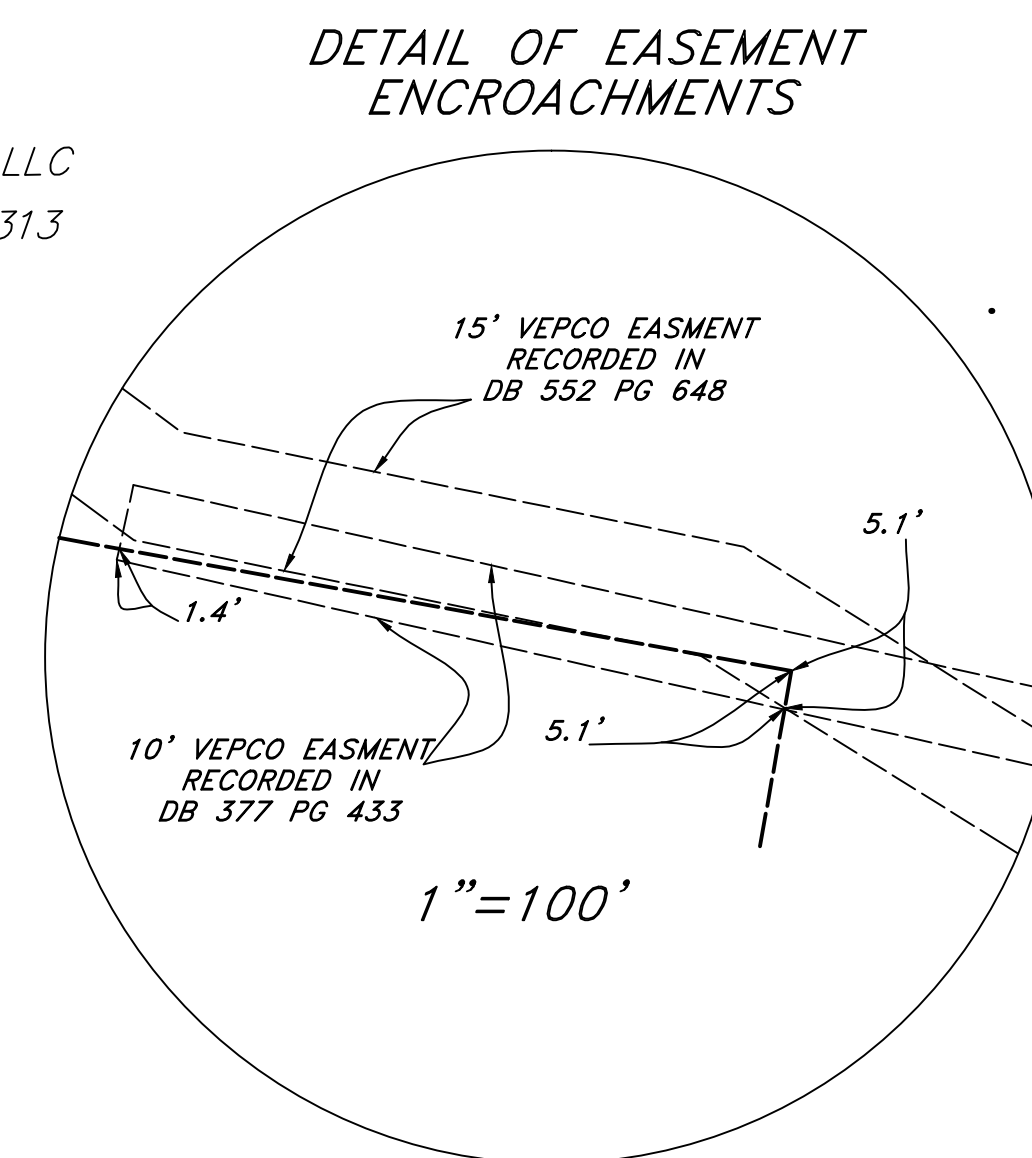
Curve	Radius	Tangent	Length	Delta	Chord	Chord Bear.
C1	61.03'	1.13'	2.26'	2°07'19"	2.26'	S 76°50'36" W
C2	61.03'	21.18'	40.77'	38°16'45"	40.02'	N 33°08'11" W
C3	1365.00'	292.65'	576.57'	24°12'05"	572.29'	N 01°53'48" W
C4	37.00'	36.09'	57.20'	88°34'21"	51.67'	N 54°29'09" E
C5	176.56'	60.95'	121.85'	3°58'29"	121.83'	S 79°14'43" E



TENANT LAYOUT KEY PLAN

WARRENTON TOWNE CENTER TENANTS

Name of Tenant	Gross			# Spaces Req.
	Gross Area (S.F.)	Lease Area (75%)	Parking Req.	
1. Gold's Gym	13,062	9,797	1/200 s.f.	49
2. Country Cooking	7,151	5,363	1/150 s.f.	36
3. Tuesday Morning	8,759	6,569	1/200 s.f.	33
4. Restore	15,922	11,942	1/400 s.f.	29
5. Food Lion	38,309	28,731	1/250 s.f.	127
6. CVS Pharmacy	8,266	6,200	1/200 s.f.	31
7. Dollar General	9,688	7,266	1/200 s.f.	36
8. White Elephant	5,745	4,308	1/200 s.f.	22
9. China Restaurant	1,053	790	1/200 s.f.	6
10. USMC Recruiting Office	1,072	804	1/300 s.f.	4
11. Jackson Hewitt	1,312	984	1/300 s.f.	4
12. Outlooks for Hair	2,499	1,874	1/200 s.f.	10
13. Vacant	8,918	7,134	1/200 s.f.	36
14. Ground Lease Avail (bank)	2,400	1,800	1/250 s.f.	8
Total Required:				431
Total Provided:				520
(Including 103 compact & 14 Handicapped Spaces)				



DETAIL OF EASEMENT ENCROACHMENTS

$$1'' = 100$$


ALTA/ACSM RE-CERT SURVEY
ON THE LAND OF
Kalis Holdings LLC.
SITUATED IN TOWN OF WARRENTON
FAUQUIER COUNTY, VIRGINIA



DESIGNED BY	DRH
DRAWN BY	DRH
SCALE	1"=50'
DATE	02/02/13
FWA JOB NO.	213007.00
DRAWING NO.	AS-02
REVISED DATE	

SHEET 2 OF 2

DRH
ENGINEERS, PLC
CIVIL • STRUCTURAL • FORENSIC
410 Rosedale Court, Suite 110, Warrenton, Virginia 20186
540-349-7840 540-301-0331 fax www.drhengineers.com

COMMONWEALTH OF VIRGINIA

DAVID R. HALL
Lic. No. 2246

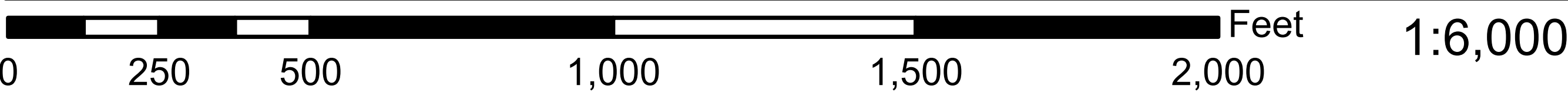
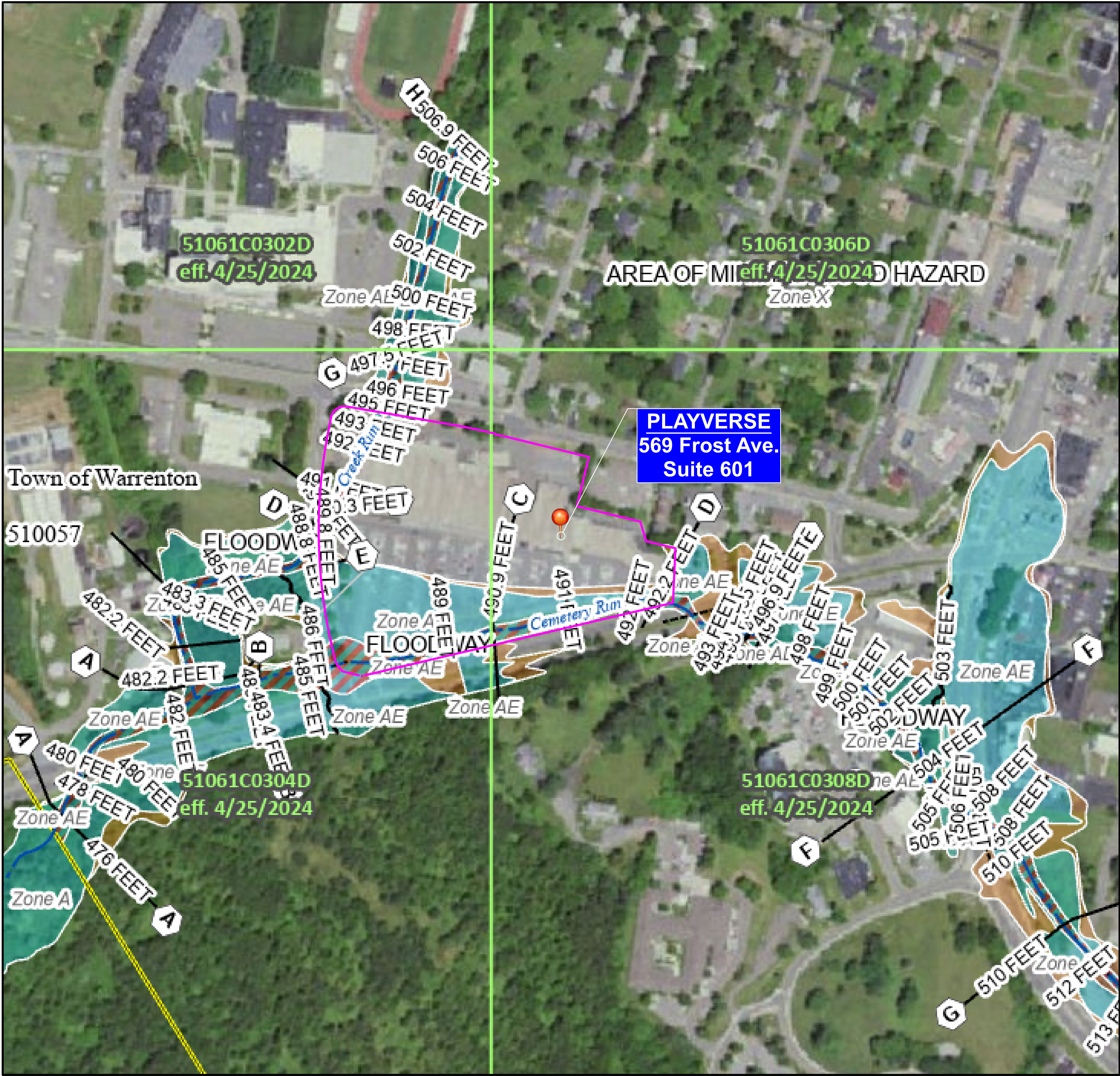
LAND SURVEYOR

DEFINITIONS

National Flood Hazard Layer FIRMette



77°49'1"W 38°43'17"N



Basemap Imagery Source: USGS National Map 2023

77°48'24"W 38°42'49"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **6/15/2026 at 10:44 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

September 8, 2026
Town Council
Regular Meeting

RESOLUTION TO RECOMMEND APPROVAL OF SUP 26-03: PLAYVERSE LLC PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON (GPINS 6974-85-8166- 000 & 6974-95-2114-000)

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

WHEREAS, the Applicant, Mr. Joe Owoeye-Gold of PlayVerse LLC, is requesting a Special Use Permit to allow for an active recreation facility for children in an existing tenant space on the subject property, a shopping center which is split between two parcels on Frost Avenue, 613 Frost Avenue (6974-85-8166- 000) & 569 Frost Avenue (6974-95-2114-000) and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on January 14, 2026; and

WHEREAS, the Planning Commission held one public work session on SUP 26-03 on July 21, 2026; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code §15.2-2286.A.3, the Planning Commission has considered the proposed special use permit and now forwards its recommendation to the Town Council; and

WHEREAS, the Town Council considered for approval of the special use permit based on the Planning Commission recommendation and Virginia State Code Section 15.2-2285; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September 2026, recommends approval of SUP 2026-03, subject to an approved Concept Development Plan and otherwise as described and depicted within the application.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk

September 8, 2026
Town Council
Regular Meeting

**RESOLUTION TO RECOMMEND DENIAL OF SUP 26-03: PLAYVERSE LLC PURSUANT TO
SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON
(GPINS 6974-85-8166- 000 & 6974-95-2114-000)**

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

WHEREAS, the Applicant, Mr. Joe Owoeye-Gold of PlayVerse LLC, is requesting a Special Use Permit to allow for an active recreation facility for children in an existing tenant space on the subject property, a shopping center which is split between two parcels on Frost Avenue, 613 Frost Avenue (6974-85-8166- 000) & 569 Frost Avenue (6974-95-2114-000) and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on January 14, 2026; and

WHEREAS, the Planning Commission held one public work session on SUP 26-03 on July 21, 2026; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a special use permit, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code § 15.2-2286. A.3, the Planning Commission has considered the proposed special use permit and now forwards its recommendation to the Town Council; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicants for approval of a special use permit, the Town Council upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on Tuesday, September 8, 2026; and

WHEREAS, the Town Council considered for approval of the special use permit based on the Planning Commission recommendation, subject to the Concept Development Plan, and Virginia State Code Section 15.2-2285;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September, 2026, that SUP 2026-03 is hereby denied for the following reasons:

1) _____

2) _____

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk



STAFF REPORT

Town Council Meeting Date:	September 8, 2026
Agenda Title:	SUP 2026-01: Dominion Energy – Elm Substation Modernization
Requested Action:	Hold Public Hearing
Department / Agency Lead:	Community Development
Staff Lead:	Casey DeHaven, Planning Manager

EXECUTIVE SUMMARY

The Applicant is requesting a Special Use Permit for substation modernization and expansion for safe and reliable electric service at an existing property located on the northwest corner of Madison Street and Linden Street. The property is zoned R-10 and is approximately 0.62 acres. The proposed expansion of the substation and the existing and proposed fencing (7' in height with 1' of barbed wire) in the R-10 district requires a Special Use Permit (SUP). The Future Land Use Map designates the property within Medium-Density Residential. Article 3-4.2.3 of the Town of Warrenton's Zoning Ordinance (ZO) allows for substations within R-10 with the approval of a Special Use Permit by Town Council.

BACKGROUND

The Applicant is proposing to modernize the existing substation by replacing outdated equipment in order to ensure more safe and reliable electric service to the surrounding area. This modernization includes enlarging the footprint of the existing substation from approximately 115' x 84' to 150' x 84' with the expansion taking place on the north side away from Madison Street. This will require an expanded fence-line; the fencing will remain chain-link. The current Zoning Ordinance prohibits fencing over 6' in height; the existing substation fencing is 7' with 1' of barbed wire for the safety of humans and animals and the Applicant is requesting the same fencing be replaced surrounding the enlarged substation. The modernization will not require additional power/electricity; the substation will emit the same amount of electricity as before but will allow the surrounding community to experience improved electrical power with fewer outages.

The Planning Commission held a Work Session for SUP 26-01 on July 21, 2026 and a public hearing on August 18, 2026 where the Planning Commission unanimously recommended approval, 4-0 (Ainsworth and McGuire absent).

STAFF RECOMMENDATION

Hold Public Hearing.

Plan Warrenton 2040

Plan Warrenton 2040 designates the Elm Substation as being within the Broadview Commercial District as Medium Density Residential. The summary of this district states *"Experience Broadview' will allow for mixed-use residential at lower density, but nodal development with mixed-use anchors and improved edges to adjacent single-family neighborhoods. Current commercial uses will be maintained."*

Legal Impact

Conditions of Approval run with the land so as to bind future. Any party or officer identified by title shall be entitled and responsible to the adopted Conditions of Approval.

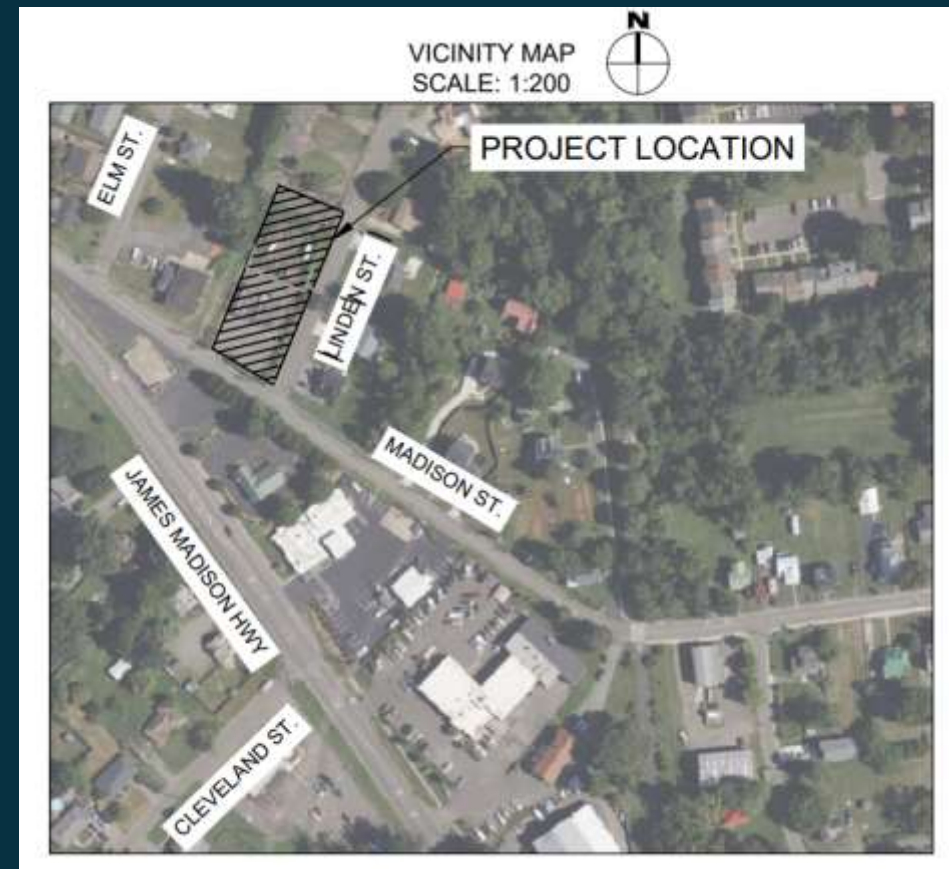


**Town Council Regular Meeting – Public Hearing for
SUP 26-1: Dominion Energy – Elm Substation
Modernization
September 8, 2026**

Request

- **Dominion Energy – Elm Substation Modernization**
- **GPINS: 6984-40-6668-000 & 6984-40-6784-000**
- **Applicant: Ben Jackson, Kimley-Horn**
- **Property Owner: Virginia Electric and Power Company DBA Dominion Energy**
- SUP requesting complete station modernization to ensure safe and reliable electric service to the surrounding area.
- The Future Land Use Map designates the property within Medium-Density Residential. Article 3-4.2.3 of the Town of Warrenton's Zoning Ordinance (ZO) allows for substations within R-10 with the approval of a Special Use Permit by Town Council.
- 100-Day Review Period: October 29, 2026

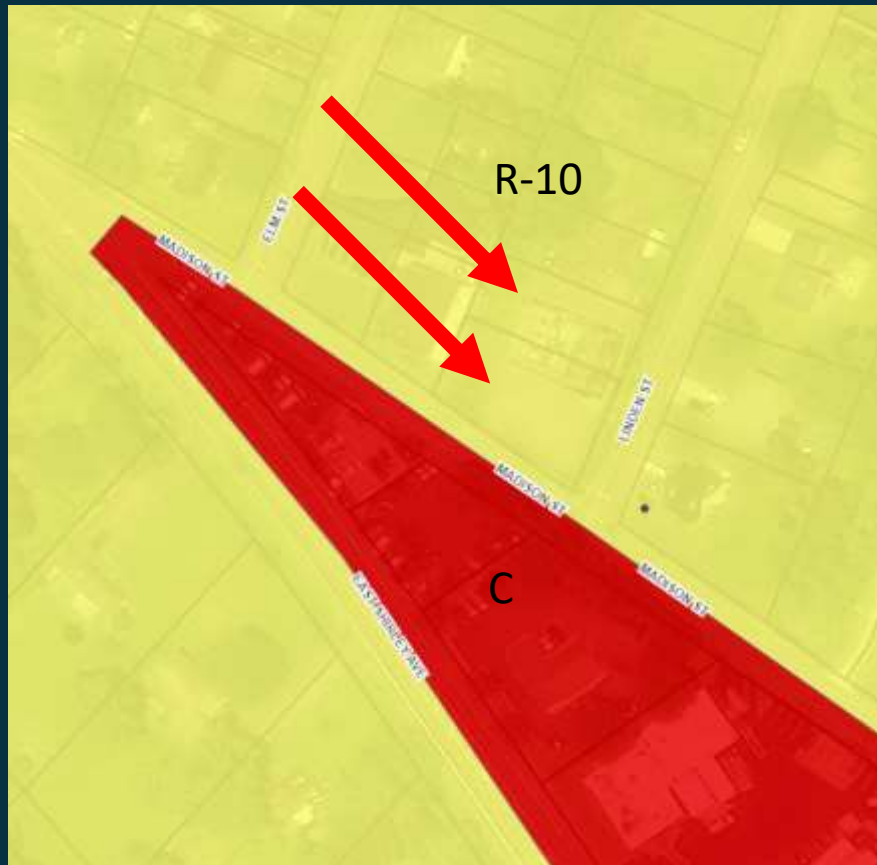
Location



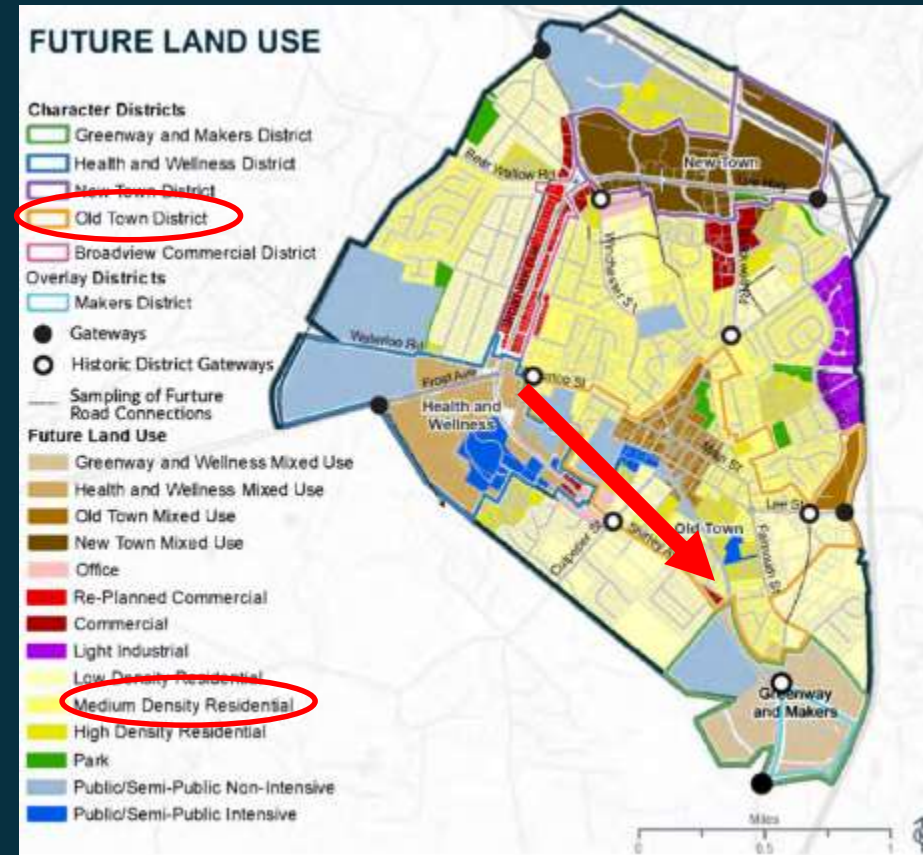
Adjacent Uses

Item b.

Zoning Map



Future Land Use – Old Town



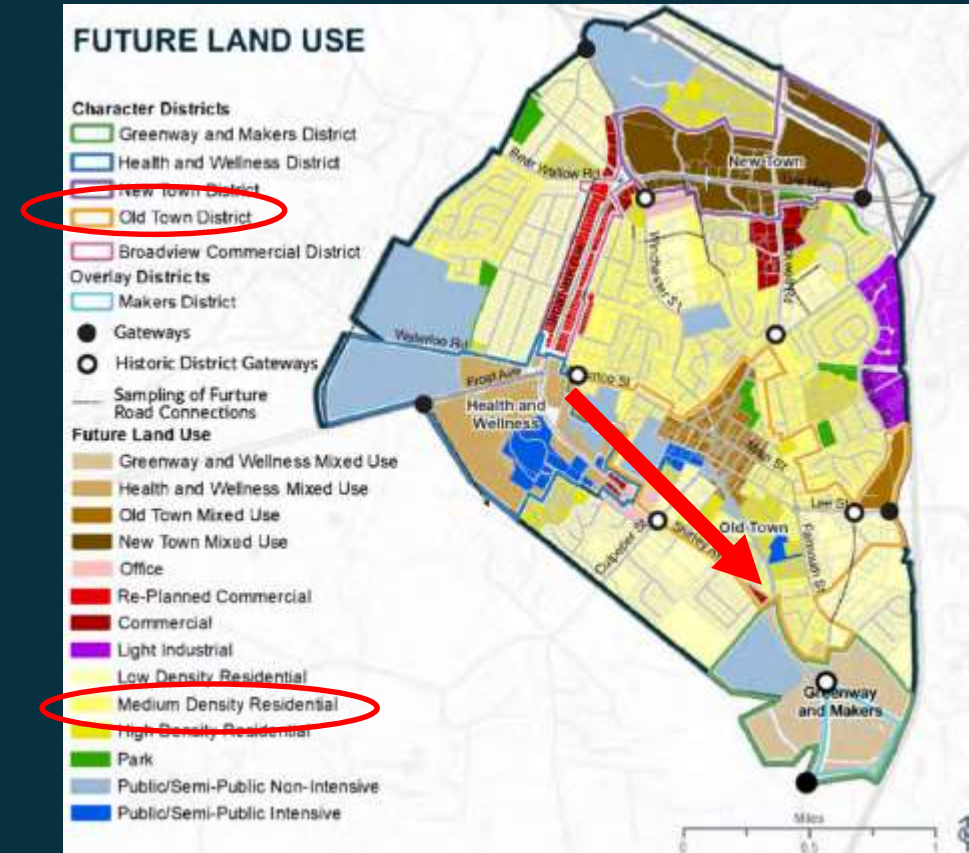
Plan Warrenton 2040

Item b.

Future Land Use Overlays



Future Land Use – Old Town







Plans

Item b.

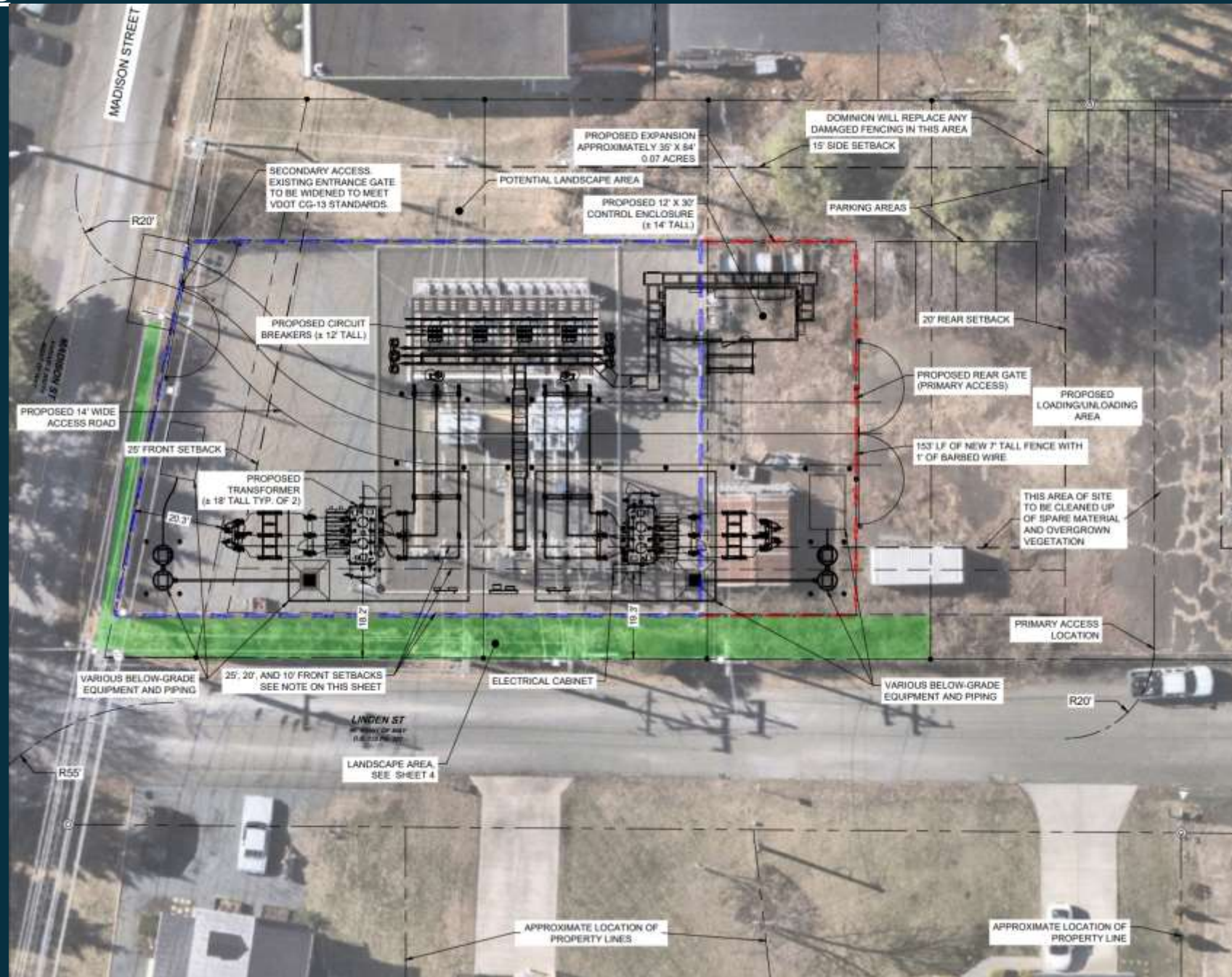




Plans

Item b.

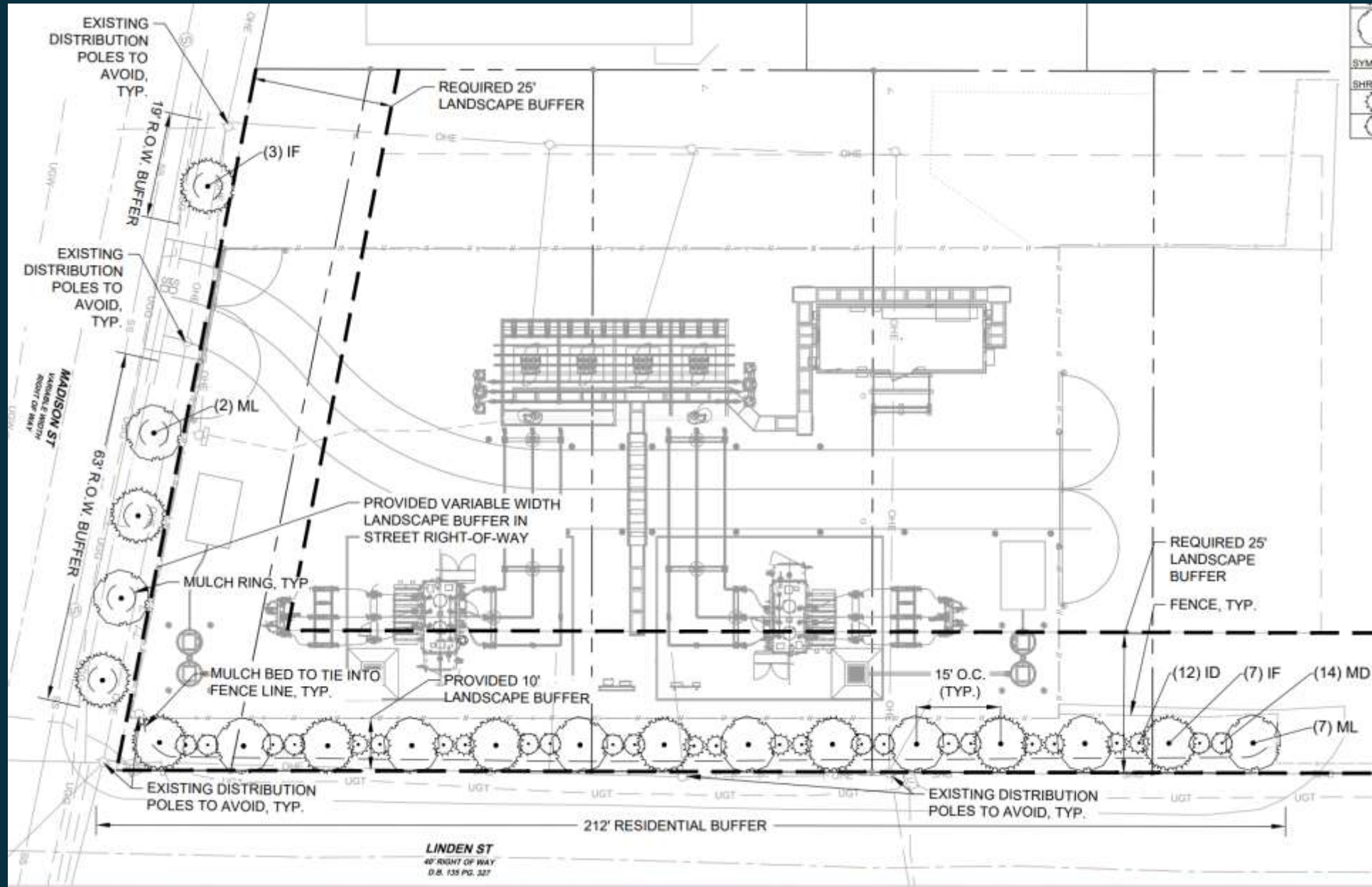




Existing Perimeter Fencing

Item b.





Considerations for Town Council

Item b.

- Hold Public Hearing
- Application accepted on February 5, 2026
- Planning Commission held Work Session on July 21, 2026
- Planning Commission held Public Hearing on August 18, 2026
- -no speakers present
- Planning Commission recommended Approval – unanimous vote, quorum present.
- Town Council Public Hearing on September 8, 2026
- Town Council decision deadline: February 5, 2027



**Town Council Regular Meeting – Public Hearing for
SUP 26-1: Dominion Energy – Elm Substation
Modernization
September 8, 2026**

A preapplication meeting was held on September 4, 2025 between the Town of Warrenton and Dominion Energy representatives and their agents for a SUP submission for property at the corner of Linden and Madison Street.

GPIN: 6984/ 40/ 6668/ 000/

As of: 1/12/2026 9:03:19 PM

Acct#: 698440660

Item b.

PID: 25329

Fauquier County Report

Property Owner

Name: VIRGINIA ELECTRIC & POWER CO TAX DEPT 17TH/OJRP

Mailing Address: 701 E CARY ST
RICHMOND, VA 23219

Parcel Use: 940V

Tax District: 7 - CENTER-WARRENTON

Property Information

Physical Address:

Subdivision: N/A

Lot #: LOT 23

Size (Acres): 0.00

Legal: BARTENSTEIN SUBD LOT 23 BLOCK E

Current Value Assessment

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2025	\$0	\$0	\$0	N/A	\$0

Land

Land Type	Size	Units
MISCELLANEOUS	0.00	ACRES
Total	0.00	

Deed Transfers

Item b.

Deed Date	Book	Page	Deed Type	Est. Sale	Owner
10/14/1946	160	242	DEED	\$0	VIRGINIA ELECTRIC & POWER CO

Reappraisal Value History

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2024	\$0	\$0	\$0	N/A	\$0
2023	\$0	\$0	\$0	N/A	\$0
2022	\$0	\$0	\$0	N/A	\$0
2021	\$0	\$0	\$0	N/A	\$0
2020	\$0	\$0	\$0	N/A	\$0
2019	\$0	\$0	\$0	N/A	\$0
2018	\$0	\$0	\$0	N/A	\$0
2017	\$0	\$0	\$0	N/A	\$0
2016	\$0	\$0	\$0	N/A	\$0
2015	\$0	\$0	\$0	N/A	\$0
2014	\$0	\$0	\$0	N/A	\$0
2013	\$0	\$0	\$0	N/A	\$0
2012	\$0	\$0	\$0	N/A	\$0
2011	\$0	\$0	\$0	N/A	\$0

Not a Legal Document

Subject to terms and conditions
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GPIN: 6984/ 40/ 6784/ 000/

As of: 1/12/2026 9:03:19 PM

Acct#: 698440678

Item b.

PID: 25330

Fauquier County Report

Property Owner

Name: VIRGINIA ELECTRIC & POWER CO TAX DEPT 17TH/OJRP

Mailing Address: 701 E CARY ST
RICHMOND, VA 23219

Parcel Use: 940V

Tax District: 7 - CENTER-WARRENTON

Property Information

Physical Address:

Subdivision: N/A

Lot #: LOT 22

Size (Acres): 0.00

Legal: BARTENSTEIN SUBD LOT 22 BLOCK E

Current Value Assessment

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2025	\$0	\$0	\$0	N/A	\$0

Land

Land Type	Size	Units
MISCELLANEOUS	0.00	ACRES
Total	0.00	

Deed Transfers

Item b.

Deed Date	Book	Page	Deed Type	Est. Sale	Owner
10/14/1946	160	244	DEED	\$0	VIRGINIA ELECTRIC & POWER CO

Reappraisal Value History

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2024	\$0	\$0	\$0	N/A	\$0
2023	\$0	\$0	\$0	N/A	\$0
2022	\$0	\$0	\$0	N/A	\$0
2021	\$0	\$0	\$0	N/A	\$0
2020	\$0	\$0	\$0	N/A	\$0
2019	\$0	\$0	\$0	N/A	\$0
2018	\$0	\$0	\$0	N/A	\$0
2017	\$0	\$0	\$0	N/A	\$0
2016	\$0	\$0	\$0	N/A	\$0
2015	\$0	\$0	\$0	N/A	\$0
2014	\$0	\$0	\$0	N/A	\$0
2013	\$0	\$0	\$0	N/A	\$0
2012	\$0	\$0	\$0	N/A	\$0
2011	\$0	\$0	\$0	N/A	\$0

Not a Legal Document

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GPIN: 6984/ 40/ 7708/ 000/

As of: 1/12/2026 9:03:19 PM

Acct#: 698440770

Item b.

PID: 25341

Fauquier County Report

Property Owner

Name: VIRGINIA ELECTRIC & POWER CO TAX DEPT 17TH/OJRP

Mailing Address: 701 E CARY ST
RICHMOND, VA 23219

Parcel Use: 940V

Tax District: 7 - CENTER-WARRENTON

Property Information

Physical Address:

Subdivision: N/A

Lot #: LOT 21

Size (Acres): 0.00

Legal: BARTENSTEIN SUBD LOT 21 BLOCK E

Current Value Assessment

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2025	\$0	\$0	\$0	N/A	\$0

Land

Land Type	Size	Units
MISCELLANEOUS	0.00	ACRES
Total	0.00	

Deed Transfers

Item b.

Deed Date	Book	Page	Deed Type	Est. Sale	Owner
10/14/1946	160	243	DEED	\$0	VIRGINIA ELECTRIC & POWER CO

Reappraisal Value History

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2024	\$0	\$0	\$0	N/A	\$0
2023	\$0	\$0	\$0	N/A	\$0
2022	\$0	\$0	\$0	N/A	\$0
2021	\$0	\$0	\$0	N/A	\$0
2020	\$0	\$0	\$0	N/A	\$0
2019	\$0	\$0	\$0	N/A	\$0
2018	\$0	\$0	\$0	N/A	\$0
2017	\$0	\$0	\$0	N/A	\$0
2016	\$0	\$0	\$0	N/A	\$0
2015	\$0	\$0	\$0	N/A	\$0
2014	\$0	\$0	\$0	N/A	\$0
2013	\$0	\$0	\$0	N/A	\$0
2012	\$0	\$0	\$0	N/A	\$0
2011	\$0	\$0	\$0	N/A	\$0

Not a Legal Document

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GPIN: 6984/ 40/ 7833/ 000/

As of: 1/12/2026 9:03:19 PM

Acct#: 698440783

Item b.

PID: 25342

Fauquier County Report

Property Owner

Name: VIRGINIA ELECTRIC & POWER CO TAX DEPT 17TH/OJRP

Mailing Address: 701 E CARY ST
RICHMOND, VA 23219

Parcel Use: 940V

Tax District: 7 - CENTER-WARRENTON

Property Information

Physical Address:

Subdivision: N/A

Lot #: LOT 20

Size (Acres): 0.00

Legal: BARTENSTEIN SUBD LOT 20 BLOCK E

Current Value Assessment

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2025	\$0	\$0	\$0	N/A	\$0

Land

Land Type	Size	Units
MISCELLANEOUS	0.00	ACRES
Total	0.00	

Deed Transfers

Item b.

Deed Date	Book	Page	Deed Type	Est. Sale	Owner
10/14/1946	160	244	DEED	\$0	VIRGINIA ELECTRIC & POWER CO

Reappraisal Value History

Year	Improvements	Land	FMV Total	Land Use Value	Total Taxable Value
2024	\$0	\$0	\$0	N/A	\$0
2023	\$0	\$0	\$0	N/A	\$0
2022	\$0	\$0	\$0	N/A	\$0
2021	\$0	\$0	\$0	N/A	\$0
2020	\$0	\$0	\$0	N/A	\$0
2019	\$0	\$0	\$0	N/A	\$0
2018	\$0	\$0	\$0	N/A	\$0
2017	\$0	\$0	\$0	N/A	\$0
2016	\$0	\$0	\$0	N/A	\$0
2015	\$0	\$0	\$0	N/A	\$0
2014	\$0	\$0	\$0	N/A	\$0
2013	\$0	\$0	\$0	N/A	\$0
2012	\$0	\$0	\$0	N/A	\$0
2011	\$0	\$0	\$0	N/A	\$0

Not a Legal Document

Subject to terms and conditions
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Dominion Energy – Elm Substation Modernization – December 2025

Town of Warrenton, VA – Special Use Permit

Statement of Justification

Elm Substation is a dated substation with worn equipment and structures that are antiquated compared to current technology. Thus, there is a need to perform a complete station modernization to ensure safe and reliable electric service to the surrounding area. Because the site is zoned R-10, a Special Use Permit (administered via the Town of Warrenton) is needed to expand the station. Additionally, the existing and proposed fence is 7' tall with 1' of barbed wire, which is not permitted on properties zoned R-10, and requires a Special Use Permit. The proposed fence is required for substation security to prevent human and animal interaction with the electric substation. It should be noted that the station is being modernized solely to replace aging equipment, and not to support new development in the area – the same amount of power/electricity will come through the station before and after the project is complete. As a result, the surrounding community will experience improved reliability and fewer power outages.

No land acquisition is necessary for this project, as it will be entirely contained on property owned by Dominion Energy. However, multiple parcels (all owned by Dominion Energy) along Linden Street will be combined into one parcel via a Boundary Line Adjustment (BLA) Plat process. It is our intent to have the BLA process track concurrently with the SUP process.

The site is located in a residential area near the intersection of Madison Street and Linden Street. The existing entrances from Madison Street and Linden Street will be used during and after construction – no new entrances are proposed. There are no wetlands or streams located on this site. The substation does not require a connection to the Town's water or sewer facilities. Traffic to the site after construction is complete will be limited to a few vehicles per month.

Evaluation Criteria; Issues for Consideration - per Town of Warrenton Zoning Ordinance §11-3.10.3)

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.

- a. The proposed Elm Substation Modernization project does not conform with the Town's Comprehensive Plan. Per the Town's Future Land Use map, the project site lies within a "Medium Density Residential" district, which does not currently permit the use of a substation. However, given that the site is an existing substation that has been in operation for quite some time, we feel that this conflict with the Town's Comprehensive Plan is not particularly detrimental and can be mitigated with the processing of this Special Use Permit (SUP) application.

2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.

- a. In the event of a fire inside the substation, Dominion has specific guidelines that the Town Fire Department will be made aware of. These guidelines are provided below.

- i. Burning electrical equipment is already ruined and will be replaced. The safest course of action is to let it burn.
- ii. Contact Dominion and wait for their personnel to arrive. Never attempt to enter a substation without utility personnel present. Number to call: 800-684-8486
- iii. Evacuate the area and keep everyone at least 300 feet away from the substation.
- iv. Electrical equipment contains oil. Be alert for explosions and toxic smoke.
- v. Protect area exposures to prevent fire from spreading.
- vi. If an equipment fire must be suppressed, utility personnel and the incident commander will tell you how to proceed.

3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

- a. The two new transformers will replace the old, outdated units and will reduce the decibel level currently produced by the station. The transformers are the only pieces of equipment on site that generate any kind of substantial noise.

4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

- a. There are two (2) proposed lights inside the station, both located on the control enclosure, at an approximate height of 9.5'. These lights are downward facing, will not spill over onto adjacent properties, and are for night-time security purposes. A cut sheet of the proposed fixture has been included with this submittal.

5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this ordinance.

- a. All proposed signage will be posted directly on the fence. These signs will not be individually lit. The proposed signage will be identical to what is present at the site today.
- b. For safety and security, there are "DANGER – KEEP OUT – HIGH VOLTAGE" signs posted at regular intervals around the perimeter chain-link fence. In addition, the two entrance gates into the station will remain locked at all times.

6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

- a. The existing use of the subject site is a substation and is proposed to remain as such. This use is not currently permitted in the R-10 zoning district, hence the need for a Special Use Permit to enlarge the station.

7. The location and area footprint with dimension (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on site and within the neighborhood.

- a. The existing station is approximately 115' x 84', and the proposed station will be approximately 150' x 84', with the expansion being on the north side of the site (away from Madison Street). The existing chain link fence surrounding the station is the typical 2" mesh, 7' tall with 1' of barbed wire on top. The expanded fence line will match the existing chain link fence (see example photo below). Any sections/areas of existing fence that are damaged or unsightly will be replaced with this project.

- b. The Town's Ordinance currently prohibits the installation of any fence over the height of 6'. The applicant requests that the 7' tall fence with 1' of barbed wire be included in this Special Use Permit.



Example photo of existing security fence

- c. The proposed equipment includes circuit breakers (12'± height), buswork (20'± height), transformers (18'± height), and a control enclosure (14'± height). The finish color for the proposed equipment will be predominantly galvanized steel (gray), with some aluminum (silver) and porcelain insulators mixed in. The proposed equipment at the substation is similar in appearance to what is there now, and is highlighted on the enclosed site plan drawing. There are also other nearby unsightly storage materials and containers/sheds outside of the substation that will be removed as a part of this project.

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

- a. Per 8-8.4, the Town currently requires a 25' wide landscape buffer yard from the property line. However, this requirement would significantly encroach into the existing substation and is therefore not feasible. Therefore, we respectfully request a Variance to this requirement because of impacts to the operation of the station it would cause. There is existing landscaping around the substation that currently provides screening, but is in poor/unsightly condition. The Applicant proposes to clean up/remove the existing landscaping and add additional planting where appropriate to improve the screening and aesthetics of the substation.

9. The timing and phasing of the proposed development and the duration of the proposed use.

- a. The proposed construction will not be phased (i.e. Phase 1, Phase 2, etc.) - it will be performed at one time. Once the construction is complete and the station is energized, it will remain in the energized state

unless there is a planned outage for maintenance or emergency. In other words, the substation is not on/energized only at certain times of the day – it is on 24/7/365.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archeological, or historic feature.

- a. The proposed project will not impact any significant topographic or physical, natural, scenic, archeological, or historic features.

11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.

- a. The proposed project will enhance the reliability of electric service to residential and commercial customers in the area.

12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.

- a. Traffic to the site after construction is complete will be limited to a few vehicles per month. The site is not located in a heavy pedestrian corridor (i.e. no sidewalks or walkways), and therefore will not have an impact on foot traffic.

13. Whether the proposed use will facilitate orderly and safe road development and transportation.

- a. Access to the substation will be provided by two (2) existing entrances - one off Madison Street and one off Linden Street. The entrance off Madison Street will be widened to enhance vehicle maneuverability into and out of the site.

14. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.

- a. No existing structures will be converted to a use requiring a Special Use Permit.

15. Whether the proposed Special Use Permit will be served adequately by essential facilities, services and utilities.

- a. There is no water or sewer service to the site – existing or proposed.

16. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water and air quality.

- a. There will be no impacts to environmentally sensitive land/natural features, wildlife habitat/vegetation, or water/air quality as a result of this project. Erosion and sediment controls will be in place throughout construction that will prevent sediment from leaving the site and protect water quality. In addition, there will be dust control on site to protect air quality, and measures to prevent sediment/dirt from being tracked onto the neighborhood roads.

17. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

- a. N/A – this substation will not feature any personnel on site on a full-time basis.

18. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the Town, if applicable.

- a. N/A

19. The location, character, and size of any outdoor storage.

- a. The existing equipment/material stored on site will be removed. Outdoor storage is not being proposed with this Special Use Permit.

20. The proposed use of open space.

- a. There are no proposed/new open space areas. However, the existing grassed/vacant lots behind the substation to the north will be joined with the substation parcel (via the Boundary Line Adjustment process). These areas will remain grassed/vacant.

21. The location of any major floodplain and steep slopes.

- a. There are no major floodplains or steep slopes located on site.

22. The location and use of any existing non-conforming uses and structures.

- a. The existing and proposed use of this site is a substation which is a non-conforming use, hence the need for a Special Use Permit. Outdoor storage of materials & equipment, also a non-conforming use, is not being proposed with this Special Use Permit.

23. The location and type of any fuel and fuel storage.

- a. N/A

24. The location and use of any anticipated accessory uses and structures.

- a. The existing sheds on site will be removed with this project. No new structures outside of the substation are proposed.

25. The area of each proposed use.

- a. The existing station is approximately 115' x 84', and the proposed station will be approximately 150' x 84', with the expansion being on the north side of the site (away from Madison Street).

26. The proposed days/hours of operation

- a. The substation will continuously be in use and remotely monitored. There will not be an employee on site daily.

27. The location and screen of parking and loading spaces and/or areas.

- a. There are no permanent/dedicated parking spaces or loading spaces - any parking on site will be temporary/short-term. The existing paved area behind the station will be used for parking during maintenance operations or outages.

28. The location and nature of any proposed security features and provisions.

- a. Security cameras will be located on site to monitor the substation. The substation is currently secured with a 7' tall chain link fence with 1' of barbed wire. The proposed expansion of the fence line will match the existing fence. The two (2) entrance gates into the station are locked.

29. The number of employees.

- a. There will not be an employee on site daily – the station is not manned.

30. The location of any existing and/or proposed adequate on and off-site infrastructure.

- a. See the attached SUP concept plan for the location of existing and proposed infrastructure. There is no off-site infrastructure proposed.

31. Any anticipated odors which may be generated by the uses on site.

- a. There are no anticipated odors associated with the site.

32. Refuse and service areas.

- a. There are no refuse or services areas associated with the site.

Date Stamp

TOWN OF WARRENTON

P.O. Drawer 341
Warrenton, VA 20188
(540) 347-1101 x106
Permittech@warrentonva.gov



Item b.

LAND USE APPLICATION:

AFFIDAVIT

NO. _____

This affidavit certifies that the party listed, who is listed as the Applicant's Representative on a land use application, has been granted authorization to make an application and act on behalf of a property owner. It must be filled out completely by the property owner if another party is submitting an application(s) on the owner's behalf. This form must be notarized and must be submitted prior to issuance. Copies of affidavits are unacceptable.

I, Virginia Electric and Power Company DBA Dominion Energy am the owner of the property listed below and I certify that I have granted, Kimley-Horn, Attn: Ben Jackson as my duly authorized agent and give permission to make a land use application and act on my behalf for the following address:
277 Linden Street, Warrenton VA 20186

for the land use application of Dominion Energy Elm Substation Modernization

Signature of Property Owner:

Date: 12/11/2025

(FOR NOTARY USE ONLY)

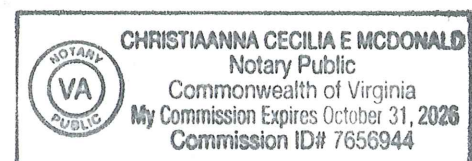
State/District of Virginia City/Town/County of Henrico

a Notary Public in and for the aforesaid hereby certify that the following person: Laura Meadows, Authorized Representative appeared before me in the State/District and City/Town/County aforesaid and

executed this affidavit on the following date (month, day, and year): 12/11/25

Notary Signature: Registration Number: 7656944

My Commission Expires: 10/31/26





July 9, 2026
Casey DeHaven (Squyres)
Town of Warrenton
PO Box 341
Warrenton, Virginia 20188

**RE: *Special Use Permit Application (SUP-26-1) Dominion Energy
Elm Substation Modernization***

Elm Sub Modernization – Town of Warrenton SUP Comment Responses

Review Comments found on page:

General	1
Planning.....	1
Zoning	1
PW/PU.....	4

General

General overall comment is the application needs to include more detailed information on specific items, including landscaping alterations in order to meet Zoning requirements and VDOT entrance requirements for a Commercial entrance, as required by the Project Coordinator. Please refer to the attached Staff comments for further detail.

Response: Acknowledged.

Planning

The current submittal of the application does address that the current existence of the substation within the R-10 District is a permissible use and this submission does not require any additional land acquisition; it will be contained on property owned by Dominion Energy. Multiple parcels along Linden Street, which are currently owned by Dominion Energy, will be combined into one parcel via a Boundary Line Adjustment (BLA).

Response: The Boundary Line Adjustment (BLA) process is currently underway with the Town.

Please see Zoning comments for additional requirements and clarifications for other items (i.e. Lighting, Parking, Setbacks, Fencing, Screening, etc.)

Response: Acknowledged.

Zoning

Article 2-19.5 – Fences and Walls

Fences and walls are generally limited to 6' in height, but fences exceeding 6' in height may be approved in conjunction with a Special Use Permit for a permissible use listed within Article 3. The statement of justification is not clear whether any new fencing is being proposed as part of this application. Staff suggests revising the statement of justification and the plan to show any new fencing proposed along with an elevation drawing to show material and total height of each fence.

Clarification: The fence detail should be incorporated as part of the plan itself on a separate “details and specifications” sheet. The plan is the primary source of information for all future enforcement and/or permitting requests. All details should be included as part of the plan.

Response: Detail sheet added to SUP plan – see Sheet 3. The fence is 7' tall with 1' of barbed wire on top (total height 8').

Article 3.4.2.4 – Lot and Yard Regulations

The setbacks noted on the plan appear to be incorrect; the setback for “other permitted uses” in the Residential R-10 Zoning District are as follows:

- Front- 25'
- Side- 15'
- Rear- 20'

***The property will have two frontages on Madison and Linden Street and once the lots have been consolidated, a setback reduction can be granted for the secondary front yard located along Linden Street. This reduced setback would be the average of the front and side yard setbacks required for the lot, 20'. However, additional reduction of setback may be necessary due to the proposed transformer equipment's proximity to the property line.*

Clarification: The secondary frontage (*reduced setback per Article 2-13.10 of the ZO*) along Linden Street will be 20'. If additional reduction of setbacks is necessary due to proposed equipment locations, it must be requested as part of the Special Use Permit process.

Staff comment **remains as advisory:** The proposed transformers do not appear to meet the primary or secondary front yard setbacks currently required for each lot. The lot consolidation that was submitted may not alleviate this issue and a waiver of setback requirements may be required.

Provide the proposed setback for all structures on site to determine if additional waivers or modifications need to be requested from the Town Council.

Clarification: The required 20' setback was added to the plan, but dimensions/setbacks to each property line must be added to the plan for all structures to indicate whether they will meet the minimum required setback. As shown, it looks like several pieces of equipment will not meet the setback requirement. Waivers of setbacks must be requested as part of the Special Use Permit.

Response: Sheet 2 of the SUP Plan (the Concept Site Plan) shows the proposed setbacks and dimensions to proposed equipment from the property line. The front setback on Madison St. will remain unchanged at 25'. The secondary front setback on Linden St. will be reduced from 25' to 20'. We are further proposing additional reduction of the setback on Linden St. from 20' to 10', due to proximity of proposed equipment to the property line. See Note 1 on Sheet 2.

Article 6 – Signs

No new signage is shown on the plan, but signage on the exterior fencing to the site is proposed within the Statement of Justification. Provide a detail for the proposed signage indicating the size of the sign and mounting method.

- If additional building or directional signage is proposed, provide façade width and signage details or provide a note on the plan indicating that signage will be addressed at the time of Site Development Plan. (6-13.3 ZO)

Clarification: Add a note to the SUP plan that states signage shall be addressed at the time of Site Development Plan.

Response: Note added to Sheet 2 of the plan stating that signage will be addressed at time of Site Development Plan.

Article 8 – Landscaping

Provide landscape details to show that the site is sufficiently screened/buffered from all adjacent residential properties and the roadway to meet minimum Zoning Ordinance requirements. As shown, staff is unable to verify the structures will be adequately screened from the adjacent residential properties. The applicant is requesting a modification from the Town Council for the buffer requirement. (8-8 ZO)

- Per Article 8-8.4, a 25' wide buffer yard is required as listed in Table 8-8.5, to consist of:
 - o A double-staggered row of evergreen trees 15' OC that form a continuous visual screen of at least 6' in height. Note – addressing the 'continuous visual screen' requirement may require plantings that are less than 15' apart.
 - OR
 - o A fence, wall, or berm of at least 6' in height, plus 6' tall evergreen trees every 25' on the side facing the residential use.
- Note – Any equipment over 6' in height may require fences, walls, berms, or trees to be more than 6' tall at the time of installation, so as to provide the required buffering/screening.
- Per 8-10.3, #2, item d. – the site must either retain existing trees or plant new trees so that there will be a minimum 20-year tree canopy coverage of 20%.

Clarification: The landscaping shown does not appear to meet minimum buffer requirements under Article 8-8 of the Zoning Ordinance. Should the Town Council approve a modification to the buffer width requirement, a condition of approval should be added to state that the site shall provide enhanced screening of the property from adjacent residential properties within the reduced buffer width. Landscaping will be reviewed in depth at the time of site development plan submission, but buffering of the use has been a concern of neighboring residents.

Response: A double staggered row of evergreens was not able to be achieved due to existing utilities and location of existing fencing. Thus, evergreens are now provided at 15' O.C. instead. Along Linden Street, evergreen shrubs have been placed in between each tree to provide enhanced screening. Minimum tree canopy coverage shown in charts on Sheet 4.

The application does not demonstrate how refuse on the site is to be handled or screened from view. (8-8.2 ZO)

Clarification: As an advisory comment, separate permits are required for any temporary dumpsters and a plan showing locations must be provided at the time of application. Alternatively, the dumpsters can be shown on the site development plan and permitted separately.

Response: Acknowledged. Dumpsters will be shown on the site development plan.

Article 9-8 – Lighting

No lighting plan was provided on the SUP plan. However, the statement of justification notes there will be two new fixtures installed. A fixture cutsheet was provided for the proposed lights and appears to meet the Zoning Ordinance's requirements for fully shielded and full-cutoff fixtures. **Lighting plan review will be required as part of the Site Development Plan.**

Response: Note added to sheet 2 of the plan stating that lighting will be addressed at time of Site Development Plan.

A photometric plan was not provided with the SUP plan. **A photometric plan will be required as part of the Site Development Plan process.**

Response: A photometric plan is not included with the SUP plan, but will be included with the site plan drawing set.

Article 9-14 – Performance Standards for all Non-Residential Uses

A "potential landscape area" has been identified on the plan, but there is no additional information regarding screening of the use from the adjacent residential properties. Every use requiring power shall be concealed by coniferous plantings if visible from abutting residential properties. (9-14.10 ZO)

Clarification: Additional plantings are needed to screen the use from adjacent residential properties. As proposed, the landscaping will not meet the buffer requirements under Article 8-8 of the Zoning Ordinance. Staff suggests a condition of approval that the site shall provide enhanced screening from adjacent residential properties in compliance with Article 8-8 of the Zoning Ordinance. Landscaping will be reviewed in depth at the time of site development plan submission, but buffering of the use has been a concern of neighboring residents.

Response: Additional evergreen screening shrubs have been added in between evergreen trees along Linden Street. In addition, trees on both Madison Street and Linden Street are now spaced at 15' O.C.

PW/PU

Project Coordinator

- The existing entrance along Madison Street needs to be upgraded to a commercial entrance per VDOT CG-13 Standard.

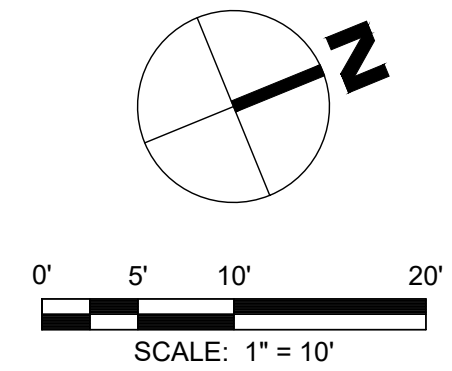
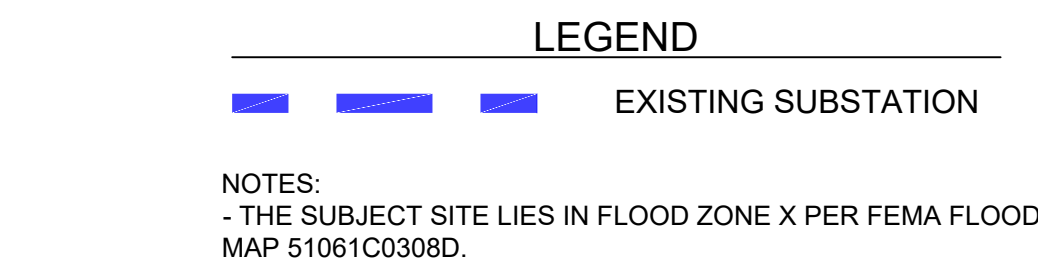
Response: A note is provided on plan Sheet 2 that the existing entrance will be upgraded to meet VDOT CG-13 Standards.

- Please provide turn radius from public street into proposed entrances.

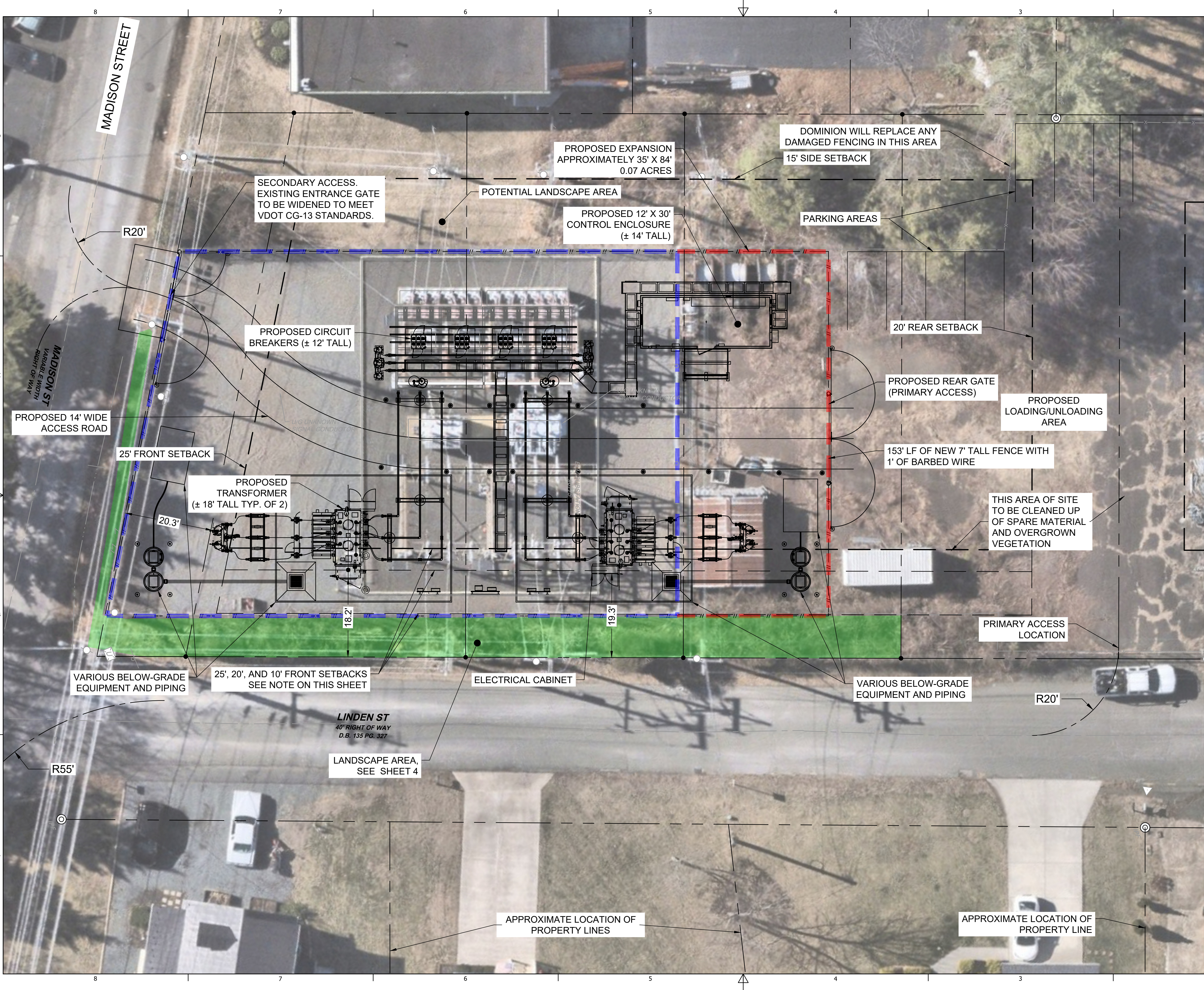
Response: Turn radii are provided on Sheet 2 of the plan.

- I'd recommend a 2:1 slope along Madison Street and ditchline installed to provide adequate drainage for this section.

Response: Acknowledged.



SCALE: 1" = 10' 			SUP-26-1		
REVISIONS			Kimley»Horn © 2026 KIMLEY-HORN AND ASSOCIATES, INC. 2035 MAYWILL STREET, SUITE 200 RICHMOND, VA 23230 PHONE: 604-673-3882 WWW.KIMLEY-HORN.COM		
			SUBJECT TO FINAL ENGINEERING		
REV	DATE	DESCRIPTION			
 Dominion Energy®					
SPECIAL USE PERMIT - EXISTING CONDITIONS ELM SUBSTATION MODERNIZATION TOWN OF WARRENTON VIRGINIA					
OPERATIONAL REGION		B/M No.	SCALE		
PROJECT	NAME	DATE	SHEET:	1	
DESIGNER	ADC	7/9/2026			
PROJECT ENGINEER	ADC	7/9/2026	DRAWING:		
APPROVED BY	BKJ	7/9/2026			



VICINITY MAP
SCALE: 1:200

PROJECT LOCATION

LEGEND

- EXISTING SUBSTATION
- SUBSTATION EXPANSION
- LANDSCAPE AREA

NOTES:

- THE SITE CURRENTLY HAS 2 FRONTAGES ON MADISON AND LINDEN STREET. ONCE LOTS HAVE BEEN CONSOLIDATED, THE FRONTAGE ON MADISON ST. WILL REMAIN UNCHANGED AT 25', AND THE SECONDARY FRONTAGE ON LINDEN ST. WILL BE REDUCED FROM 25' TO 20'. WE ARE PROPOSING ADDITIONAL REDUCTION OF THE SETBACK ON LINDEN ST. FROM 20' TO 10' DUE TO PROXIMITY OF PROPOSED EQUIPMENT TO THE PROPERTY LINE. REDUCTION REQUIREMENT IS SUBJECT TO FINAL ENGINEERING.
- DOMINION ENERGY IS A HOLDER OF STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT THAT HAVE BEEN APPROVED BY THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY. DOMINION ENERGY, RATHER THAN THE TOWN OF WARRENTON, IS RESPONSIBLE FOR SELF-ADMINISTRATION TO ENSURE COMPLIANCE WITH THESE SPECIFICATIONS. THE TOWN OF WARRENTON SHALL NOT CONDUCT EROSION AND SEDIMENT CONTROL NOR STORMWATER MANAGEMENT REVIEWS FOR THIS PROJECT. SHOULD A E&S OR SWM PLAN BE REQUIRED BASED ON THE CRITERIA IN THE APPROVED STANDARDS AND SPECIFICATIONS, THE REVIEW WILL BE PERFORMED BY DEQ.
- THE TOWN OF WARRENTON IS AN MS-4 COMMUNITY AND MAY COMMENT ON THE PLANS DUE TO ANY POTENTIAL POLLUTANTS THAT MAY LEAVE THE SITE TO ENSURE PREVENTATIVE MEASURES ARE IN PLACE TO PREVENT ILLICIT DISCHARGE.
- SITE SIGNAGE AND SITE LIGHTING SHALL BE ADDRESSED AT THE TIME OF SITE PLAN DEVELOPMENT.

SCALE: 1" = 10'

SUP-26-1

Kimley»Horn

© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
2035 MAYWILL STREET, SUITE 200
RICHMOND, VA 23230
PHONE: 804-673-3882
WWW.KIMLEY-HORN.COM

SUBJECT TO
FINAL
ENGINEERING

Dominion Energy

SPECIAL USE PERMIT -
CONCEPTUAL PLAN

ELM SUBSTATION MODERNIZATION
TOWN OF WARRENTON VIRGINIA

OPERATIONAL REGION	B/M No.	SCALE
PROJECT	NAME	DATE
DESIGNER	ADC	7/9/2026
PROJECT ENGINEER	ADC	7/9/2026
APPROVED BY	BKJ	7/9/2026

SHEET: 2
DRAWING:



		LEVEL 5 FENCE DETAIL (FOR REFERENCE ONLY)	
--	--	---	--

FENCE NOTES:

- | | |
|--|--|
| | <ol style="list-style-type: none"> 1. FENCE DETAILS SHOWN ABOVE ARE FOR ILLUSTRATIVE PURPOSES ONLY. REFER TO DESIGN BY OTHERS. 2. FENCE MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH DOMINION ENERGY SPECIFICATIONS. 3. STANDARD DOMINION ENERGY SIGNAGE (I.E. PRIVATE PROPERTY/NO TRESPASSING/HIGH VOLTAGE/DANGER) WILL BE POSTED AT REGULAR INTERVALS ON THE NEW SUBSTATION FENCING. |
|--|--|

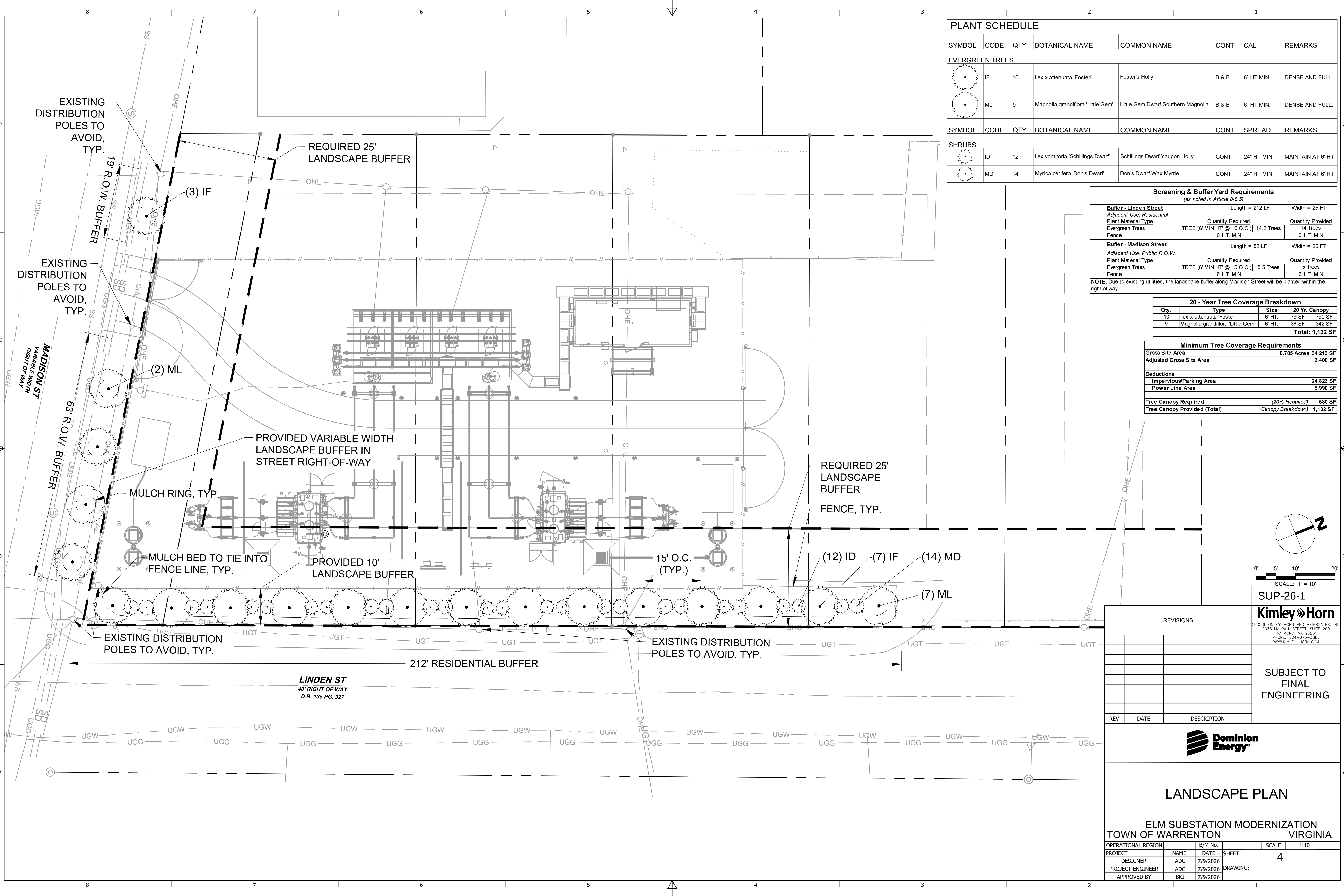


	TYPICAL DETAIL: EQUIPMENT ACCESS DRIVEWAY	SUBSTATION STONE PAD



TYPICAL DETAIL -		SUBSTATION STONE PAD
------------------	--	----------------------

										SUP-26-1		
										Kimley»Horn © 2026 KIMLEY-HORN AND ASSOCIATES, INC. 2035 MAYWELL STREET, SUITE 200 RICHMOND, VA 23230 PHONE: 804-673-3882 WWW.KIMLEY-HORN.COM		
REVISIONS										SUBJECT TO FINAL ENGINEERING		
REV		DATE		DESCRIPTION								
												
SPECIAL USE PERMIT - CONCEPTUAL PLAN												
ELM SUBSTATION MODERNIZATION TOWN OF WARRENTON VIRGINIA												
OPERATIONAL REGION			B/M No.			SCALE						
PROJECT		NAME	DATE	SHEET:		3						
DESIGNER		ADC	7/9/2026	DRAWING:								
PROJECT ENGINEER		ADC	7/9/2026									
APPROVED BY		BKJ	7/9/2026									



PLANT SCHEDULE							
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	REMARKS
EVERGREEN TREES							
	IF	10	Ilex x attenuata 'Fosteri'	Foster's Holly	B & B	6' HT MIN.	DENSE AND FULL.
	ML	9	Magnolia grandiflora 'Little Gem'	Little Gem Dwarf Southern Magnolia	B & B	6' HT MIN.	DENSE AND FULL.
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPREAD	REMARKS
SHRUBS							
	ID	12	Ilex vomitoria 'Schillings Dwarf'	Schillings Dwarf Yaupon Holly	CONT.	24" HT MIN.	MAINTAIN AT 6' HT
	MD	14	Myrica cerifera 'Don's Dwarf'	Don's Dwarf Wax Myrtle	CONT.	24" HT MIN.	MAINTAIN AT 6' HT

Screening & Buffer Yard Requirements (as noted in Article 8-8.5)			
Buffer - Linden Street		Length = 212 LF	Width = 25 FT
<i>Adjacent Use: Residential</i>			
Plant Material Type		Quantity Required	Quantity Provided
Evergreen Trees	1 TREE (6' MIN HT' @ 15 O.C.)	14.2 Trees	14 Trees
Fence	6' HT. MIN		6' HT. MIN
Buffer - Madison Street		Length = 82 LF	Width = 25 FT
<i>Adjacent Use: Public R.O.W.</i>			
Plant Material Type		Quantity Required	Quantity Provided
Evergreen Trees	1 TREE (6' MIN HT' @ 15 O.C.)	5.5 Trees	5 Trees
Fence	6' HT. MIN		6' HT. MIN
NOTE: Due to existing utilities, the landscape buffer along Madison Street will be planted within the right-of-way.			

20 - Year Tree Coverage Breakdown			
Qty.	Type	Size	20 Yr. Canopy
10	Ilex x attenuata 'Fosteri'	6' HT.	79 SF
9	Magnolia grandiflora 'Little Gem'	6' HT.	38 SF
		Total: 1,132 SF	

Minimum Tree Coverage Requirements		
Gross Site Area	0.785 Acres	34,213 SF
Adjusted Gross Site Area		3,400 SF
Deductions		
Impervious/Parking Area		24,823 SF
Power Line Area		5,990 SF
Tree Canopy Required (20% Required)		
Tree Canopy Provided (Total)	(Canopy Breakdown)	1,132 SF

REVISIONS		
REV	DATE	DESCRIPTION

SUP-26-1

Kimley»Horn

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2035 MAYWILL STREET, SUITE 200
RICHMOND, VA 23230
PHONE: 804-673-3882
WWW.KIMLEY-HORN.COM

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FINAL
ENGINEERING



LANDSCAPE PLAN

ELM SUBSTATION MODERNIZATION TOWN OF WARRENTON VIRGINIA			
OPERATIONAL REGION	B/M No.	SCALE	1:10
PROJECT	NAME	DATE	SHEET: 4
DESIGNER	ADC	7/9/2026	DRAWING:
PROJECT ENGINEER	ADC	7/9/2026	
APPROVED BY	BKO	7/9/2026	

8

7

6

5

4

3

2

1

GENERAL NOTES

1. Plants shall be healthy, vigorous material, free of pests and diseases and are subject to approval/rejection of the Landscape Architect prior to, during and after installation.

2. Contractor shall identify all materials at growing location prior to purchase and submit digital photographs, and source list to the Landscape Architect for approval at a minimum of six (6) calendar weeks prior to installation. Plants not approved shall be resourced and resubmitted.

3. Planting beds and individual tree plantings shall be mulched continuously as specified.

4. Prior to construction the contractor shall be responsible for locating underground utilities and execute work in a manner that avoids damage to utilities during the course of work. Contractor shall be responsible or remedy of any damage to utilities, structures, site appurtenances that occur as a result of landscape related work.

5. Contractor is responsible for verifying quantities shown on documents. Field adjustments shall be approved by Landscape Architect prior to installation. Quantities indicated on drawings are for reference-it is the Contractor's responsibility to ensure full coverage of plants at the indicated spacing.

6. Contractor is responsible for maintenance of all plantings including, but not limited to watering, mowing, edging, spraying, mulching, fertilizing, of plantings and turf areas for one (1) calendar year from date of certificate of occupancy. Contractor is responsible for warranty of all plant material for a period of one (1) calendar year from date of certificate of occupancy. Warranty replacement planting shall meet or exceed the original specification identified on drawings. Replacement planting shall extend the same warranty as originally installed materials. Plantings and grass areas shall be flourishing and fully thriving at end of warranty period.

7. Plants identified for replacement by Owner, Landscape Architect shall be replaced immediately by the Contractor unless otherwise agreed upon. Plantings (trees, shrubs, groundcover) subject to replacement by warranty shall exhibit characteristics of 30% dead-per individual plant, non-contributing or disease compromised. Grass areas suitable for acceptance shall demonstrate 85% sustained/consistent and continuous, densely established coverage.

Contractor shall perform a site review at end of warranty period and provide the Owner with written documentation of the site, including plant health, warranty replacement items, and conditions that may be influencing plant health. Contractor shall remove from plants and site, all staking and guying material at end of warranty period.

8. Contractor shall comply with all local, state and federal requirements, codes and regulations related to the work undertaken.

9. All material including planting operation appurtenances shall be of domestic origin manufacture and sourced within 100 miles of the project site.

10. Contractor is responsible for coordination among trades operating on site. Coordination and if necessary resulting modifications to schedules are responsibility of the Contractor.

PERFORMANCE SPECIFICATION

I. PLANTS

A. General

1. Live healthy plants free of dead branches and parts

2. Free of disease, insect, injury and damage

3. Unbroken, intact, dense and solid rootballs and containers, without cracks, flat sides or previously repaired damage.

4. Free of girdling roots or rootbound/circling container conditions

5. Plants of consistent in growth habit and healthy character

6. Free of compromising growth conditions such as weak crotch connections, crossed branches, snags and scars

7. Point of origin growing location within 100 miles of project site

8. Graded, standards, caliper, sizes and stock consistent with *ANSI Z60.1, American Standard for Nursery Stock* most current edition

9. Species identified consistent with *Hortus Third: Concise Dictionary of Plants Cultivated in the United States and Canada*, most current edition and *Manual of Woody Plants: Their Identification, Ornamental Characteristics, Culture, Propagation and Uses*, most current edition

10. All disturbed areas shall be grass seed unless otherwise identified on landscape plans

B. Trees:

1. Deciduous Single Trunk

a. Full, straight and upright with consistent symmetrical natural branching pattern throughout

b. Branching Height-seven (7) feet to lowest branch in two years unless otherwise required by local jurisdiction

2. Deciduous Multi-Trunk

a. Full and upright with straight consistent symmetrical natural branching pattern throughout

b. Canes evenly spaced and of similar growth habit

c. Free of suckers and extraneous branching

3. Evergreen Single-Trunk

a. Full and upright with continuous symmetrical dense natural habit

b. Clear branching height twelve (12) inches above top of rootball

c. Free of suckers and extraneous branching

d. Do not shear or otherwise prune to shape plantings

C. Evergreen and Deciduous Shrubs

1. Full, dense and naturally symmetrical.

2. Consistent with container and/or balled and burlapped size

3. Free of suckers and extraneous branching

4. Do not shear or otherwise prune or shape plantings

D. Evergreen and Deciduous Groundcover

1. Full and dense in pots or flats

E. Perennials and Seasonal Color

1. Full and dense in pots or flats

F. Turf Grass

1. Subgrade

a. Soil Mix-10% Compost, 90% topsoil by volume

b. Preparation-loosen subgrade to a minimum depth of four (4) inches. Remove all non-natural materials including litter, stones, sticks and all items greater than ¾ inch in any dimension

c. Preparation-spread soil mix at a depth of four (4) inches continuously to meet grade elevations shown on drawings. Allow for thickness of sod when applicable

2. Grass Sod

a. Install not longer than twenty-four (24) hours from harvest

b. Grass bed not less than two (2) inches in continuous thickness

c. 100% continuous live sod coverage after first growing season and at end of warranty period.

d. Of uniform non-varying density and continuous texture quality capable of growth and development immediately upon installation. Weed and noxious plant free

e. Stagger installation rows and place aligned parallel to contours

f. Fill joints solidly with planting bed preparation soil

g. Provide anchor pins at twenty-four (24) inches on center for slopes greater than 4:1

3. Grass Seed

a. Mix approved by the Landscape Architect

b. Provide first and new of year seed crops in mix free of weed seeds and deleterious matter

c. Provide seed mix not greater than 15% annual or perennial rye

d. Coverage 85% continuous coverage live stand after first growing season and at end of warranty

e. Replacement or overseeding mixes consistent with original application/installations

f. Provide erosion blankets or other slope retention methods as noted on drawings

II. Materials and Appurtenances

A. Testing

1. Materials testing information/certificates/dated labels shall be current to the project and performed/certified not greater than 120 calendar previous days from current date of submittal for review

B. Top Soil

1. Neutral Ph balance 5.5 -7.5. Friable and containing 2.0-5.0% organic matter by dry weight. Continuously free of non-soil items such as stones, debris, sticks, trash, and deleterious matter greater than ¾ inch in any direction. Clay content shall not exceed 25%.Gravel content shall not exceed 10%. Silt shall not exceed 25%

C. Use of Existing Topsoil

1. Existing topsoil on-site may be repurposed with prior Owner approval. Contractor shall provide soil testing and additive program that demonstrates consistent performance and characteristics and composition as identified herein. Owner shall approve soil testing and soil amendment/additive methods and procedures

D. Shredded Hardwood Mulch

1. 100% organic shredded first year hardwood free of deleterious matter, rock, gravel and weed seed. Neutral Ph balance 5.5-7.5

E. Composted Pine Bark Fines

1. 100% organic ground pine bark with no particle dimension greater than ¾-inch and no greater than 10% wood content

F. Compost Ph

1. Balanced 5.0-8.5 mature, stable and weed free produced by natural aerobic decomposition. Free of visible contaminants and toxic substances. Not greater than 5% sand, silt, clay or rock by dry weight. Consistent with US-EPA CFR Title 40 Part 503 Standards for Class A biosolids

G. Compost Testing

1. Prior to delivery on-site, the following items are required for approval by Owner: Feedstock percentage in final compost product; statement that the products meets federal, state and local health safety requirements

2. Provide copy of lab analysis less than 120 calendar days old verifying that the product meets described physical requirements; chemical contaminants; Ph; physical contaminants; biological contaminants (including a statement that fecal coliform and salmonella testing and results comply with requirements of the US Composting Council Seal of Testing approval programs

H. Planting Mix

1. 85% topsoil and 15% Compost

I. Fertilizer

1. Granular 10% nitrogen, 6% Phosphorous, 4% Potassium granular form with 50% Nitrogen in organic form. Product and Material Safety Data as approved by Owner

J. Herbicide

1. Product and Material Safety Data as approved by Owner

K. Water

1. Potable only unless otherwise approved by Owner

L. Hardwood Stakes

1. 2 x 2 x 48 inch square of sound hardwood, painted flat black on all sides

M. Tree Ties

1. Villa Non-Abrasive Rubber Tree Ties or approved equal

N. Filter Fabric

1. Mirafi 140-N or approved equal

O. Steel Edging

1. 1/8-inch x 4-inch in full sections. Ryerson, Timec or approved equal with integral stakes. No open corners. Corners shall be formed and trued to compliant angle or welded closed

P. River Stone

1. Locally sourced, river rounded, unfaceted river stone/cobbles.

2. Size shall not exceed 3 total inches in any dimension.

3. Color and texture approved by Owner

4. When placed in concrete or mortar setting bed, tamp to secure and brush clear joints.

5. Concrete or mortar as approved by owner.

III. Execution

A. Site Conditions

1. Inspect site and notify Owner in writing of acceptance with indication that project conditions are acceptable are suitable to proceed with work. Notify Owner of any existing damage and/or other conflicting conditions.

2. Do not proceed with work until unsatisfactory conditions have been satisfactorily remedied. Notify Owner of acceptance prior to commencement of work.

3. Notify Owner in writing of any conditions that may preclude successful completion of work including items such as coordination with other trades, incomplete work, drainage, soil temperature and/or composition, access to storage/work areas, damage to conditions, etc.

4. Notify Owner in writing immediately of any items that may influence work schedule, timing of tasks, materials delivery and/or installation and warranty responsibilities.

5. Coordinate and cooperate with other trades working in and adjacent to work areas. Examine drawings of other trades which show development of the entire project and become familiar with the scope of required work by others.

B. Planting Seasons

Recommended seasons are a general guide based on historical climatic data and typical performance of plantings, and which vary dependent on project-specific environmental conditions. Due to construction schedules, recommended planting seasons may/may not coincide with request(s) for certificate of occupancy for projects. Coordination of planting installation and seasons shall be reviewed with Owner on an individual project basis.

1. Deciduous and Evergreen Trees

a. Do not install/plant the following trees between September 15 and March 15

1. Oaks (Quercus Sp., Such as Q. rubra, Q. alba, Q. phellos, Q. coccinea)

2. Dogwood (Cornus Sp.)

3. Sweetgum (Liquidambar Sp.)

4. All Conifers and Evergreens except White Pine (Pinus strobus Sp.)

2. Deciduous and Evergreen Shrubs

a. Install/plant between March 15 and June 15 and/or September 15 and November 30

3. Perennials

a. Install/plant between March 15 and June 15 and/or September 15 and November 30

4. Spring Flowering Bulbs

a. Install/plant between September 15 and December 15

5. Seasonal Annuals

a. Install/plant in season per approved schedule

6. Turf Grass

a. Install/plant between March 15 and May 15 and/or September 15 and November 30

b. Do not install/plant seed or sod turf grass areas when ambient air temperature is below forty (40) degrees Fahrenheit, or forecast for a twelve (12) hour period after completion of work

7. No Plant Installation

a. Do not install plantings or turf grass between June 15 and September 15, without approval by Owner

C. Positioning & Location of Plantings

1. Position plants to show the most-prominent and well-formed face to most-public view

2. Field locate plants and location/spacing/dimension of planting beds on project site prior to beginning installation

3. Verify location of individual plants and plant beds prior to beginning installation. Do not proceed without Owner approval

D. Implementation

1. Pursue work continuously without delay or interruption until completion unless notified otherwise by Owner

2. Provide project submittals ahead of commencement of work. Landscape Architect requires a minimum of ten (10) working days from date of receipt for review of submittals and response to Owner and Contractor. Plan accordingly for procurement of materials

3. Continuously update implementation schedule and notify Owner of progress. Delays related to material availability are not cause for non-completion of scheduled delivery of work

4. Report delays due to weather or site conditions immediately upon finding. Provide recommendation for remedy of schedule delays. Do not work, place or modify frozen soil

5. Report delays due to extraordinary natural or other conditions beyond control of Contractor

E. Clean Up

1. Remove trash, debris and work materials from site prior to request for substantial completion. Thoroughly clean surfaces impacted by work including building, parking areas, roadways, sidewalks, signs, lights, site furnishings, etc.

2. Repair any damage to existing conditions that occurred during execution of work.

3. All clean-up and demobilization procedures shall be performed to satisfaction of the Owner and Landscape Architect.

1

EVERGREEN TREE PLANTING

NOT TO SCALE

2

SHRUB PLANTING

NOT TO SCALE

8

7

6

5

4

3

2

1

LANDSCAPE NOTES AND DETAILS

ELM SUBSTATION MODERNIZATION

TOWN OF WARRENTON

VIRGINIA

OPERATIONAL REGION

B/M No.

SCALE

PROJECT

NAME

DATE

SHEET:

DESIGNER

ADC

7/9/2026

5

PROJECT ENGINEER

ADC

7/9/2026

DRAWING:

APPROVED BY

BKJ

7/9/2026

SUP-26-1

Kimley»Horn

© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
2035 MAYWILL STREET, SUITE 200
RICHMOND, VA 23230
PHONE: 804-673-3882
WWW.KIMLEY-HORN.COM

SUBJECT TO FINAL ENGINEERING

Dominion Energy®

147

September 8, 2026
Town Council
Regular Meeting

**RESOLUTION TO RECOMMEND APPROVAL OF SUP 26-01: DOMINION ENERGY – ELM
SUBSTATION MODERNIZATION PURSUANT TO SECTION 11-3.9 OF THE ZONING
ORDINANCE OF THE TOWN OF WARRENTON
(GPINS 6984-40-6668-000, 6984-40-6784-000, 6984-40-7708-000, 6984-40-7833-000)**

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

WHEREAS, the Applicant, Dominion Energy, is requesting a Special Use Permit for substation modernization and expansion for safe and reliable electric service at an existing property located on the northwest corner of Madison Street and Linden Street and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant has applied for a Special Use Permit to replace outdated equipment to include enlarging the footprint of the existing substation from approximately 115' x 84' to 150' x 84' with the expansion taking place on the north side away from Madison Street; and

WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on September 4, 2025; and

WHEREAS, the Planning Commission held one public work session on SUP 26-01 on July 21, 2026; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code §15.2-2286.A.3, the Planning Commission has considered the proposed special use permit and now forwards its recommendation to the Town Council; and

WHEREAS, the Town Council considered for approval of the special use permit based on the Planning Commission recommendation and Virginia State Code Section 15.2-2285; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September 2026, recommends approval of SUP 2026-01, subject to an approved Concept Development Plan and otherwise as described and depicted within the application.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk

September 8, 2026
Town Council
Regular Meeting

**RESOLUTION TO RECOMMEND DENIAL OF SUP 26-01: DOMINION ENERGY – ELM
SUBSTATION MODERNIZATION PURSUANT TO SECTION 11-3.9 OF THE ZONING
ORDINANCE OF THE TOWN OF WARRENTON
(GPINS 6984-40-6668-000, 6984-40-6784-000, 6984-40-7708-000, 6984-40-7833-000)**

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WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on September 4, 2025; and

WHEREAS, the Planning Commission held one public work session on SUP 26-01 on July 21, 2026; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code § 15.2-2286. A.3, the Planning Commission has considered the proposed special use permit and now forwards its recommendation to the Town Council; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicants for approval of a special use permit, the Town Council upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on Tuesday, September 8, 2026; and

WHEREAS, the Town Council considered for approval of the special use permit based on the Planning Commission recommendation, subject to the Concept Development Plan, and Virginia State Code Section 15.2-2285;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September, 2026, that SUP 2026-01 is hereby denied for the following reasons:

- 1) _____
- 2) _____

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk



**Town Council Regular Meeting - Public Hearing for
ZMA 26-1: 18 Court Street
PSP-to-CBD
September 8, 2026**

Request

Item c.

18 Court Street

GPINS: 6984-33-8623-000

Applicant: Mr. Kevin Ash, President & CEO, Madison Dale Consulting LLC

- **Property Owner:**
 - Current for 18 Court Street: Town of Warrenton
- ZMA to rezone 18 Court Street from Public/Semi-Public (PSP) to Central Business District (CBD)
- **Comprehensive Plan: Old Town Character District** and is designated as Old Town Mixed Use on the Future Land Use Map
- **100-Day Review Period: September 24, 2026**

Proposed Location



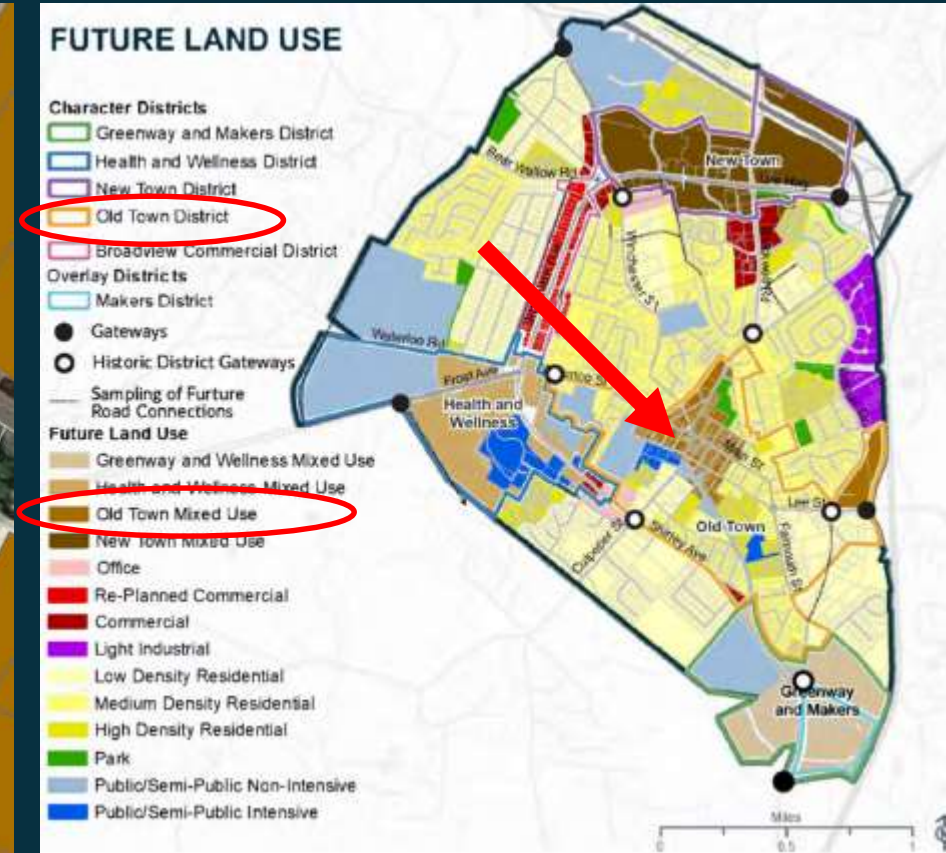
Plan Warrenton 2040

Item c.

Future Land Use Overlays



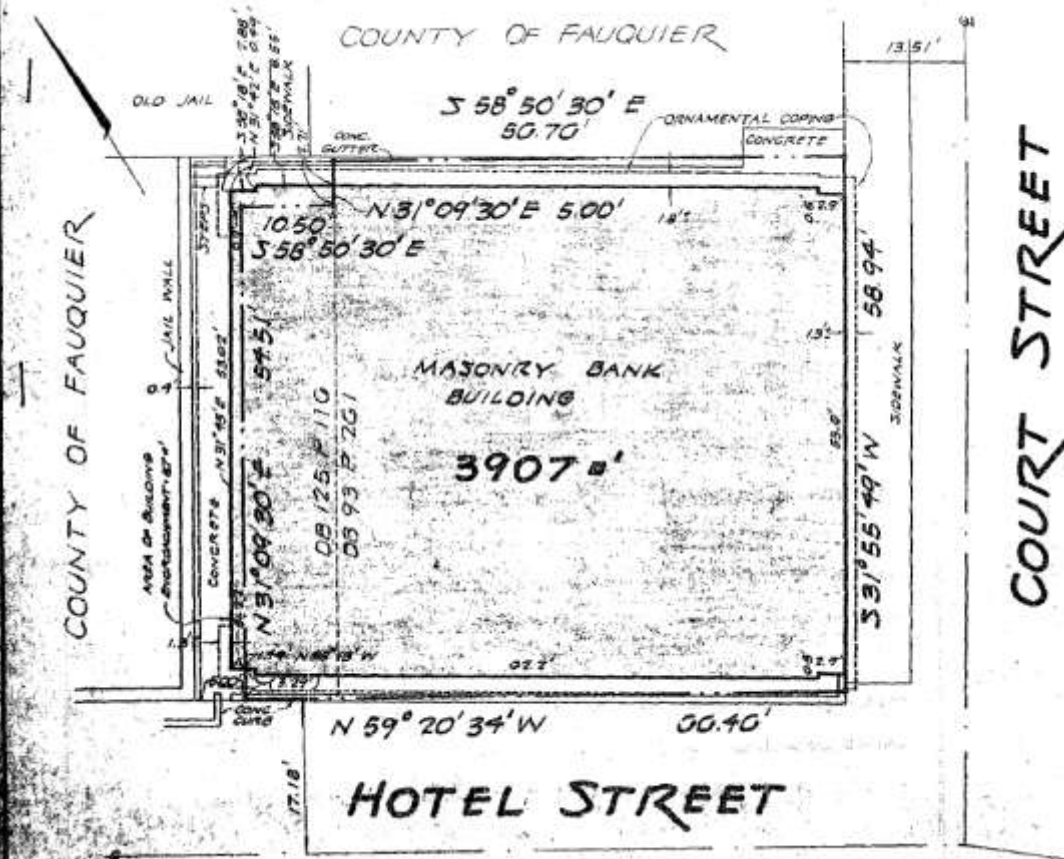
Future Land Use – Old Town



18 Court Street

Item c.





PLAT

SHOWING PROPERTY OF

FAUQUIER NATIONAL BANK
OF WARRENTON
WARRENTON, VIRGINIA

SCALE: 1"=10'

APRIL 1971

JAMES G. BUTLER, JR.
 CERTIFIED LAND SURVEYOR
 WARRENTON, VIRGINIA



Considerations for Town Council

Item c.

- 3-4.11 CBD Central Business District
 - 3-4.11.1 Legislative Intent
 - The intent of this district is to provide for orderly development, infill and revitalization of the central business and commerce area of the Town of Warrenton in accordance with objectives, policies, and proposals of the Comprehensive Plan of the Town; and for the logical and timely development of the land for primarily business purposes providing for higher density residential development, especially on the upper floors of structures on Main Street and encouraging a lively retail environment at the street level of Main Street. The district is designed to encourage the following:
 - Re-use of existing buildings in ways that are compatible with and supportive of the purposes of the district and of the Comprehensive Plan.
 - Preservation of the unified, historic character of the district and its function as the retail and service center for Town citizens and visitors.
 - The creation and reinforcement of the street as a public space, defined by buildings fronting the street, to create a harmonious pedestrian environment for Town citizens and visitors.
 - Mixed uses within the district, including mixed uses within single structures.
 - A uniformity of design to ensure the orderly arrangement of buildings, land uses, and parking areas, and all construction hereafter proposed for this area.
 - A cohesive interrelationship of buildings in order to ensure a harmonious environment, allowing a degree of variety in building design provided said variety is within the overall historic, human-scale design framework of the district.
 - Maximization of a beneficial interrelationship between vehicular facilities (streets and parking lots), pedestrian facilities (sidewalks, malls and plazas), and commercial establishments, with a particular focus on pedestrian, convenience and safety.
 - The provision of adequate, appropriately located off-street parking facilities.
 - The architectural design and arrangement of buildings and spaces so as to conform to the general character and plans of the district.

Considerations for Town Council

Item c.

- Hold Public Hearing
- Application submitted on May 22, 2026
- Planning Commission held Work Session on June 16, 2026
- Planning Commission held Public Hearing on July 21, 2026 & August 18, 2026
- -no speakers present
- Planning Commission recommended Approval – unanimous vote, quorum present.
- Town Council Public Hearing on September 8, 2026
- Town Council decision deadline: May 22, 2027



**Town Council Regular Meeting - Public Hearing for
ZMA 26-1: 18 Court Street
PSP-to-CBD
September 8, 2026**



Community Development
Department

STAFF REPORT

Town Council Meeting Date:	September 8, 2026
Agenda Title:	ZMA 26-01: 18 Court Street
Requested Action:	Hold a Public Hearing
Staff Lead:	Casey DeHaven, Planning Manager

EXECUTIVE SUMMARY

The Applicant, Mr. Kevin Ash, is seeking a Zoning Map Amendment (ZMA) of 18 Court Street (ZMA 2026-01) from Public-Semi-Public (PSP) to Central Business District (CBD) zoning per Article 11-3.9 of the Zoning Ordinance. The proposal includes redevelopment of the 18 Court Street (GPIN: 6984-33-7459-000) property into a restaurant and club.

BACKGROUND

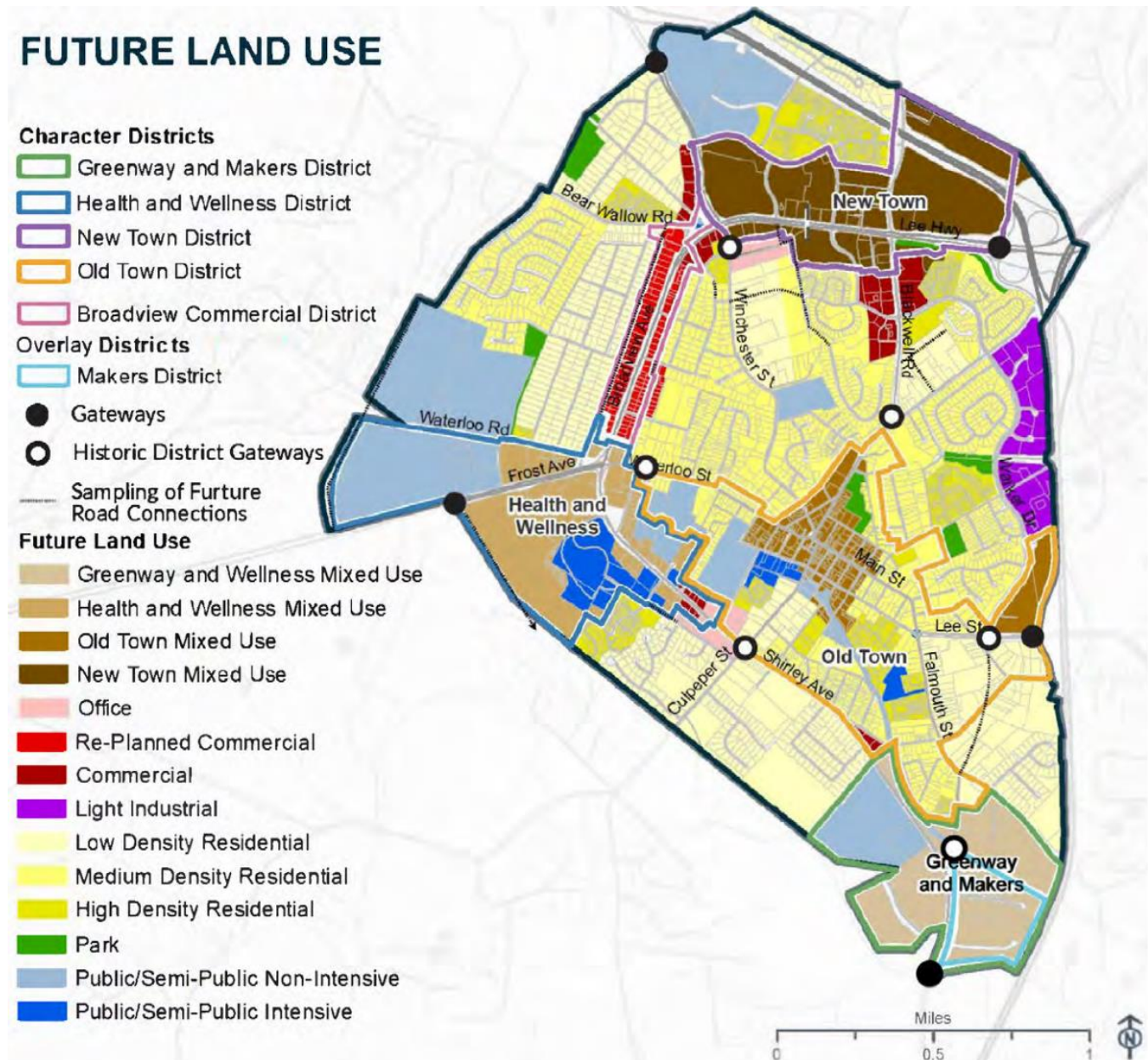
ZMA 2026-01 for 18 Court Street was accepted on May 22, 2026. Staff provided agency comments on June 8, 2026. Staff identified comments related to Rezoning Plan submission, building regulations, signage, parking, lighting, Site Development Plan submission, and landscaping.

The Planning Commission provided comments on ZMA 26-01 at the Work Session held on June 16, 2026. The following key points were discussed:

- 1) Typical by-right versus permissible uses within the Public/Semi-Public (PSP) and Central Business District (CBD) – hotel and restaurants considered by-right within the CBD.
- 2) Water and sewer capacity requirements – considered acceptable for the proposed uses as a hotel and restaurant per the Director of Utilities, Steven Friend.
- 3) Parking requirements – the Zoning Administrator, Heather Jenkins, confirmed they currently meet parking and overflow parking requirements, as well as loading/un-loading space requirements.

An initial Public Hearing was held for ZMA 2026-01 on July 21, 2026. However, due to a discrepancy with the associated GPINs for 18 Court Street, Staff has been advised at the direction of the Town Attorney to have the Planning Commission hold a second Public Hearing for ZMA 2026-01. In order to avoid any confusion, 18 Court Street will be reviewed utilizing only the parcel GPIN: 6984-33-8623-000.

The second public hearing was held by the Planning Commission on August 18, 2026, where the Planning Commission unanimously recommended approval, 4-0 (Ainsworth and McGuire absent). The Town Council will hold a public hearing on ZMA 26-01 at the September 8, 2026 meeting.



STAFF RECOMMENDATION

Hold a Public Hearing.

Omitted Submission Material Cover Letter**18 Court Street, Warrenton, Virginia 20186**

Plans – Previously not required per Rob Walton (rwalton@warrentonva.gov); if this has changed, please inform the applicants.

Disclosure of Real Properties in Interest – No forms available on application.

Certificate of Payment of Taxes – Have not yet purchased this property from Town of Warrenton and therefore do not have certificate of payment of taxes.

Property Owner Affidavit – Included with revised language as Kevin Ash is not currently the owner of the property.

Pre-Application Record – Previously not required per Rob Walton (rwalton@warrentonva.gov); if this has changed, please inform the applicants.

Date Stamp

TOWN OF WARRENTON

P.O. Drawer 341
 Warrenton, VA 20188
 (540) 347-1101 x106
 Permittech@warrentonva.gov

**LAND USE APPLICATION:****AFFIDAVIT**

NO. _____

This affidavit certifies that the party listed, who is listed as the Applicant's Representative on a land use application, has been granted authorization to make an application and act on behalf of a property owner. It must be filled out completely by the property owner if another party is submitting an application(s) on the owner's behalf. This form must be notarized and must be submitted prior to issuance. Copies of affidavits are unacceptable.

I, Kevin Ash ^{Contractual Purchaser} am the ~~owner~~ of the property listed below and I certify that I have granted, Grace Ramacciotti as my duly authorized agent and give permission to make a land use application and act on my behalf for the following address:

for the land use application of 18 Court Street, Warrenton, VA 20186

^{Contractual Purchaser}
 Signature of Property Owner: [Signature] Date: 05/19/2020

(FOR NOTARY USE ONLY)

State/District of Virginia City/Town/County of Loudoun

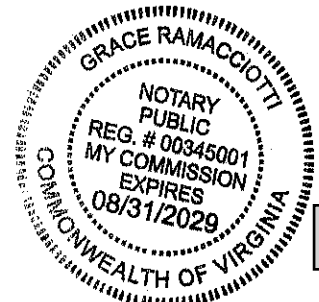
a Notary Public in and for the aforesaid hereby certify that the following person:

Kevin Ash

appeared before me in the State/District and City/Town/County aforesaid and executed this affidavit on the following date (month, day, and year):

Notary Signature: [Signature] Registration Number: 00345001

My Commission Expires: 08/31/2029



**Statement of Justification for Zoning Map Amendment
18 Court Street, Warrenton, Virginia 20186**

This application requests a zoning map amendment for the property located at 18 Court Street in Warrenton, Virginia, to change the current zoning designation from Public/Semi-Public (PSP) to Central Business District (CBD).

Both Fauquier County and the Town of Warrenton have previously conducted public hearings regarding the future use and disposition of this property. Following these hearings, the governing bodies voted to approve the transfer and future use of the property by Madison Dale Consulting LLC for the proposed development of a restaurant.

Rezoning the property to the Central Business District designation will align the zoning classification with the approved and intended use of the site. The proposed CBD zoning is consistent with the Town's long-term planning objectives and will support economic development within the downtown area by encouraging hospitality, dining, and visitor-serving uses that complement the surrounding business district.

The requested amendment will facilitate the adaptive reuse and productive redevelopment of the property while promoting increased economic activity, tourism, and vitality within the historic downtown core. Approval of this rezoning will ensure that the zoning designation accurately reflects the property's intended function and supports the continued growth and enhancement of Warrenton's Central Business District.

For these reasons, the requested zoning map amendment is justified and consistent with the Town of Warrenton's planning goals and the previously approved disposition of the property.

Examined
&
mailed to
Town of
Warrenton this
5th day of June 1973
Mary A. Schweitzer

BOOK 290 PAGE 2

1402

THIS DEED (which is in part a deed of gift and in part a deed of bargain and sale), made this 11 day of May, 1973, between THE FAUQUIER NATIONAL BANK OF WARRENTON, Warrenton, Virginia, a national banking association, GRANTOR, and the TOWN OF WARRENTON, a municipal corporation of the State of Virginia, GRANTEE, WITNESSETH:

WHEREAS, the hereinafter described real estate has an appraised value in excess of \$120,000.00, but the Grantor wishes to convey said real estate to the Grantee for the sum of \$120,000.00, it being the intention of the Grantor that to the extent that the appraised value of said real estate exceeds said sum of \$120,000.00 this be a deed of gift;

NOW, THEREFORE, in consideration of the premises and of the sum of \$120,000.00 to be paid to the Grantor by the Grantee as hereinafter provided, the Grantor doth hereby bargain, sell, grant and convey, unto the Grantee, all of the following described real estate, to-wit:

That certain lot of land situate at the corner of Court and Hotel Streets, in the Town of Warrenton, Centre Magisterial District, Fauquier County, Virginia, together with the building thereon which was formerly the main office of The Fauquier National Bank of Warrenton, which lot of land is composed of the following two adjoining parcels:

- (A) A parcel of land containing 3907 Square Feet according to April 1971 plat and metes and bounds description of James G. Butler, Jr., C.L.S., which plat and metes and bounds description are attached hereto and made a part of this deed, which said 3907 Square Foot parcel consists of the property which was conveyed to said Bank by deed of James V. Brooke, et als, dated April 19, 1902, recorded May 14, 1902, in Deed Book 93, Page 261, in the Clerk's Office of the Circuit Court of Fauquier County, Virginia, and of the property which was conveyed to said Bank by deed of the Board of Supervisors of Fauquier County dated November 8, 1923, recorded December 13, 1923, in Deed Book 125, Page 116, in said Clerk's Office, less and excepting, however, from said last mentioned property a portion thereof which was conveyed to Fauquier County by deed of said Bank dated November 8, 1923, recorded December 13, 1923, in Deed Book 125, Page 118, in said Clerk's Office.

JAMES G. BUTLER, JR.
CERTIFIED LAND SURVEYOR
21 CULPEPER STREET
WARRENTON, VIRGINIA 22186

BOOK 290 PAGE 3

PHONE: 347-2100

April 1971

Description Of The
Fauquier National Bank
Of Warrenton Property
(As Referred To In Deed Book 93, Page 261, and
Deed Book 125, Page 116, Fauquier County Land Records)
Warrenton, Virginia

Beginning at a point at the northwesterly intersection of Hotel and Court Streets, said point being the extreme southerly corner of the herein described lot, thence running along the northerly right of way line of Hotel Street, N 59° 20' 34" W 66.46 feet to a point being a corner to the County of Fauquier Property, thence departing Hotel Street and running with the outline of the said County Property the following courses; N 31° 09' 30" E 54.51 feet to a point which lies within the present bank building, S 58° 50' 30" E 10.50 feet to another point which lies within the present bank building, N 31° 09' 30" E 5.00 feet to a point in a concrete gutter and S 58° 50' 30" E 56.76 feet to a point in the westerly right of way line Court Street, thence departing the County Property and running along said Court Street right of way line S 31° 55' 49" W 58.94 feet to the point and place of beginning, containing 3907 square feet of land, and being in accordance with a plat of survey hereto attached and being made a part hereof.

Note: Property corners will be appropriately marked.

BOOK 290 PAGE 4

JAMES G. BUTLER, JR.

Certified Land Surveyor

23 CULPEPER STREET

WARRENTON, VIRGINIA 22188

PHONE: 347-3122

June 1, 1971

Description Of Bank Building Encroachment

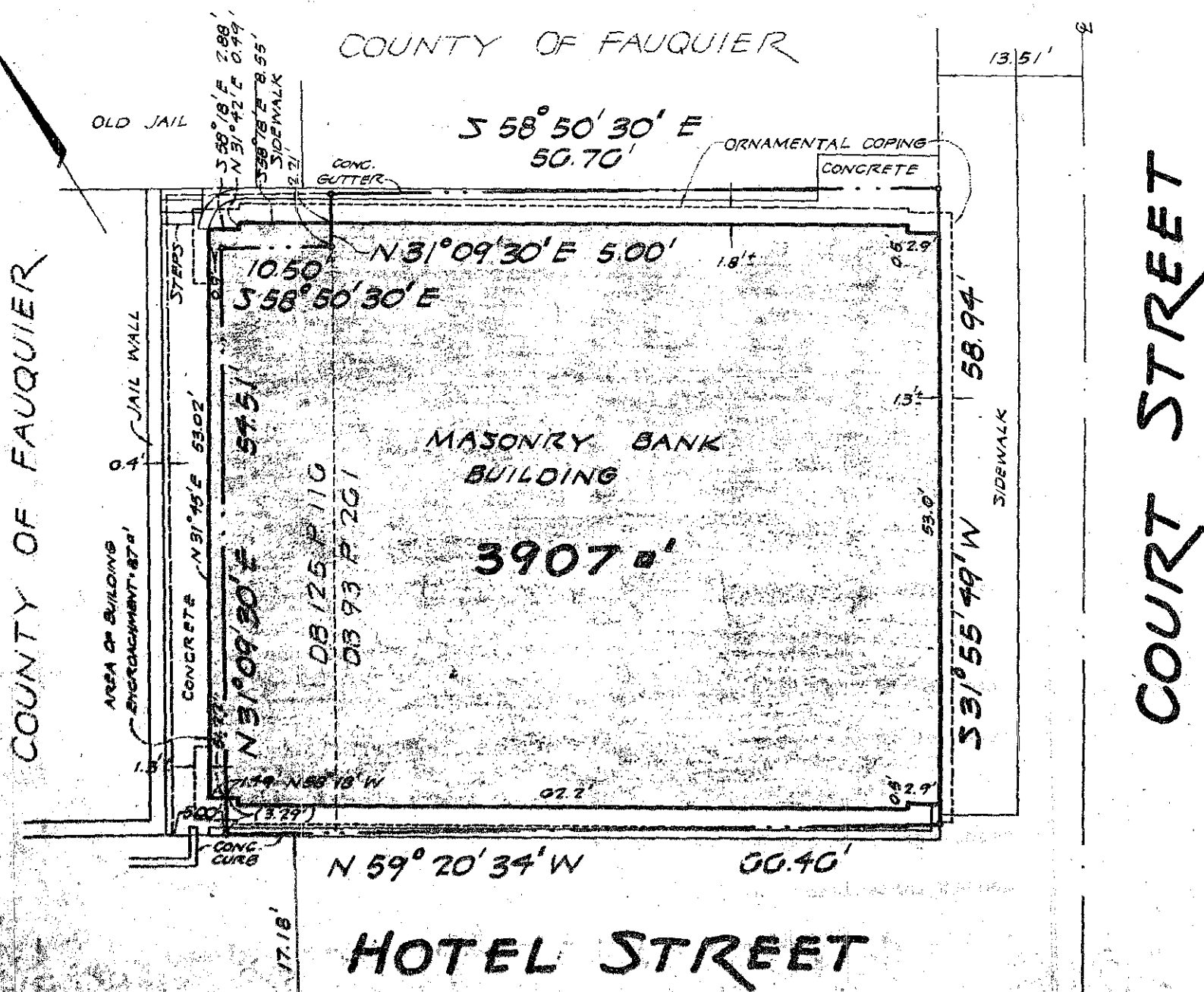
Into County Of Fauquier Property

Town Of Warrenton

Fauquier County, Virginia

Beginning at a point lying on the outside face of wall of the present bank building, said point lies N $31^{\circ} 09' 30''$ E 3.29 feet from the extreme westerly corner of the Fauquier National Bank Property, thence running through the County Of Fauquier Property along the outside face of said bank building the following courses, N $58^{\circ} 18'$ W 1.49 feet to a point, N $31^{\circ} 45'$ E 53.02 feet to a point, S $50^{\circ} 18'$ E 2.88 feet to a point, N $31^{\circ} 42'$ E 0.49 feet to a point and S $58^{\circ} 18'$ E 8.55 feet to a point where the outside face of the bank building intersects the property line between the County Of Fauquier and the said Bank Property, thence running along said property line, which lies within the present bank building, S $31^{\circ} 09' 30''$ W 2.21 feet to a point, N $58^{\circ} 50' 30''$ W 10.50 feet to a point and S $31^{\circ} 09' 30''$ W 51.22 feet to the point and place of beginning, containing 87 square feet of land, and shown on the accompanying plat as the cross-hatched area lying on the westerly side of the Bank Property.

BOOK 290 PAGE 5



PLAT

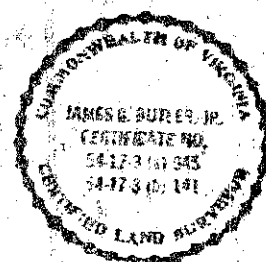
SHOWING PROPERTY OF

FAUQUIER NATIONAL BANK
OF WARRENTON
WARRENTON, VIRGINIA

SCALE: 1"=10'

APRIL 1971

JAMES G. BUTLER, JR.
CERTIFIED LAND SURVEYOR
WARRENTON, VIRGINIA



BOOK 290 PAGE 6

- (B) A parcel of land containing 87 Square Feet according to June 1, 1971 metes and bounds description of James G. Butler, Jr., (which metes and bounds description is attached hereto and made a part of this deed), being the cross-hatched area shown on the aforesaid plat of James G. Butler, Jr., and being the same identical property which was conveyed to said Bank by deed of the County Board of Supervisors of Fauquier County, Virginia, dated November 5, 1971, recorded November 8, 1971, in Deed Book 272, Page 229, in said Clerk's Office.

The above real estate is conveyed subject to the right, if any, of the public to use as a passage way the five foot one inch strip of land mentioned in deed to the Grantor from James V. Brooke, et als, dated April 19, 1902, recorded in Deed Book 93, Page 261, in said Clerk's Office.

The Grantee, as evidenced by its joining in the execution of this deed, agrees to pay to the Grantor the aforesaid sum of \$120,000.00 in four annual installments of \$30,000.00 each as follows:

\$30,000.00 in cash, without interest, on or before December 31, 1973

\$30,000.00 in cash, without interest, in the year 1974, on or before December 31st of that year

\$30,000.00 in cash, without interest, in the year 1975, on or before December 31st of that year

\$30,000.00 in cash, without interest, in the year 1976, on or before December 31st of that year

TO HAVE AND TO HOLD the above described real estate, together with all rights, ways, easements and appurtenances thereunto belonging, unto the Grantee, in fee simple.

Except as to the aforesaid right, if any, of the public to use as a passage way the five foot one inch strip of land hereinabove mentioned, the Grantor covenants that it will WARRANT GENERALLY the property hereby conveyed.

WITNESS the following signatures and seals of the parties hereto, the Grantor having caused its name to be signed hereto by its President and

its corporate seal to be affixed and attested by its Cashier, said officers having been duly authorized to execute this deed on behalf of the Grantor by resolution duly adopted by the Grantor's Board of Directors at its meeting held on the 16th day of March, 1973, and the Grantee having caused its name to be signed hereto by its Mayor and its official seal to be affixed and attested by its Recorder, said officers having been duly authorized to execute this deed on behalf of the Grantee by resolutions duly adopted by the Council of the Town of Warrenton at its meetings held on the 10th day of April, 1973 and the 1st day of May, 1973.

THE FAUQUIER NATIONAL BANK OF WARRENTON
BY J. W. Lainhart
PRESIDENT

ATTEST:
L. Hunton Tiffany
CASHIER

TOWN OF WARRENTON
BY C. Hunton Tiffany
MAYOR

ATTEST:
Mary C. Matto
RECORDER

STATE OF VIRGINIA

COUNTY OF FAUQUIER, to-wit:

I, Erma B. O'Neal, a Notary Public in and for the County of Fauquier, State of Virginia, do certify that J. W. Lainhart and C. Hunton Tiffany, whose names as President and Cashier, respectively, of The Fauquier National Bank of Warrenton are signed to the foregoing deed dated the 11th day of May, 1973, have each acknowledged the same before me in my County and State aforesaid.

My commission expires the 8th day of Sept., 1973.

Given under my hand this 11th day of May, 1973.

Erma B. O'Neal
NOTARY PUBLIC

BOOK 290 PAGE 8

STATE OF VIRGINIA

COUNTY OF FAUQUIER, to-wit:

I, Erma B. O'Neal, a Notary Public in and
 for the County of Fauquier, State of Virginia, do certify that B. M.
Haley and Mary C. Matteo, whose
 names as Mayor and Recorder, respectively, of the Town of Warrenton are
 signed to the foregoing deed dated the 11th day of May,
 1973, have each acknowledged the same before me in my County and State
 aforesaid.

My commission expires the 8th day of Sept., 1973.

Given under my hand this 11th day of May, 1973.

Erma B. O'Neal
 NOTARY PUBLIC

Virginia: In the Clerk's Office of Fauquier Circuit Court, May 17, 1973

This instrument was this day received in said Office
 and with certificate admitted to record at 10:55 A.M.

Tax of \$ 120.00 imposed by Section 58-54(b) Paid

John H. Brown Clerk



TOWN OF WARRENTON

Department of Community Development

PO BOX 341
 WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
Permittech@warrentonva.gov
 (540) 347-2405

Land Development Application

Type of Development [select type(s) below]

Permit # _____

Planning	Zoning		
☐ Commission Permit (\$2232)	☐ Administrative Appeal	☐ Concept Plan Review	☐ Record / Vacate Plat
☐ Comprehensive Plan Amendment	☐ As-Built	☐ Easement Plat	☐ Site Development Plan
☐ Special Use Permit	☐ Bond Release/ Reduction	☐ Final Plat	☐ Variance
☒ Rezoning	☐ Bond Extension	☐ Preliminary Plat	☐ Waiver, Administrative
	☐ Boundary Adjustment	☐ Re-approval of Plat	☐ Waiver/Exception, Legislative

☐ Amendment to Existing Approved Application? If Yes, List Application _____

Project Description

Project Name: 18 Court Street Rezoning

Property Address (if no address, give closest cross street): 18 Court Street

Purpose of Request: Request to rezone 18 Court Street from Public/Semi-Public (PSP) to Central Business District (CBD)

Zoning District: PSP

Total Acres: 0.09 & 0.0019

Acres for Proposed Use: 0.09 & 0.0019

Parcel Identification Number(s): 6984-33-8623-000 & 6984-33-7695-000

Contact Information (Attach separate page if necessary)

All Current Owners

Name & Company: Town of Warrenton

Address: P.O. Drawer 341, Warrenton, Virginia 20188

Phone: 540-341-1101

Email: _____

All Current Applicants (if different then owner):

Name & Company: Mr. Kevin Ash, Madison Dale Consulting LLC

Address: 111 E Market St, Leesburg, VA 20176

Phone: 202 528 4055

Email: kash@madisondale.com

Representative (if different then owner/applicant):

Name & Company: Grace Ramacciotti

Address: 111 E Market St, Leesburg, VA 20176

Phone: 301 331 7879

Email: gramacciotti@clay-construction.com

OWNER(S) AFFIDAVIT (Original Signatures Required)

I have read this application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Town of Warrenton officials and other authorized government agents on official business to enter the property to process this application.

APPLICANT(S) AFFIDAVIT (Original Signatures Required)

The information provided is accurate to the best of my knowledge. I acknowledge that all tests, studies, and other requirements of the Town of Warrenton Zoning Ordinance and Subdivision Ordinance and other requirements of review/approval agencies will be carried out at my expense. I understand that the Town may deny, approve or conditionally approve that for which I am applying.

Owner's Signature & Date: _____

Applicant's Signature & Date: _____

07/30/2024

Print Owner's Name: _____

Print Applicant's Name: _____

Kevin Ash



TOWN OF WARRENTON

Department of Community Development

PO BOX 341
 WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
Permittech@warrentonva.gov
 (540) 347-2405

Land Development Application

Type of Development [select type(s) below]

Permit # _____

Planning	Zoning		
☐ Commission Permit (\$2232)	☐ Administrative Appeal	☐ Concept Plan Review	☐ Record / Vacate Plat
☐ Comprehensive Plan Amendment	☐ As-Built	☐ Easement Plat	☐ Site Development Plan
☐ Special Use Permit	☐ Bond Release/ Reduction	☐ Final Plat	☐ Variance
☒ Rezoning	☐ Bond Extension	☐ Preliminary Plat	☐ Waiver, Administrative
	☐ Boundary Adjustment	☐ Re-approval of Plat	☐ Waiver/Exception, Legislative

☐ Amendment to Existing Approved Application? If Yes, List Application _____

Project Description

Project Name: 18 Court Street Rezoning

Property Address (if no address, give closest cross street): 18 Court Street

Purpose of Request: Request to rezone 18 Court Street from Public/Semi-Public (PSP) to Central Business District (CBD).

Zoning District: PSP

Total Acres: 0.09

Acres for Proposed Use: 0.09

Parcel Identification Number(s): 6984-33-8623-000

Contact Information (Attach separate page if necessary)

All Current Owners

Name & Company: Town of Warrenton

Address: P.O. Drawer 341, Warrenton, VA 20188

Phone: (540) 347-1101

Email: _____

All Current Applicants (if different then owner):

Name & Company: Mr. Kevin Ash, Madison Dale Consulting LLC

Address: 111 E. Market Street, Leesburg, VA 20176

Phone: (301) 331-7879

Email: gramacciotti@clay-construction.com

Representative (if different then owner/applicant):

Name & Company: Grace Ramacciotti

Address: 111 E. Market Street, Leesburg, VA 20176

Phone: (301) 331-7879

Email: gramacciotti@clay-construction.com

OWNER(S) AFFIDAVIT (Original Signatures Required)

I have read this application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Town of Warrenton officials and other authorized government agents on official business to enter the property to process this application.

APPLICANT(S) AFFIDAVIT (Original Signatures Required)

The information provided is accurate to the best of my knowledge. I acknowledge that all tests, studies, and other requirements of the Town of Warrenton Zoning Ordinance and Subdivision Ordinance and other requirements of review/approval agencies will be carried out at my expense. I understand that the Town may deny, approve or conditionally approve that for which I am applying.

Owner's Signature & Date: _____

Applicant's Signature & Date: _____

Print Owner's Name: _____

Print Applicant's Name: _____

September 8, 2026
Town Council
Regular Meeting

**RESOLUTION TO RECOMMEND APPROVAL OF ZMA 2026-01: 18 COURT STREET
PURSUANT TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF
WARRENTON (GPINS 6984-33-8623-000)**

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

WHEREAS, the Applicant, Mr. Kevin Ash, seeks a Zoning Map Amendment from PSP (Public/Semi-Public) to CBD (Central Business District) located at 18 Court Street (GPIN 6984-33-8623-000) in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant has applied for a Zoning Map Amendment to redevelop the 18 Court Street (GPIN: 6984-33-8623-000) property into a restaurant and club; and

WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on June 11, 2026; and

WHEREAS, the Planning Commission held one public work session on ZMA 2026-01 on June 16, 2026; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on July 21, 2026 and on August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on July 21, 2026 and August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code § 15.2-2285, the Planning Commission has considered the proposed zoning map amendments and now forwards its recommendation to the Town Council; and

WHEREAS, the Town Council considered for approval of the zoning amendment based on the Planning Commission recommendation and Virginia State Code Section 15.2-2285; and

WHEREAS, the Town Council finds that the Application meets the criteria for approval found in Section 11-3.9.12 in the Town of Warrenton Zoning Ordinance; and

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September 2026, finds that ZMA 2026-01 serves the public interest as provided in Plan Warrenton 2040's Vision for providing the Old Town Character District with new mixed-use development that is designed to maintain Old Town's historic character.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk

September 8, 2026
Town Council
Regular Meeting

**RESOLUTION TO RECOMMEND DENIAL OF ZMA 2026-01: 18 COURT STREET PURSUANT
TO SECTION 11-3.9 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON
(GPINS 6984-33-8623-000)**

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

WHEREAS, the Applicant, Mr. Kevin Ash, seeks a Zoning Map Amendment from PSP (Public/Semi-Public) to CBD (Central Business District) located at 18 Court Street (GPIN 6984-33-8623-000) in the Town of Warrenton and hereinafter referred to as the "Property"; and

WHEREAS, the Applicant has applied for a Zoning Map Amendment to redevelop the 18 Court Street (GPIN: 6984-33-8623-000) property into a restaurant and club; and

WHEREAS, the Applicant and the Applicant's representatives concluded a Pre-Application meeting with Staff on June 11, 2026; and

WHEREAS, the Planning Commission held one public work session on ZMA 2026-01 and ZMA 2026-02 on June 16, 2026;

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of a zoning amendment, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on July 21, 2026 and August 18, 2026; and

WHEREAS, the Warrenton Planning Commission adopted a resolution on July 21, 2026 and on August 18, 2026, recommending approval of the Application to the Town Council in a unanimous vote with a quorum present; and

WHEREAS, pursuant to Virginia Code § 15.2-2285, the Planning Commission has considered the proposed zoning map amendment and now forwards its recommendation of approval to the Town Council; and

WHEREAS, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicants for approval of a zoning amendment, the Town Council upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on Tuesday, September 8, 2026; and

WHEREAS, the Town Council considered for approval of the zoning amendment based on the Planning Commission recommendation, voluntary proffers and Virginia State Code Section 15.2-2285;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council on this 8th day of September, 2026, that ZMA 2026-01 is hereby denied for the following reasons:

1. _____
2. _____
3. _____

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____
Stephen Clough, Town Clerk



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item d.

STAFF REPORT

Council Meeting Date:	September 8, 2026
Agenda Title:	Electric Mobility Device Ordinance
Requested Action:	Review the Draft Ordinance and Provide Feedback
Department / Agency Lead:	Police
Staff Lead:	Timothy M. Carter, Chief of Police

EXECUTIVE SUMMARY

Given the prevalence of electric mobility devices observed as alternative means of transportation on Town streets and the high likelihood of conflicts with pedestrians and other users when ridden on streets, sidewalks, and shared use locations, the Town Council initiated the creation of an ordinance focused on electric mobility device usage within the Town of Warrenton.

BACKGROUND

Electric mobility device usage has grown rapidly and has outpaced understanding of their lawful usage on public streets, sidewalks, and shared use paths. As such, there is an increased likelihood of collisions between the operators of these devices and pedestrians or vehicles, leading to possible serious injury or death. As such, the Town Council initiated the creation of an ordinance focused on regulating electric mobility device usage within the Town of Warrenton.

The draft ordinance relies on certain Virginia Code sections that allow the Town to prohibit riding or operating the covered devices on all Town sidewalks and would make enforcement dependent on posting the required signs or official traffic control devices in the applicable general area. Section 10-126 would prohibit parking an electric power-assisted bicycle or motorized skateboard or scooter where it impedes normal pedestrian or other traffic, including obstruction of curb ramps, accessible routes, crosswalks, fire hydrants, entrances or exits, driveways, transit boarding areas, or lawful use of bicycle racks. Section 10-127 would require a qualifying protective helmet for persons 14 or younger and establish a \$25 fine, with suspension for a first-time violator and for a violator who purchases a qualifying helmet before imposition of the fine. The ordinance states that state-law operating requirements remain applicable and that state law controls if a conflict exists.

STAFF RECOMMENDATION

Staff recommend that the Town Council review Ordinance 2026-12 and provide any feedback to staff. Prior to any final adoption², it is recommended that a public hearing be held. Adoption would establish clear local rules for the operation and parking of the covered electric mobility devices while remaining within the authority identified in the Code of Virginia. Following adoption, the Town should implement the required signage or official traffic control devices before enforcing the sidewalk prohibition in any particular general area.

Service Level/Collaborative Impact

The ordinance would establish a local regulatory framework administered and enforced by the Town. The Town Manager or designee would be responsible for installing and maintaining signs in the general areas where operation is prohibited. The Chief of Police and other appropriate Town officials are authorized to enforce and administer the ordinance according to its express terms. The ordinance does not create or regulate a commercial shared mobility, dockless device, or rental program.

Policy Direction/Warrenton Plan 2040

CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for responsiveness, community trust, and effectiveness.

CF-2.2: Incorporate security measures designed to be unobtrusive but affording protection for citizens and users alike at community built and electronic facilities.

T-2: Enhance the Traveling Experience by Creating Great Streets

T-2.2: Improve pedestrian and bicycle safety and connectivity to neighborhoods and destinations by implementing the recommendations of the Town of Warrenton Walkability Audit and the Town of Warrenton Complete Streets Recommendations Report.

Fiscal Impact

The draft ordinance does not provide a specific fiscal estimate. Implementation will require the Town to install and maintain signs in the general areas where operation is prohibited. Any associated signage, installation, maintenance, or enforcement costs are not quantified and will be based on the amount of signage necessary.

Legal Impact

The ordinance is expressly adopted pursuant to Virginia Code §§ 46.2-904 and 46.2-906.1 and states that it is intended to exercise only authority granted by the Commonwealth. It incorporates applicable definitions from Virginia Code § 46.2-100 and preserves statewide operating requirements under Virginia Code § 46.2-908.1 and other applicable provisions. The ordinance provides that state law controls if a conflict exists and that it does not create a separate local offense for conduct prohibited solely by state law.

ATTACHMENTS

- 1. Draft Ordinance 2026-12 Electric Mobility Devices
- 2. 2026.8.9 Electric Mobility Devices Resolution
- 3.



September 8th, 2026
Town Council
Regular Meeting
Ordinance 2026-12

ORDINANCE 2026-12

**AN ORDINANCE REGULATING THE OPERATION OF ELECTRIC POWER-ASSISTED BICYCLES,
ELECTRIC SCOOTERS, ELECTRIC SKATEBOARDS, AND OTHER ELECTRIC MOBILITY DEVICES WITHIN
THE TOWN OF WARRENTON, VIRGINIA
EFFECTIVE SEPTEMBER 8TH, 2026**

WHEREAS, the Town Council of the Town of Warrenton, Virginia (the “Town Council”), is committed to protecting the health, safety, and welfare of residents, visitors, pedestrians, bicyclists, motorists, and other users of public rights-of-way within the Town; and

WHEREAS, electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles provide alternative means of transportation but may create conflicts with pedestrians and other users when ridden or parked on sidewalks and at crosswalks; and

WHEREAS, Virginia Code § 46.2-100 defines electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles, including class one, class two, and class three electric power-assisted bicycles; and

WHEREAS, Virginia Code § 46.2-904 authorizes the governing body of a town, by ordinance, to prohibit the riding of electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles on designated sidewalks or crosswalks, requires signs indicating such prohibitions to be posted in the general areas where riding is prohibited, and provides for a civil penalty not exceeding fifty dollars (\$50.00) for a violation; and

WHEREAS, Virginia Code § 46.2-906.1 authorizes the governing body of a town, by ordinance, to require persons fourteen years of age or younger to wear qualifying protective helmets when riding or being carried on specified devices on any highway, sidewalk, or public bicycle path and prescribes the penalty and mandatory suspension provisions applicable to a violation; and

WHEREAS, Virginia Code § 46.2-908.1 establishes certain statewide equipment, speed, location, and age supervision requirements applicable to electric personal assistive mobility devices, electrically powered toy vehicles, electric power-assisted bicycles, and motorized skateboards or scooters; and

WHEREAS, the Town Council desires to exercise only the authority granted by the Code of Virginia, to use the statutory classifications and terminology established by the General Assembly, and to avoid duplicating or altering requirements and penalties imposed by state law; and

WHEREAS, the Town Council has not authorized a commercial shared mobility, dockless device, or rental program, and the proposed ordinance does not establish, authorize, license, permit, or regulate such a program; and

WHEREAS, after consideration of the matter, the Town Council finds that adoption of the ordinance attached hereto as Exhibit A is necessary and appropriate to promote pedestrian safety and the orderly use of public rights-of-way within the Town;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Warrenton, Virginia, assembled in regular session with a quorum present and voting, as follows:

Section 1. Adoption of Ordinance.

The Town Council hereby adopts the ordinance attached to this Resolution as Exhibit A, amending Chapter 10 of the Code of the Town of Warrenton by adding Article VI, entitled "Operation of Certain Electric Mobility Devices." Exhibit A is incorporated into this Resolution by reference as if fully set forth herein.

Section 2. Scope of Ordinance.

The Town Code Changes adopted by this ordinance are as follows:

- (a) incorporates the applicable definitions in Virginia Code § 46.2-100;
- (b) designates sidewalks within the Town as sidewalks on which the riding or operation of electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles is prohibited, subject to the posting and enforcement requirements of Virginia Code § 46.2-904 and the ordinance;
- (c) regulates parking to prevent obstruction of pedestrian and other traffic consistent with Virginia Code § 46.2-904;
- (d) establishes the protective-helmet requirement authorized by Virginia Code § 46.2-906.1; and
- (e) does not establish, authorize, license, permit, or regulate a commercial shared mobility, dockless device, or rental program.

Section 3. Signage and Enforcement.

The Town Manager, or the Town Manager's designee, is authorized and directed to install and maintain signs or other official traffic control devices in the general areas where riding or operation is prohibited, as required by Virginia Code § 46.2-904 and the ordinance.

No prohibition under Section 10-125 of the Town Code shall be enforced in a general area until the signs or other official traffic control devices required by Virginia Code § 46.2-904 and the ordinance have been posted in that area. Administrative implementation shall not expand the locations, devices, conduct, offenses, or penalties approved by the Town Council.

The Chief of Police and other appropriate Town officials are authorized to enforce and administer the ordinance according to its express terms and within the authority granted by the Code of Virginia.

Section 4. Effective Date.

This Resolution and the ordinance adopted herein shall become effective immediately upon adoption. Notwithstanding the effective date, the prohibition in Section 10-125 of the Town Code shall become enforceable in a particular general area only after the required signs or other official traffic control devices have been posted in that area.

Section 5. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Resolution. The severability of the accompanying ordinance shall be governed by its own terms.

Section 6. Repealer.

All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of the conflict. The repeal of ordinances or parts of ordinances in conflict with the ordinance adopted herein shall be governed by the enactment provisions of the ordinance.

Attachment: Exhibit A

ATTACHMENT:

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

ATTEST: _____
Town Recorder

ARTICLE VI. OPERATION OF CERTAIN ELECTRIC MOBILITY DEVICES

Sec. 10-123. Purpose and authority.

The purpose of this article is to regulate, within the limits authorized by Title 46.2 of the Code of Virginia, the operation and parking of electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles on sidewalks and crosswalks within the Town and to establish a helmet requirement authorized by Virginia Code § 46.2-906.1. This article is adopted pursuant to Virginia Code §§ 46.2-904 and 46.2-906.1. Except as expressly provided in this article, nothing herein shall be construed to alter, expand, duplicate, or supersede any requirement, prohibition, offense, defense, or penalty established by the laws of the Commonwealth.

Sec. 10-124. Definitions.

For purposes of this article, the following terms shall have the same meanings as provided in Virginia Code § 46.2-100, as amended:

1. *Electric personal assistive mobility device.*
2. *Electric power-assisted bicycle*, including the classifications of class one, class two, and class three electric power-assisted bicycles.
3. *Highway.*
4. *Motorized skateboard or scooter.*
5. *Sidewalk.*
6. *Traffic control device.*

The term motorized skateboard or scooter does not include a gas-powered scooter, moped, motorcycle, electric personal assistive mobility device, electric power-assisted bicycle, wheelchair, or wheelchair conveyance.

Nothing in this article regulates or restricts the lawful use of a wheelchair or wheelchair conveyance by a person with a disability.

Sec. 10-125. Operation on sidewalks and crosswalks.

(a) All sidewalks within the Town are designated as sidewalks on which no person shall ride or operate an electric personal assistive mobility device, motorized skateboard or scooter, or electric power-assisted bicycle. No person shall ride or operate any such device across a roadway within a crosswalk where such operation is prohibited by an official traffic control device.

(b) The Town shall post and maintain signs or other official traffic control devices in the general areas where operation is prohibited, as required by Virginia Code § 46.2-904. The prohibition in subsection (a) shall be enforceable only in a general area in which the required signs or other official traffic control devices have been posted.

(c) Nothing in this section prohibits a person from walking, carrying, or otherwise transporting a device without riding or operating it.

(d) Except where prohibited pursuant to this section, a person lawfully riding or operating an electric personal assistive mobility device, motorized skateboard or scooter, or electric power-assisted bicycle on a sidewalk or shared use path, or across a roadway within a crosswalk, shall comply with all applicable requirements of Virginia Code § 46.2-904, as amended, including yielding the right-of-way to pedestrians and giving an audible signal before overtaking and passing a pedestrian.

Sec. 10-126. Parking.

No person shall park an electric power-assisted bicycle or motorized skateboard or scooter in a manner that impedes the normal movement of pedestrian or other traffic or where parking is prohibited by an official traffic control device.. This section does not establish, authorize, license, permit, or regulate a commercial shared mobility, dockless device, or rental program.

Sec. 10-127. Protective helmets for persons fourteen years of age or younger.

(a) Every person fourteen years of age or younger shall wear a protective helmet that meets the standards established by the United States Consumer Product Safety Commission whenever riding or being carried on an electric personal assistive mobility device, motorized skateboard or scooter, or electric power-assisted bicycle on any highway, sidewalk, or public bicycle path within the Town.

(b) A violation of this section is punishable by a fine of twenty-five dollars (\$25.00). The fine shall be suspended:

1. For a first-time violator; and
2. For a violator who, after the violation but before imposition of the fine, purchases a helmet of the type required by this section.

(c) As provided in Virginia Code § 46.2-906.1, a violation of this section shall not constitute negligence or assumption of risk; be considered in mitigation of damages of any nature; be admissible in evidence; or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of a device covered by this section.

Sec. 10-128. State law operating requirements unaffected.

(a) Operators of electric personal assistive mobility devices, motorized skateboards or scooters, and electric power-assisted bicycles remain subject to all applicable provisions of the Code of Virginia, including applicable speed, age supervision, equipment, right-of-way, traffic control, and location requirements.

(b) Nothing in this article creates a separate local offense for conduct prohibited solely by state law or changes the classification or penalty prescribed by state law.

(c) Nothing in this article shall be construed to permit the operation of a device in a location, at a speed, or in a manner prohibited by the Code of Virginia.

Sec. 10-129. Penalty for violation of sidewalk, crosswalk, or parking provisions.

A violation of Section 10-125 or Section 10-126 is punishable by a civil penalty not exceeding fifty dollars (\$50.00), only to the extent authorized by Virginia Code § 46.2-904. A finding of liability under this section shall not be deemed a criminal conviction.

No violation of this article shall constitute a misdemeanor unless expressly so provided by a separately applicable law of the Commonwealth.

Sec. 10-130. Administration and construction.

(a) The Town Manager, or the Town Manager's designee, may install and maintain signs and other official traffic control devices necessary to implement prohibitions duly adopted by the Town Council under Section 10-125. Administrative implementation shall not expand the locations or conduct prohibited by this article.

(b) This article shall be construed consistently with Title 46.2 of the Code of Virginia. If a provision of this article conflicts with a mandatory provision of state law, the state law provision shall control.

(c) References in this article to provisions of the Code of Virginia include subsequent amendments to those provisions to the extent permitted by law.

(d) Nothing in this article shall be construed or enforced to preclude the Town from providing any reasonable modification, accommodation, or access required by the Americans with Disabilities Act of 1990, as amended, or other applicable federal or state law.

Sec. 10-131. Severability.

If any provision of this article or its application to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application that can be given effect without the invalid provision or application, and to that end the provisions of this article are severable.

ENACTMENT PROVISIONS

1. **Repeal of conflicting provisions.** All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of the conflict.

2. **Signage before enforcement.** No prohibition under Section 10-125 shall be enforced in an area until the signs or official traffic control devices required by Virginia Code § 46.2-904 and Section 10-125 have been posted in the general area of the prohibition.

3. **Effective date.** This ordinance shall become effective upon adoption, except that Section 10-125 shall become enforceable in a particular area only after the required signs or official traffic control devices have been posted i



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item e.

STAFF REPORT

Council Meeting Date:	September 8, 2026
Agenda Title:	Pedestrian Safety Ordinance
Requested Action:	Receive the Information
Department / Agency Lead:	Police
Staff Lead:	Timothy M. Carter, Chief of Police

EXECUTIVE SUMMARY

Town Council initiated the creation of an ordinance focused on pedestrian safety regarding solicitation activities occurring in Town medians, intersections, and other areas affected by and which affect vehicle traffic.

BACKGROUND

There has been an increase in the number of individuals soliciting funds at Town medians and public street intersections. People occupying highways to interact with motor-vehicle occupants may create driver distraction, sudden stopping, lane obstruction, impaired sight lines, and increased risk of pedestrian injury. This ordinance seeks to provide content-neutral and viewpoint-neutral regulation directed at the location and conduct associated with interactions between persons in highways and vehicle occupants with the stated purpose of protecting pedestrian and traffic safety.

STAFF RECOMMENDATION

Receive the information and provide recommendation to staff.

Service Level/Collaborative Impact

The ordinance would establish a local regulatory framework administered and enforced by the Town. The Town Manager or designee would be responsible for installing and maintaining signs in the general areas where operation is prohibited. The Chief of Police and other appropriate Town officials are authorized to enforce and administer the ordinance according to its express terms.

Policy Direction/Warrenton Plan 2040

CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for responsiveness, community trust, and effectiveness.

T-1: Improve Multimodal Capacity and Safety that Encourages trips by walking, bicycling, and transit.

T-1-5: Create an overarching vision for roadway safety through the development and adoption of a traffic safety policy.

Fiscal Impact

Potential implementation activities include development of enforcement guidance and training, public notices, signage, and recordkeeping. Signage costs would be dependent on the total number of signs to be erected but would generally cost approximately \$30-100 per sign for the physical panel. Enforcement guidance and training would be absorbed by the Police Department budget. Public notices would be absorbed by the budgets of Town Hall and/or the Police Department, depending on the initiator.

Legal Impact

The ordinance states that it is adopted pursuant to the Town's general police powers, traffic-safety authority, and authority to protect the health, safety, and welfare of persons within the Town, including applicable authority under Titles 15.2 and 46.2 of the Code of Virginia. The ordinance requires content-neutral and viewpoint-neutral enforcement and expressly prohibits enforcement based on a person's message, viewpoint, identity, cause, charitable status, economic status, religion, political affiliation, or reason for requesting or giving assistance.

ATTACHMENTS

- 1. 2026.8.23 Draft Ordinance 2026-13 Pedestrian Safety in Roadways and Median Strips
- 2.
- 3.



September 8th, 2026
Town Council
Regular Meeting
Ordinance 2026-13

ORDINANCE 2026-13

AN ORDINANCE TO AMEND THE CODE OF WARRENTON, VIRGINIA, BY ADDING A NEW SECTION PROHIBITING DISTRIBUTING HANDBILLS, SOLICITING CONTRIBUTIONS, OR SELLING MERCHANDISE OR SERVICES IN HIGHWAYS EFFECTIVE SEPTEMBER 8TH, 2026

BE IT ORDAINED by the Town Council of the Town of Warrenton, Virginia, that the Town Code is hereby amended by adding a new section, to be numbered as determined by the Town Attorney and Town Clerk, to read as follows:

Recitals and Findings

WHEREAS, the Town Council finds that the Town has a substantial and important governmental interest in protecting the safety of pedestrians, motorists, passengers, emergency responders, and the general public on public streets and highways within the Town; and

WHEREAS, the Town Council finds that persons who stand, sit, remain, walk, or otherwise occupy highways for purposes of distributing handbills, leaflets, bulletins, literature, advertisements, or similar material to motor-vehicle occupants; soliciting contributions of any nature from motor-vehicle occupants; selling or attempting to sell merchandise or services to motor-vehicle occupants; or engaging in hand-to-hand exchanges with motor-vehicle occupants may create hazards including driver distraction, sudden stopping, lane obstruction, impaired sight lines, and increased risk of pedestrian injury; and

WHEREAS, the Town Council finds that highways, including travel lanes, shoulders, medians, and the area between the travel lane and the back of the curb, are designed primarily for vehicular travel, traffic control, and separation of traffic movements, and are not designed or maintained as safe locations for persons to remain for extended periods or to conduct exchanges with moving or stopped vehicles; and

WHEREAS, the Town Council intends this ordinance to apply uniformly to highways within the Town of Warrenton, regardless of the message conveyed, the identity of the speaker, the purpose of any contribution, or whether the activity is charitable, commercial, political, religious, personal, or otherwise; and

WHEREAS, the Town Council does not intend to prohibit constitutionally protected speech on sidewalks, parks, plazas, or other lawful public areas where pedestrian presence is permitted, and intends to leave open ample alternative channels of communication; and

WHEREAS, the Town Council intends this ordinance to be enforced through warnings, citations, and other lawful enforcement measures in a content neutral and viewpoint neutral manner.

Section 1. Title

This ordinance shall be known and may be cited as the Pedestrian Safety in Highways Ordinance.

Section 2. Authority

This ordinance is adopted pursuant to the Town's general police powers, traffic-safety authority, and authority to protect the health, safety, and welfare of persons within the Town, including the authority granted to Virginia municipalities under applicable provisions of Title 15.2 and Title 46.2 of the Code of Virginia, as amended, and any other applicable law including Virginia Code § 46.2-931.

Section 3. Definitions

For purposes of this ordinance, the following terms shall have the meanings stated below:

- a. Citation means a written notice of violation issued by a law-enforcement officer, in the manner authorized by law.
- b. Contribution means money, goods, documents, literature, merchandise, food, services, or any other item or thing of value.
- c. Distribute means to give, hand, pass, deliver, offer, or attempt to give, hand, pass, deliver, or offer any handbill, leaflet, bulletin, literature, advertisement, or similar material.
- d. Handbill means any handbill, leaflet, bulletin, literature, advertisement, or similar material, whether printed, written, or otherwise tangible.
- e. Highway means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel, including streets and roads, and includes travel lanes, turn lanes, bicycle lanes located in the roadway, shoulders, medians, traffic islands, channelizing islands, ramps, and the area between the travel lane and the back of the curb, but does not include a sidewalk that is physically separated from the vehicular travel way by a curb, buffer, grass strip, utility strip, or other separation.
- f. Median means the area, whether paved, unpaved, landscaped, raised, painted, curbed, or otherwise marked, that separates lanes of traffic traveling in the same or opposite directions. The term includes any traffic island, channelizing island, refuge island, or similar area located within the right-of-way and between or adjacent to lanes of vehicular travel.
- g. Person means any natural person, firm, partnership, association, corporation, organization, or other legal entity.
- h. Sell means to sell, offer for sale, advertise for immediate sale, barter, exchange, or attempt to sell, offer for sale, barter, or exchange merchandise or service.
- i. Solicit contributions means to request, ask for, seek, or attempt to obtain contributions of any nature from the driver of a motor vehicle or any passenger therein while the person making the request is in a highway. The term shall be construed without regard to the content, viewpoint, purpose, or subject matter of the request.
- j. Transfer means to give, pass, exchange, distribute, sell, or attempt to give, pass, exchange, distribute, or sell any money, goods, documents, literature, merchandise, food, or any other item or thing of value between a person in a highway and an occupant of a motor vehicle.
- k. Vehicle occupant means a driver or passenger of a motor vehicle, whether the vehicle is moving, stopped, standing, parked, or temporarily halted in traffic.
- l. Warning means an oral or written advisory by a law enforcement officer that a person's conduct appears to violate this ordinance, and that continued or repeated conduct may result in citation, fine, or other lawful enforcement action.

Section 4. Distributing Handbills, Soliciting Contributions, or Selling Merchandise or Services in the Highway

1. It shall be unlawful for any person while standing, sitting, walking, remaining, or otherwise being present in the highway to:
 - a. Distribute handbills, leaflets, bulletins, literature, advertisements, or similar material to the drivers of motor vehicles or passengers therein on highways located within the Town;
 - b. Solicit contributions of any nature from the drivers of motor vehicles or passengers therein on highways located within the Town;
 - c. Sell or attempt to sell merchandise or services to the drivers of motor vehicles or passengers therein on highways located within the Town; or
 - d. Engage in a transfer with the driver of a motor vehicle or a passenger therein when the transfer is in furtherance of conduct prohibited by subdivisions (a) through (c) of this subsection.
2. It shall be unlawful for any vehicle occupant, while the vehicle is located on a highway within the Town, knowingly and intentionally to give, pass, hand, throw, place, or transfer any contribution, merchandise, service, document, literature, advertisement, or other item or thing of value to a person who is standing, sitting, walking, remaining, or otherwise present in the highway when the transfer is made in furtherance of conduct prohibited by this subsection 1(a), (b), or (c), except as expressly permitted in Section 5.
3. The prohibitions in this section apply to highways within the Town of Warrenton, including streets maintained by the Town, the Commonwealth, or any other public authority, to the fullest extent permitted by law. Nothing in this ordinance authorizes the Town to permit activity within a highway under the maintenance and operational jurisdiction of the Virginia Department of Transportation. Any such activity requires any separate authorization required from the Virginia Department of Transportation or other governmental entity having jurisdiction.

Section 5. Exceptions

1. This ordinance shall not apply to the following conduct:
 - a. Conduct by a law-enforcement officer, firefighter, emergency medical services provider, public works employee, transportation employee, utility worker, or other governmental employee or authorized contractor acting within the scope of official duties;
 - b. Conduct by a person rendering emergency aid or assistance to a person, animal, or vehicle;
 - c. Conduct authorized by a valid permit, traffic-control plan, special-event approval, work-zone authorization, or other written authorization issued by the Town, the Virginia Department of Transportation, or another governmental entity with jurisdiction;
 - d. Conduct occurring on a sidewalk, plaza, park, parking lot, private property, or other area outside the highway where the person is lawfully present, provided that the conduct does not require or attempt to cause a transfer or exchange with a vehicle occupant in a highway;
 - e. Crossing a highway in a lawful manner at a crosswalk, intersection, or other location where crossing is permitted;
 - f. Communication with vehicle occupants that does not involve distributing handbills, soliciting contributions, selling or attempting to sell merchandise or services, or attempting a hand-to-hand exchange in a highway; and
 - g. Any conduct that federal or state law requires the Town to permit.
2. Nothing in this ordinance shall be construed to prohibit a person from holding a sign, speaking, advocating, protesting, campaigning, requesting assistance, or otherwise communicating from a lawful location outside a highway, so long as the person does not violate Section 4.

Section 6. Enforcement and Penalties

1. The Town may enforce this ordinance through warnings, citations, traffic infraction proceedings, civil fines, and any other remedy authorized by law. Enforcement shall be carried out in a content-neutral and viewpoint-neutral manner.
2. **Warnings.** For a first observed violation, a law enforcement officer should, when practicable and consistent with public safety, issue a warning and direct the person to leave the highway or to cease the prohibited distribution, solicitation, sale, transfer, or exchange. A warning is not required when immediate enforcement is reasonably necessary to protect public safety, when the violation continues after an officer's direction, or when the person has previously received a warning or citation for the same or substantially similar conduct.
3. **Citations.** A law enforcement officer may issue a citation to any person who violates this ordinance. The citation shall identify the alleged violation, the date, time, and location of the violation, the applicable fine or required appearance procedure, and the method for contesting the citation. A violation of this ordinance is a traffic infraction pursuant to Virginia Code § 46.2-931(B).
4. **Escalating fines.** A violation of this ordinance shall be punishable as a civil violation as follows, unless a court of competent jurisdiction determines that a different disposition is required or authorized by law:

<u>Violation within a 12-month period</u>	<u>Civil fine</u>
First cited violation after any warning	\$100
Second cited violation	\$200
Third and subsequent cited violation	\$250

5. **Vehicle occupants.** A vehicle occupant who violates the Ordinance shall be subject to the same enforcement and penalty provisions as a person in the highway.
6. **Continuing conduct.** Each separate incident may constitute a separate violation. For purposes of this ordinance, conduct that continues after a warning or lawful direction to stop may constitute a separate violation, subject to applicable law.
7. **Nonexclusive remedies.** Enforcement under this ordinance does not preclude enforcement of any other applicable federal, state, or local law, including laws governing obstruction of traffic, pedestrian control signals, trespass, disorderly conduct, littering, or roadway safety.

Section 7. Administration and Implementation

1. The Town Manager, Chief of Police, or their designees may develop written enforcement guidance, training materials, public notices, and signage to implement this ordinance in a uniform, content-neutral, and viewpoint-neutral manner. The guidance shall direct officers to enforce this ordinance based on observable conduct and location, without regard to the content, viewpoint, speaker, cause, charitable status, or commercial character of any message, request, or material.
2. The Town may post signs at appropriate locations advising the public that distributing handbills, soliciting contributions, selling or attempting to sell merchandise or services, or engaging in related transfers in highways is prohibited. The absence of a sign shall not be a defense to a violation of this ordinance.

3. The Town should maintain records of warnings and citations issued under this ordinance sufficient to monitor enforcement consistency, determine whether a person has received a prior warning, and evaluate whether additional safety measures are needed.

Section 8. Constitutional Construction

1. This ordinance shall be construed and applied as a content-neutral and viewpoint-neutral regulation of conduct and location for the purpose of protecting pedestrian and traffic safety.
2. No officer or official shall enforce this ordinance based on agreement or disagreement with any person's message, viewpoint, identity, cause, charitable status, economic status, religion, political affiliation, or reason for requesting or giving assistance.
3. If a court of competent jurisdiction determines that any application of this ordinance would violate the United States Constitution, the Constitution of Virginia, or other controlling law, the ordinance shall be construed to avoid that application while preserving all lawful applications.

Section 9. Severability

If any section, subsection, sentence, clause, phrase, definition, penalty, or application of this ordinance is held invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, the remaining portions and applications shall remain in full force and effect. The Town Council declares that it would have adopted this ordinance and each portion of it irrespective of the fact that any one or more portions or applications may be declared invalid.

Section 10. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 11. Effective Date

This ordinance shall take effect upon adoption.

ATTACHMENT:

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

ATTEST: _____
Town Recorder



Office of the Town Manager
Judson Rex

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2 Vice Mayor
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Item a.

STAFF REPORT

Council Meeting Date:	September 8 th , 2026
Agenda Title:	Consent Agenda- Approval of Town Council Meeting Minutes
Requested Action:	Review and consider approval of the Town Council Meeting Minutes
Department / Agency Lead:	Town Clerk
Staff Lead:	Stephen Clough, MMC

EXECUTIVE SUMMARY

The following draft minutes have been submitted by the Town Clerk for consideration for approval by the Town Council:

- *Draft October 14th, 2026, Regular Town Council Meeting Minutes*

BACKGROUND

The Town Council Meeting minutes are created by the Town Clerk for each meeting of the Town Council to summarize the meetings and act as an official record for the proceedings per Warrenton Town Code (Code 1981, § 2-31).

Per Virginia Code § 2.2-3707(i) the meeting minutes will contain the following:

- (a) the date, time, and location of the meeting;
- (b) the members of the public body recorded as present and absent; and
- (c) a summary of the discussion on matters proposed, deliberated, or decided, and a record of any votes taken.

In addition, for electronic communication meetings conducted in accordance with § 2.2-3708.2 or 2.2-3708.3, minutes shall include (1) the identity of the members of the public body who participated in the meeting through electronic communication means, (2) the identity of the members of the public body who were physically assembled at one physical location, and (3) the identity of the members of the public body who were not present at the location identified in clause (2) but who monitored such meeting through electronic communication means.

STAFF RECOMMENDATION

Review and consider approval of the Town Council Meeting Minutes.

Service Level/Collaborative Impact

The minutes of the Town Council Meetings help facilitate transparency in Government with records management and availability.

Policy Direction/Warrenton Plan 2040

The minutes are an integral part of Plan Warrenton 2040 as they document the steps taken by the Staff and Town Council towards every goal laid out in the Comprehensive plan.

Fiscal Impact

No additional impact is expected. Minutes creation is an assigned duty of the Town Clerk and falls within the budget amount for that role.

Legal Impact

The Town Council Meeting minutes are the legal record of the proceedings and actions of the Town Council

ATTACHMENTS

- *Draft October 14th, 2026, Regular Town Council Meeting Minutes*



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, October 14, 2025, at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON OCTOBER 14th, 2025, AT 9:00 AM

Work Session

PRESENT

Mr. Carter Nevill, Mayor; Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.

ABSENT

Regular Meeting

PRESENT

Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Chap Petersen Town Attorney.

ABSENT

Mr. Carter Nevill, Mayor; Ms. Michele O'Halloran.

I. WORKSESSION - 9:00 AM

Mayor Nevill called the October 14, 2025, work session of the Warrenton Town Council to order at 9:00 a.m. All members were present, a quorum was established, and business could be conducted.

A. Closed Session

Vice Mayor Semple moved that the Town Council convene in closed session pursuant to Virginia Code § 2.2-3711(A)(7) for consultation with legal counsel or briefings by staff or consultants concerning pending litigation, including the matter of Charles and Mary Gay Cross, et al. v. Town Council of the Town of Warrenton and Town of Warrenton, identified on the agenda as the Amazon case, and the General District Court action Saylers v. Town of Warrenton, where discussion in an open meeting would adversely affect the Town's negotiating or litigating posture. The motion also included consultation with legal counsel pursuant to Virginia Code § 2.2-3711(A)(8) regarding specific legal matters involving the Warrenton Commission on Open and Transparent Government.

Councilwoman O'Halloran seconded the motion.

Councilman Mooney moved to amend the closed-session motion to add a personnel matter pursuant to Virginia Code § 2.2-3711(A)(1).

Mayor Nevill asked whether Councilman Mooney had previously discussed the proposed addition with legal counsel.

Councilman Mooney responded that he had not.

Mr. Patrick Corish, Town Attorney, advised that the proposed discussion appeared to be a matter for which the Council should consult with legal counsel. He further advised that the pending closed-session motion could be amended by majority vote.

It was then clarified that the closed-session motion needed to identify the specific public officer, appointee, or employee to be discussed.

Councilman Mooney specified that the personnel matter concerned the Town Manager Mr. Frank Cassidy.

Councilman Gagnon seconded the amendment.

The votes on the amendment were as follows.

Ayes: Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Larry Kovalik; Mr. Roy Francis.

Nays: Mr. William Semple; Ms. Michele O'Halloran.

The amendment passed by a vote of five to two.

The Council then voted on the main motion to convene in closed session, as amended.

Ayes: Mr. William Semple; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Roy Francis.

Nays: None.

The amended motion passed unanimously, and the Council entered closed session.

The Council reconvened in open session at 11:14 a.m. Vice Mayor Semple moved to certify that, during the closed session, nothing had been discussed except the matters specifically identified in the motion to convene and matters lawfully permitted to be discussed in closed session under the cited provisions of the Virginia Freedom of Information Act.

Councilman Gagnon seconded the motion.

Ayes: Mr. William Semple; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Roy Francis.

Nays: None.

The certification motion passed unanimously.

Following certification of the closed session, Councilman Mooney made a motion to terminate the employment contract of Mr. Frank Cassidy, Town Manager.

Councilman Gagnon seconded the motion.

Councilwoman O'Halloran stated that she was completely disgusted by the motion and believed terminating Mr. Cassidy would be a significant mistake. She recalled that Mr. Cassidy and the Town Clerk had welcomed her when she was researching the responsibilities of serving on the Town Council and had allowed her to meet Town employees. She stated that employees were dedicated to Mr. Cassidy, expressed concern that other employees could leave if he were terminated, and emphasized that he had accomplished a great deal for the Town.

Vice Mayor Semple stated that his experience working with Mr. Cassidy had been professional and effective. He said Mr. Cassidy had responded effectively to matters affecting his ward and that his forthright manner was a quality he expected from a Town Manager.

Vice Mayor Semple stated that the Town had become more organized and effectively operated during Mr. Cassidy's tenure and that staff demonstrated a level of morale and unity that had not previously existed.

Vice Mayor Semple further stated that Mr. Cassidy was personally engaged in Town operations, remained in frequent communication, visited the Town's water and wastewater facilities, and worked directly with employees. He characterized Mr. Cassidy as principled and highly effective and stated that he believed criticism of the Town Manager arose in part because Mr. Cassidy spoke his mind and insisted upon following established rules. Vice Mayor Semple said he could not understand terminating a Town Manager of Mr. Cassidy's quality and caliber.

Mayor Nevill described the proposed termination as appalling, rash, irresponsible, and detrimental to the Town's residents. He stated that Mr. Cassidy was the finest Town Manager with whom he had worked and that the results of his leadership were reflected in the efficiency of Town operations and employee morale.

Mayor Nevill noted that the Town had employed several Town Managers during his time on the Council and stated that conducting another recruitment would be difficult, expensive, and disruptive. He referenced Mr. Cassidy's favorable performance evaluations and his regular presence at community events, including farmers markets, First Friday events, and Old Town After Hours.

Mayor Nevill stated that the Council should expect a strong public reaction to the decision.

Mayor Nevill announced that, should the Council vote to terminate Mr. Cassidy, he would leave the dais rather than continue chairing the meeting.

He clarified that he was not resigning his elected office. Before calling the vote, Mayor Nevill asked whether any member supporting the motion wished to state a reason for the proposed termination on the public record.

No additional comments were offered.

The Council then voted on the motion to terminate the Town Manager's contract.

Ayes: Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Larry Kovalik.

Nays: Mr. William Semple; Ms. Michele O'Halloran; Mr. Roy Francis.

The motion passed by a vote of four to three.

Following the vote, Mayor Nevill left the dais. The Council briefly discussed who would chair the remainder of the work session in the Mayor's absence.

Vice Mayor Semple suggested a recess and a recess of approximately 20 minutes was taken.

Upon resuming the meeting, Vice Mayor Semple stated that he would continue serving as Chair of the meeting for procedural purposes so the Council could complete the remaining work-session agenda. He announced that on the advice of the Town Attorney, the termination of Mr. Cassidy's contract required 30 days' notice and that Mr. Cassidy would remain the Town Manager until the expiration of that period unless he elected to leave sooner.

Councilman Mooney then asked to appoint Deputy Town Manager Stephanie Miller as Interim Town Manager.

Vice Mayor Semple stated that such an appointment would not be appropriate while Mr. Cassidy remained the Town Manager and deferred to legal counsel.

Legal counsel recommended that the Council first provide the required notice and comply with the terms of the Town Manager's contract. Counsel advised that the Council could consider whether an interim appointment became necessary during the notice period but recommended against making an immediate appointment before the written notice was prepared and delivered.

Councilman Mooney withdrew his motion.

B. An update on the September 16, 2025, Planning Commission Regular Meeting.

Mr. Rob Walton reported that the Planning Commission held one public hearing and conducted three work-session discussions during its September 16, 2025, regular meeting.

Mr. Walton stated that the public hearing concerned a requested subdivision ordinance waiver for the Daniels property located at 545 Old Meetze Road. The applicant was requesting a waiver to permit a cul-de-sac as part of a by-right residential subdivision. The Planning Commission deferred action on the application to allow additional investigation of potential emergency-access alternatives. The application was expected to return to the Planning Commission at its October meeting.

Mr. Walton reported that the first work-session matter involved a special use permit application submitted by Home Depot for covered outdoor storage. The application was scheduled to proceed to a public hearing during the Planning Commission's October meeting.

The second work-session matter involved continued discussion of proposed updates to the Town's zoning map and future land-use map resulting from the annexation.

The third work-session matter concerned Planning Commission training and budget issues. The Planning Commission postponed further decisions on those matters until all Commission members were present.

Mr. Walton announced that the Planning Commission's next regular meeting was scheduled for October 21, 2025.

Vice Mayor Semple asked whether the two access alternatives under consideration for the Daniels property consisted of constructing a cul-de-sac or providing emergency access through the adjoining existing subdivision.

Mr. Walton explained that the proposal under discussion would provide emergency access through the existing subdivision, with the primary access to the proposed development connecting through Warrenton Crossing.

Vice Mayor Semple asked whether the existing stub at Meadowview Lane would therefore be converted to emergency access only.

Mr. Walton confirmed that converting the Meadowview Lane stub to emergency-only access was under discussion but emphasized that the Planning Commission had not made a decision.

Councilman Kovalik then asked about information indicating that 250 feet of separation was required between Meadowview Lane and the proposed roadway connecting to Old Meetze Road. He noted that the proposed separation appeared to be approximately 245 feet and asked whether the difference would require a waiver.

Mr. Walton initially clarified that the question concerned the required separation between the two roadways. He then explained that the Town would need to address the separation through the site-plan approval process. If the site plan were approved with the reduced separation, the configuration could be permitted, although a waiver from the Town's public works requirements might be necessary.

Mr. Walton clarified that the Town would not submit the waiver request to the Virginia Department of Transportation and reiterated that the matter could be addressed as part of the site-plan review.

There were no further questions.

C. Public Utilities Update for Plants – CIP & Projects

Deputy Town Manager Stephanie Miller introduced the Public Utilities update in Mr. Cassidy's absence. Ms. Miller explained that the presentation was part of the Town's continuing series of monthly departmental updates and would address the water and sewer operating fund, related capital-improvement projects, and the stormwater-management fund. She then turned the presentation over to Mr. Stephen Friend.

Mr. Friend stated that the accompanying staff report included recently completed projects for reference, larger projects currently underway, and projects included in the Town's Capital Improvement Program. He invited the Council to ask questions concerning any specific project.

Vice Mayor Semple asked whether there were any variances between the projected and actual expenditures for the capital projects and whether any unexpected costs could affect the Town's budget.

Ms. Miller asked Ms. Brooke Campbell whether project-variance information was available.

Ms. Campbell stated that she did not have individual project figures immediately available but could provide information for any specific project. She explained that differences frequently occurred between budgeted and actual expenditures because capital projects often took an extended period to complete.

Vice Mayor Semple clarified that the question was whether the projects were generally remaining within budget and whether staff anticipated any unexpected expenditures.

Ms. Campbell reported that the projects had remained within their approved budgets. She noted that the Town had used a portion of the contingency included in the Capital Improvement Program for the primary clarifier project, but explained that the contingency was budgeted at ten percent for that purpose. She stated that the project remained within budget and that the other projects were also proceeding within their available funding.

Mr. Friend reminded the Council that an additional grant-related item would be presented during the evening session. He stated that the staff report identified grant funding associated with the projects and encouraged the Council to approve available grants so the projects could remain within budget.

Councilman Francis asked Mr. Friend how construction was progressing, whether he was satisfied with the work, whether the projects were being managed effectively, and whether construction activity was interfering with the department's regular operations.

Mr. Friend responded that construction was progressing well, although it had significantly changed normal plant operations and required frequent workarounds. He credited Mr. Wharton, the project coordinator, with keeping the work organized and on schedule and stated that Mr. Smith was also closely overseeing the project.

Mr. Friend explained that crews had encountered numerous underground conditions requiring adjustments and occasional emergency repairs. Staff regularly had to rearrange operations, reschedule work, and coordinate the availability of different personnel. Despite the complexity and size of the project, he stated that he was satisfied with the progress being made.

Councilman Kovalik asked whether the severe storms during the summer, particularly the storm described as a 100-year or 200-year event, had adversely affected the wastewater-treatment facility.

Mr. Friend responded that the storms had significantly affected the plant. He explained that major storm events required the facility to transition to 24-hour operations. Mr. Smith implemented the plant's emergency high-flow procedures, scheduled the necessary personnel, and adjusted operations to hold water in certain portions of the plant while releasing it from others.

Mr. Friend stated that extreme inflow was difficult for the plant because it washed out nutrients, carried substantial grit into the facility, and otherwise disrupted the treatment process.

Councilman Kovalik asked whether the peak flow during the storm had reached approximately eight million gallons.

Mr. Friend stated that the measurable flow was approximately six million gallons, but both recording charts had reached their maximum limits. He explained that the actual peak flow exceeded the facility's ability to record it accurately.

Councilman Kovalik asked whether the storm had damaged or otherwise adversely affected the improvements under construction at the facility.

Mr. Friend responded that the storm had not damaged the improvements or caused construction to cease. The weather and wet conditions slowed the work, but staff and the contractors were able to work around those delays, and no detrimental impact to the improvements had occurred.

There were no further questions.

D. COOP + EMD Updates

Mr. John Switzer provided an update on the Town's Continuity of Operations Plan, commonly referred to as the COOP.

Mr. Switzer stated that development of the updated plan had been discussed during the preceding year and that a more detailed presentation had been provided during the September

work session. Following that presentation, staff received comments from members of the Town Council and Town department heads.

Mr. Switzer explained that the comments resulted in several minor revisions to the plan, including changes concerning departmental operating structures, grammatical corrections, and clarifications distinguishing the Town's plans and responsibilities from those of Fauquier County. Those revisions had been incorporated into the version presented to the Council.

Mr. Switzer reported that he and the Town Clerk had prepared an accompanying resolution for Council approval. The resolution and updated COOP were expected to be added to the evening meeting agenda for consideration.

Mr. Switzer stated that the Town's COOP had last been updated on August 10, 2021, and was due for revision. He explained that the Town would also begin updating its Emergency Operations Plan during the current year, with that plan scheduled for completion the following year.

Mr. Switzer stated that staff intended to stagger the COOP and Emergency Operations Plan update schedules by one year. This would prevent the two extensive emergency-planning documents from requiring review and approval during the same year.

Mr. Switzer stated that he would collect the Council members' existing COOP binders to update them.

Mr. Switzer confirmed that he would collect the binders and provide each Council member with an updated printed copy of the complete plan.

Vice Mayor Semple asked whether the material contained in the printed binder was the same material that had been uploaded with the agenda.

Mr. Switzer explained that a public version of the COOP had been included with the agenda. Because the COOP was a security-related plan, the publicly available document did not contain the complete plan. Members of the Town Council were provided printed copies of the full version.

Councilman McGuire asked whether continuity of government planning was also included in the COOP, including provisions identifying alternate locations where the Town Council and Town government could operate if their normal facilities became unavailable.

Mr. Switzer confirmed that the Town's Continuity of Government provisions were incorporated directly into the COOP rather than maintained as a separate plan. He stated that the COOP identified alternate facilities for Town operations and addressed how and where the Town government would be reestablished following a worst-case emergency.

There were no further questions.

E. Committee Report- Finance

Vice Mayor Semple presented the Finance Committee's financial projection model, which had been developed with assistance from Ms. Brooke Campbell, Finance Director, Deputy Town Manager Stephanie Miller, and Town staff.

Vice Mayor Semple explained that the model was intended to provide the Council with a comprehensive planning tool for evaluating the Town's financial position and the policy effects of different budget assumptions. He stated that the model would allow the Council to examine matters such as revenue growth, expenditures, capital needs, borrowing, debt service, and the Town's reserve requirements earlier in the annual budget process.

Vice Mayor Semple emphasized that the model was limited to the Town's General Fund. It did not combine General Fund revenues and expenditures with the Town's enterprise funds for water, sewer, and stormwater management. He stated that separating the General Fund from the enterprise funds would allow the Council to focus more clearly on the policy decisions and reserve requirements applicable to the Town's general governmental operations.

Vice Mayor Semple reviewed the model's introductory disclaimer, which stated that it was intended for informational and planning purposes. The projections were based upon assumptions entered by the user and could differ materially from actual results because of economic conditions, legislation, inflation, and other circumstances beyond the Town's control. The model was not intended to guarantee or predict the Town's future financial performance.

Vice Mayor Semple explained that the model initially presented a high-level overview of projected General Fund revenues and expenditures through Fiscal Year 2031. The summary included projected operating revenues, possible bond proceeds, operating expenditures, debt service, capital-asset replacement expenditures, capital-improvement expenditures, and the resulting annual operating surplus or deficit.

The model also showed the projected effect of those assumptions on the Town's unassigned fund balance and whether the Town would continue meeting its policy of maintaining an unassigned fund balance equal to 50 percent of General Fund operating expenditures.

Vice Mayor Semple noted that the sample assumptions displayed in the model included approximately \$4.7 million in bond proceeds during the current fiscal year, similar levels of borrowing during Fiscal Years 2027 and 2028, and lower projected borrowing during Fiscal Years 2029 through 2031. He explained that the individual assumptions could be changed on separate revenue, bond-proceeds, expenditure, capital-asset replacement, and Capital Improvement Program tabs.

Vice Mayor Semple reviewed the operating-revenue projection tab. He explained that General Fund revenues were separated by source and that Council members could adjust the assumed growth rates for individual revenue categories. The model also allowed the user to adjust the real-estate tax rate. Changes entered on the revenue tab automatically flowed into the model's overall financial summary.

Councilman Kovalik asked whether the example for Fiscal Year 2027 assumed a three-cent real-estate tax increase and whether the model still projected the need to issue approximately \$4.6 million in bonds despite that increase.

Ms. Campbell explained that the figures displayed in the model were sample assumptions used to test how the spreadsheet functioned and were not staff recommendations or predictions. She confirmed that the three-cent tax-rate increase was included in the displayed Fiscal Year 2027 scenario and that, with all other assumptions remaining unchanged, the model still reflected approximately \$4.6 million in bond proceeds.

Ms. Campbell stated that changing the assumed tax-rate increase to zero cents, one cent, two cents, or another amount would automatically recalculate the remaining figures. She emphasized that users needed to review and adjust the entire model because changes to one assumption could affect the Town's revenues, expenditures, borrowing requirements, and reserve balance.

Councilman Kovalik observed that the model could be used to determine the broader financial effect of an individual decision, such as purchasing two sanitation trucks, rather than examining that purchase independently during the budget process.

Vice Mayor Semple agreed and stated that the model would allow Council members to adjust individual revenue and expenditure assumptions and immediately see their effect on the Town's overall financial position. He reiterated that one of the model's principal purposes was to help the Council determine whether its decisions would preserve the required unassigned fund balance.

Vice Mayor Semple next reviewed the bond-proceeds projection. He explained that projected borrowing was connected to the Town's capital-asset replacement schedule and Capital Improvement Program. The Council could use the model to examine the timing of individual projects, determine whether certain purchases or projects could be deferred, and evaluate whether the need for a project justified financing it through debt.

Vice Mayor Semple stated that the preliminary model reflected significant borrowing during the following several fiscal years. He noted that the Town had not relied upon comparable bond proceeds during Fiscal Years 2023 through 2025. He explained that a portion of the projected borrowing resulted from the Town addressing deferred capital needs and deterioration involving its fleet, public infrastructure, and other assets.

Vice Mayor Semple stated that the projected borrowing declined during the later years of the model as the Town completed its current period of catching up on deferred needs. He explained that the model would allow the Council to examine whether bond proceeds could be reduced, potentially even to zero, by adjusting project timing, revenues, expenditures, and other assumptions.

Vice Mayor Semple then reviewed the General Fund expenditure projections. He explained that expenditures were divided into personnel, operating, and capital-outlay categories. Personnel represented the largest portion of projected General Fund operating expenses, while the operating and capital-outlay categories remained comparatively stable under the assumptions then entered.

Vice Mayor Semple stated that the model could help frame future discussions with the Human Resources Department regarding employee compensation, staffing, and maintaining a strong workforce. Users could adjust the assumed annual growth rate for each expenditure category and review the resulting effect on the Town's finances.

Councilman Kovalik asked whether an annual personnel growth assumption of five percent would compound during each year of the projection period.

Ms. Campbell confirmed that the model compounded the annual percentage entered by the user. She advised that the user should enter the average annual growth assumption expected over the projection period in the applicable field.

Vice Mayor Semple reviewed the debt-service tab and explained that the Town's annual debt-service obligations increased as additional debt was issued. He stated that the model allowed the Council to see how projected debt accumulated and affected the Town's overall financial position. He acknowledged that carrying debt for necessary capital improvements was a normal practice for many local governments but emphasized that the Council should understand its long-term effects.

Councilman Kovalik asked whether the Town could eventually reach a stable position with the General Fund similar to the position anticipated for the water and wastewater enterprise funds after the completion of major infrastructure projects. The speaker asked whether replacing aging vehicles and other assets would allow General Fund capital costs to level out or whether the General Fund would inherently continue growing.

Ms. Campbell responded that the General Fund would always contain some capital component because vehicles, equipment, facilities, and infrastructure would continue to require replacement. She stated that the Town was presently addressing projects that should have been completed in prior years. Once those deferred needs were addressed, the Town should no longer face the same level of catch-up costs, although regular replacement and capital expenses would continue.

Councilman Kovalik noted that the sample personnel projections appeared to show an increase of nearly 50 percent over approximately eight years. He stated that the Council should examine whether new technology or other operational efficiencies could reduce future expenditure growth.

Ms. Campbell reiterated that the displayed assumptions were not fixed and could be modified to test different scenarios.

Vice Mayor Semple then reviewed the capital-asset replacement and Capital Improvement Program projections. He explained that the spreadsheet used the high-level figures contained in the Town's adopted plans. Individual projects and purchases could be modified to determine how deferring, advancing, removing, or adding an item would affect the Town's borrowing and overall financial position.

As an example, Vice Mayor Semple stated that changing the approximately \$722,000 projected cost of the Broadview Avenue traffic signal would automatically affect the model's broader

projections. He stated that providing the model early in the budget process would allow Council members to examine the Town's capital needs before formal budget deliberations began.

Councilmen Gagnon asked whether the model would be distributed as a spreadsheet to each Council member.

Ms. Campbell confirmed that each Council member had access to an individual copy. She stated that she had emailed the spreadsheet and an accompanying user guide to the Council that morning and had also provided printed copies of the guide. She encouraged members to consult the guide because the model contained numerous interconnected components.

Vice Mayor Semple stated that the model's ultimate purpose was to help the Council evaluate its policy requirements, preserve its rainy-day reserve, and distribute the financial burden of Town operations in a manner that maintained a healthy community and municipal organization.

Councilman McGuire asked whether the spreadsheet functioned as a calculator, with each change automatically flowing back to the main summary tab.

Ms. Campbell confirmed that every change entered in the model automatically recalculated the first tab and the related projections.

Ms. Campbell recommended that Council members preserve the original spreadsheet, create separate working copies, and make their changes only in the copies. She stated that she could provide another clean version if a member inadvertently altered or deleted information in the original model.

Councilman Francis stated that the spreadsheet displayed only five tabs on the Council member's device.

Ms. Campbell explained that the remaining tabs were likely hidden because of the smaller screen size and could be accessed through the additional-tab control. The speaker confirmed that the remaining tabs were present.

Vice Mayor Semple thanked Ms. Campbell and Ms. Miller for their work on the model and stated that he had met with them several times during its development. He said he did not believe the Council had previously had a comparable tool and that introducing it early in the budget cycle would improve the Fiscal Year 2027 budget process.

Before the Council concluded the Finance Committee report, Ms. Campbell reminded the Council that the adopted Fiscal Year 2026 budget anticipated the issuance of debt. She referenced the Council's previously adopted reimbursement resolution, which allowed the Town to reimburse eligible expenditures from future bond proceeds.

Ms. Campbell reported that staff had been working with the Town's financial advisors at Davenport. Davenport had offered to conduct individual meetings with Council members to answer questions about the proposed financing. She encouraged each Council member to participate and stated that matters raised individually could later be discussed by the full Council.

Ms. Campbell stated that staff anticipated moving forward with the debt-issuance process in approximately December 2025 or January 2026. Staff would contact the Council members regarding their availability to meet with Davenport during November.

There were no additional questions

F. Main Street Update

Mr. Michael Wharton provided an update on the Main Street improvement project. He explained that the Town Council adopted a resolution supporting the Town's application for Virginia Department of Transportation revenue-sharing funds in 2019 and authorized the Town's share of the project funding through the Fiscal Year 2026 Capital Improvement Program.

Mr. Wharton reported that the project was in the final-design phase and that the Town had completed the scoping process with VDOT, allowing the project to move toward construction. Staff had begun meeting with Main Street businesses and community groups to discuss the anticipated construction process and potential scheduling concerns.

Mr. Wharton announced that the Town would hold a public meeting on October 27, 2025, to receive input from Main Street residents, businesses, and other interested parties. Staff particularly wanted information regarding businesses' peak operating seasons so construction could be scheduled to minimize disruption.

Following the October meeting, staff planned to develop a more detailed construction schedule and conduct another public meeting by approximately mid-December to explain the schedule, construction process, and anticipated impacts. Mr. Wharton stated that construction could begin around the middle of January 2026 if the project remained on schedule, although winter weather could delay the anticipated start date.

Mr. Wharton reported that VDOT funding would cover additional Americans with Disabilities Act ramp improvements identified in the staff report. After the Main Street sidewalk improvements were completed, VDOT would also fund the repaving of the roadway.

Mr. Wharton stated that the Courthouse Square hardscape improvements were expected to begin by the end of the week. The work would include median improvements, curb modifications, an additional crosswalk between the courthouse and the County building, and ADA improvements.

Historic District Sanitation and Dumpster Discussion

Councilman Kovalik thanked Mr. Wharton and stated that the Town's previous discussion with Main Street business owners had been productive. He then asked about the sanitation information contained in the staff report and the proposed removal of the privately owned dumpster located on Town property near Denim and Pearls.

Councilman Kovalik asked why the existing dumpster needed to be removed before the Town constructed an enclosure and whether the dumpster could remain available while the enclosure was being built.

Mr. John Ward explained that the dumpster was privately owned but located on Town property and should not have been permitted there. He stated that it was the only privately owned business dumpster allowed on Town property and that the arrangement did not comply with the Town Code.

Mr. Ward reported that the business had been notified approximately six weeks to two months earlier of the Town's concerns. Staff had received pricing for constructing a code-compliant dumpster enclosure. He stated that the existing dumpster was leaking liquids, the surrounding area was not being maintained, and the conditions were attributable to the dumpster's user rather than the Town.

Mr. Ward stated that the private dumpster would be required to leave the Town property by November 1, 2025. The Town intended to install its own dumpster and construct an enclosure around it.

Councilman Kovalik asked how long the property might remain without a dumpster between the November 1 removal date and the delivery of the Town's replacement dumpster.

Mr. Ward stated that he did not know the supplier's delivery backlog. Staff expected to order the Town dumpster within approximately one to one and one-half weeks. During the interim period, the affected business could purchase trash cans and place them on the paved portion of First Street on collection days, as other businesses did.

Councilman Kovalik questioned whether requiring a busy restaurant to rely upon multiple trash cans was reasonable, given the amount of waste generated by a restaurant compared with an office or other business.

Mr. Ward responded that other restaurants used the Town's regular sanitation service. He cited Claire's at the Depot as an example, stating that the restaurant stored multiple cans in an enclosed area, placed them out on collection days, and removed them after collection.

Councilman Kovalik noted that Denim and Pearls presented different physical and logistical challenges because of its location next to a heavily used pedestrian area. He asked whether the cans would be placed on First Street rather than on the recently improved brick patio.

Mr. Ward confirmed that the cans could not be placed on the brick patio. They would need to be placed on the paved portion of First Street on collection days and removed afterward.

Councilman Kovalik stated that he had met with the restaurant owners and believed their location created challenges that might not apply to other restaurants. He asked whether the Town could identify a mutually acceptable solution, noting that the restaurant was a successful business that generated meals-tax revenue for the Town.

Mr. Ward stated that he had attempted to work with the business. He reported that the Town had installed a new concrete pad, but the dumpster continued to leak liquids and the area had not

been cleaned despite his requests. He reiterated that liquids were not permitted in the trash and that other businesses were not allowed to maintain private dumpsters on Town property.

Councilman McGuire stated that he had also visited the site and discussed the matter with the business. The speaker supported requiring the dumpster and surrounding area to comply with the Town Code but questioned whether the Town should require the immediate removal of a dumpster that the business was willing to continue paying for.

Councilman Mooney stated that the business was reportedly willing to allow other nearby businesses to use the dumpster and suggested that the Town consider allowing it to remain on the property if the business complied with cleanliness requirements and contributed to a proper enclosure.

Mr. Ward stated that the information provided to him had been different. He said the business had not offered to assist with the cost or construction of the enclosure and that the Town had paid for the concrete pad. He stated that, to his knowledge, the private dumpster had been placed on Town property without authorization from current Town staff.

Councilman Mooney acknowledged those concerns but stated that the dumpster had apparently been at the location for a number of years and was used by more than one business. The speaker suggested that an agreement might avoid having numerous trash cans placed along First Street while allowing the restaurant to continue paying for the dumpster. The agreement could require the dumpster to be enclosed, prohibit liquids, and make it available to other nearby businesses.

Mr. Ward responded that staff had provided the available information and that the Council would need to determine whether to follow and enforce the applicable Town Code requirements.

Councilman McGuire stated that property owners and businesses should follow the Town's rules. He said the Council needed to address a private dumpster located on Town property without payment or compliance and asked whether the business had been issued a ticket or other violation notice.

Mr. Ward stated that he had not issued a ticket but had emailed the business and asked that the area be cleaned. According to Mr. Ward, the business responded that the trash surrounding the dumpster was not its trash.

Councilman McGuire stated that, regardless of who placed the trash there, the dumpster belonged to the business and was located on Town property. He said the condition needed to be corrected and asked what the business would do while the Town installed the new dumpster and enclosure.

Mr. Ward reiterated that the business could purchase cans, place them on the paved portion of First Street on collection days, and remove them after collection.

Mr. Patrick Corish stated that the matter could potentially be addressed through the Town's code-enforcement process. He was uncertain that a new Council resolution was required because existing code provisions appeared to apply. Mr. Corish stated that staff could issue a

notice through the code-enforcement department and that the Town Attorney's office could send a formal demand letter or pursue court action if necessary.

Councilman Francis stated that the Town already had applicable code provisions and asked whether they could be enforced.

Mr. Corish responded that the Town could enforce the applicable requirements. He explained that enforcement could begin with a civil penalty through Fauquier County General District Court, likely by filing a warrant in debt. If the violation continued, the Town could later consider additional injunctive relief or other judicial remedies.

Councilman Francis asked whether the Town could first issue a warning directing the business to remove or correct the violation within approximately one week.

Mr. Corish confirmed that a warning could be issued.

Mr. Ward stated that enforcement notices would ordinarily be issued through Community Development rather than his department. Mr. Corish agreed that the code-enforcement department could issue the notice without the Town Attorney's signature, although his office could prepare a formal demand letter if requested.

Councilman Francis supported issuing a warning but stated that the compliance period should be brief rather than approximately one month.

Ms. Heather Jenkins, Zoning Administrator, advised the Council that a notice of violation concerning the matter had been issued more than two years earlier and remained unresolved.

Councilman McGuire asked whether the previous notice addressed only the presence of the dumpster or also the lack of an enclosure, leaking liquids, and related conditions. The staff member responded that it addressed the entire situation and agreed to provide a copy of the notice.

Councilman McGuire stated that the Council had discussed ordinance enforcement previously and that the Town needed to begin issuing violation notices when individuals and businesses failed to comply with its rules. He noted that the business had already been warned approximately two years earlier and stated that a ticket should be issued.

Councilman Mooney asked whether all nearby businesses would be permitted to use the Town's replacement dumpster after it and the enclosure were installed.

Mr. Ward confirmed that the replacement dumpster would be available to businesses and residents on that side of the historic district. He stated that staff was also examining fees charged by other communities for similar historic-district sanitation services and that the Town could eventually impose a fee to offset some of its costs.

Mr. Ward explained that Fauquier County provided the Town approximately \$200,000 to help offset disposal costs but that the payment did not include the expense of hauling commercial waste.

Councilman Kovalik asked whether the Town should be responsible for collecting commercial waste within the historic district.

Mr. Ward explained that the Town's existing regulations provided for collection from businesses, restaurants, apartments, and residences within the historic district but did not provide the same commercial collection service outside the district.

Councilman Mooney stated that the Town should not be responsible for collecting business waste and asked whether the proposed site would contain several dumpsters or one larger shared dumpster.

Mr. Ward responded that staff intended to begin with one shared dumpster serving the businesses and residents on that side of Main Street. A second dumpster would later be installed to serve the other side of the historic district.

Councilman Mooney asked whether staff was also addressing the other improper sanitation conditions previously shown to the Council.

Mr. Ward stated that staff was issuing notices, tightening its collection practices, educating customers regarding recycling requirements, and having sanitation supervisors leave notices explaining why improperly prepared trash had not been collected.

Councilman Francis asked what the restaurant occupying the site before Denim and Pearls had used for waste disposal.

Mr. Ward and Councilman Francis identified the former restaurant as Iron Bridge. Mr. Ward stated that Iron Bridge had used trash cans rather than a dumpster.

Councilman Francis asked why an immediate violation had not been issued when the dumpster was originally placed at the site.

Mr. Ward stated that the decision had been made under a previous administration and that he could not speak to how the placement had originally been permitted. Mr. Ward later apologized to Councilman Francis for having responded sharply, and Councilman Francis accepted the apology.

Councilman Mooney stated that the Town appeared to have allowed the dumpster to remain after the restaurant changed ownership and was now attempting to correct the situation several years later. The speaker asked whether the Town had an obligation to assist the business through the transition rather than immediately requiring removal or issuing a summons.

Mr. Ward responded that Community Development had attempted to obtain compliance for more than two years. He stated that the issue was not new and questioned how many additional opportunities should be provided.

Councilman Francis asked how the proposed shared dumpster would affect residents living in apartments above the Main Street businesses.

Mr. Ward stated that those residents would also be permitted to use the community dumpster designated for that portion of the historic district.

Main Street Traffic and Intersection Concerns

Councilman Kovalik asked Mr. Wharton about vehicles blocking the intersection of Main Street and Culpeper Street, particularly when drivers attempted to turn left from Culpeper Street onto Main Street. The speaker stated that vehicles frequently entered and stopped within the intersection and asked whether the Town could install “Do Not Block the Intersection” signs or roadway markings.

Mr. Wharton stated that the Town could begin by installing signs directing drivers not to block the intersection and could later consider hatched pavement markings if the problem continued.

Mr. Wharton explained that several Main Street crosswalks would be relocated as part of the project, including the crosswalk near Culpeper Street. He stated that sidewalk extensions and curb bump-outs would narrow the visual appearance of the roadway, create a funnel effect, and alert drivers that they were entering a pedestrian-oriented area.

Mr. Wharton stated that excessive signage could create aesthetic concerns within the historic district but continued to support measures preventing vehicles from blocking intersections.

Mr. Wharton also reported that staff planned to install intersection-blocking signs at Alexandria Pike and Winchester Street after the roadway was paved because vehicles turning left were increasingly obstructing that intersection during afternoon traffic.

There were no further questions,

G. Agenda Review

Deputy Town Manager Stephanie Miller reviewed the agenda for the October 14, 2025 regular meeting. She stated that the meeting would include the invocation, Pledge of Allegiance, Citizen’s Time, and approval of the agenda. No proclamations, recognitions, or public hearings were scheduled.

Ms. Miller reported that the Consent Agenda included:

Approval of the February 25, 2025 Special Town Council meeting minutes;

A request to advertise a vacancy on the Board of Zoning Appeals;

A resolution appropriating \$420,508 in Department of Conservation and Recreation grant funding for the Town’s Master Drainage Plan; and

The proposed COOP resolution discussed earlier in the work session.

Ms. Miller explained that the Master Drainage Plan was already included in the Town’s Fiscal Years 2026–2031 Capital Improvement Program and that the grant would offset a portion of the Stormwater Fund’s project costs.

Ms. Miller stated that New Business included a legal request. Mr. Patrick Corish explained that the request involved initiating a miscellaneous court action to facilitate discovery activities by the Warrenton Commission on Open and Transparent Government.

Proposed Town Email Access Resolution

Councilman Gagnon moved to add a discussion and vote concerning the proposed Town email-access resolution to New Business on the evening agenda.

The motion initially received no second. Councilman Gagnon questioned whether Robert's Rules of Order permitted discussion before a motion was seconded. Vice Mayor Semple asked Mr. Stephen Clough, Town Clerk, whether a second was required before discussion could begin.

Mr. Clough advised that, under Robert's Rules, a motion did not become the business of the Council until it was seconded and therefore could not be discussed before receiving a second. Councilman McGuire then seconded Councilman Gagnon's motion.

Councilman Gagnon provided an overview of the presentation he intended to make during the evening meeting. He stated that he would discuss the status of the Commission's request to review Town email records, where he believed the process had failed, and why the method of access then being proposed would not provide the information sought by the Commission.

Councilman Gagnon stated that he would also address the issues that had prevented the Commission from obtaining access to the email records under the authority he believed was granted to the Commission by state law. He planned to discuss state and federal documents cited in an August 14 memorandum from the former Town Manager as justification for restricting access to the emails.

Councilman Gagnon stated that the Commission's special counsel, Mr. Whit Robinson, would be invited to answer questions concerning those documents and regulations. The presentation would conclude with a review of the proposed resolution, its objectives, and the security safeguards proposed for access to Town emails.

Councilman Gagnon stated that the matter concerned whether the Town would fully investigate what had occurred in connection with Amazon and other significant land-use applications. He urged the Council to place the matter on the evening agenda so it could receive a public hearing and discussion.

Mr. Corish advised that the Town Attorney's office had not been provided an opportunity to review the proposed resolution or the materials that would be presented. He requested time to examine the materials for possible attorney-client privilege, security, and closed-session concerns. Mr. Corish emphasized that the request was not intended to obstruct the discussion but to ensure that the materials were reviewed by the Town Attorney's office.

Vice Mayor Semple proposed postponing consideration of Councilman Gagnon's motion until the Town Attorney had an opportunity to conduct the requested review. Following discussion regarding the proper parliamentary procedure, Vice Mayor Semple moved to amend the motion to postpone consideration of the proposed agenda addition until the Town Attorney had reviewed the materials. Councilman Mooney seconded the amendment.

Councilman McGuire compared the need for legal review to providing informed consent before making a decision. He asked whether Mr. Corish could complete the review before the evening meeting.

Mr. Corish responded that the answer depended upon the amount of material involved. He stated that he would also need to consult with Town Attorney Chap Petersen before advising the Council. Given the limited number of hours before the regular meeting and Mr. Petersen's unavailability, Mr. Corish could not confirm that a complete review could be performed that afternoon.

Vice Mayor Semple stated that the proposed email-access resolution implicated several resolutions previously adopted by the Council and authority those resolutions had assigned to the Town Attorney. He expressed concern that approving the new resolution without legal review could conflict with the Council's prior actions and could be viewed as arbitrary or unreasonable. Vice Mayor Semple urged the Council to allow the Town Attorney's office to complete its review.

Councilman Gagnon agreed to defer the matter but stated that he had introduced the proposed resolution more than three weeks earlier. He alleged that certain individuals had prevented it from being placed on the agenda. He stated that the underlying email-access issues were already known to the Council, the Town Attorney, and appropriate staff.

Councilman Gagnon stated that providing additional review time was unlikely to resolve the disagreement between the Town Attorney's position and those who supported broader access. He emphasized that the public was entitled to hear both sides of the issue and stated that the matter would eventually return to the Council.

Councilman Gagnon withdrew his motion to add the email-access resolution to the evening agenda. Vice Mayor Semple's amendment to postpone consideration was also withdrawn. No vote was taken on either motion.

Councilman Kovalik asked whether the Council was required to wait until the following regular meeting to reconsider the matter or whether it could schedule a special meeting within approximately two weeks.

Ms. Miller advised that the Council could hold a special meeting if it was properly advertised. She stated that a specific date would need to be selected and that the purpose and intended action of the special meeting would need to be clearly described. Councilman Kovalik discussed proposing a special meeting, but no completed motion was adopted during the work session.

Flock Safety License-Plate-Reader Cameras

Councilman McGuire moved to end further consideration of the proposed Flock Safety automated license-plate-reader cameras and to redirect the available funding to the Police Department for another purpose, with the Police Department returning to the Council with a proposed use of the funds. Councilman Kovalik seconded the motion.

Councilman Francis stated that he was confused by the motion because he understood that Police Chief Timothy Carter would return with additional information and possibly arrange a

presentation concerning the technology. He stated that he had not understood the cameras to be an action item during the agenda review.

Councilman McGuire clarified that his motion would express the Council's determination that it did not wish to continue considering the automated license-plate-reader system.

Councilman Mooney asked Chief Carter to explain the Police Department's planned next steps.

Chief Carter stated that, following the previous Council discussion, the Police Department had scheduled two community meetings to educate the public about automated license-plate readers and receive community feedback. He intended to present the results to the Public Safety Committee and then return to the Council, potentially during the November meeting.

Chief Carter emphasized that the Police Department was not committed to acquiring the technology and had presented it only as a potential law-enforcement tool. He stated that if the Council or community did not support the cameras, the Police Department would use the available funding for another purpose.

Chief Carter stated that his professional recommendation was to provide the public with accurate information concerning what the technology did and did not do before making a final decision. He believed the system could be useful to the Town but would respect the Council's decision.

Councilman McGuire stated that the prior presentation had been prepared by the vendor and that continuing the process would consume additional staff time and funds. He expressed concerns regarding privacy and stated that the public comments he had reviewed were overwhelmingly opposed to the cameras.

Councilman Gagnon stated that numerous residents had approached him to express opposition to automated license-plate readers. He also referenced public comments on articles concerning the proposal and reports of privacy-related problems involving similar systems in other jurisdictions.

Councilman Gagnon stated that the Council should exercise oversight over mass-surveillance technology and that, based upon the negative feedback already received, continuing the review would unnecessarily consume staff resources.

Councilman Kovalik referred to statistics from a previous presentation concerning the number of vehicles monitored by a similar system in Culpeper and the comparatively small number of vehicles identified. He stated that the apparent benefit was minimal compared with the volume of vehicles monitored but acknowledged not having the presentation available to verify the exact figures.

Vice Mayor Semple called a point of order and stated that the pending motion concerned ending the discussion rather than continuing a substantive debate over the merits of the camera system. He then called for the question.

The motion before the Council was restated as ending further discussion or consideration of the Flock Safety automated license-plate-reader cameras and redirecting the associated funds for another Police Department purpose.

The Votes were as follows:

Ayes: Mr. William Semple; Mr. Eric Gagnon; Mr. David McGuire; Mr. Paul Mooney; Mr. Larry Kovalik.

Nays: Mr. Roy Francis.

The motion passed by a vote of five to one.

Vice Mayor Semple adjourned the work session at 1:32 PM

II. REGULAR MEETING - 6:30 PM

The meeting was called to order by Town Clerk Stephen Clough due to the absence of both the Mayor and Vice Mayor at the start of the session.

Mr. Clough confirmed that a quorum was present and that the Council could conduct business. He stated that because Mayor Nevill was absent and Vice Mayor Semple had not yet been approved to participate electronically there was not yet a chair for the meeting and one would need to be selected. Mr. Clough requested nominations for a Chair Pro Tem.

Councilman Francis nominated Councilman Paul Mooney to serve as Chair Pro Tem for the meeting.

Councilman McGuire seconded the nomination.

There were no additional nominations.

The nomination was approved unanimously by the five members then present and participating.

Ayes: Mr. Paul Mooney; Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. David McGuire.

Nays: None.

Abstention: None.

Absent: Mayor Carter Nevill; Ms. Michele O'Halloran.

Not yet participating: Vice Mayor William Semple.

Councilman Mooney was elected Chair Pro Tem by a vote of 5-0 and assumed the Chair.

INVOCATION.

Chair Pro Tem Mooney welcomed those in attendance and introduced Pastor Ruiz of Warrenton Bible Fellowship. Pastor Ruiz delivered the invocation.

PLEDGE OF ALLEGIANCE.

Chair-Pro Tem Mr. Paul Mooney led the pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS.

Deputy Town Manager Stephanie Miller presented the Town's Excellence in Action recognition slideshow, which highlighted recent new hires and employee promotions within the Department of Parks and Recreation.

Ms. Miller recognized Maddie Kruna, Tristan Bryant, and Carrie Lamas as new lifeguards. She also recognized Tracy Thomas and Kathy Schleitz as new customer service specialists.

Ms. Miller announced the promotions of Denise Roby and Melanie Salas to Manager on Duty.

Chair Pro Tem Mooney congratulated the new employees and those receiving

CITIZEN'S TIME.

Chair Pro Tem Mooney reviewed the procedures for Citizen's Time. He stated that speakers were allowed up to three minutes to address the Council regarding non-agenda matters and were asked to state their names and areas of residence. Chair Pro Tem Mooney reminded attendees that Citizen's Time was intended for comments rather than questions or debate and that Council members would listen without responding.

Mr. Trey Mettinger, a resident of Ward 1, expressed strong dissatisfaction with the Council's actions earlier that day. He thanked Mayor Nevill, Councilwoman O'Halloran, Vice Mayor Semple, and Councilman Francis for their votes opposing the termination of Town Manager Frank Cassidy's contract.

Mr. Mettinger criticized what he viewed as a lack of transparency by the Council. He also raised concerns regarding housing affordability, rising living costs, utility-rate increases, and the condition of the Town's water and sewer infrastructure.

Mr. Mettinger questioned the composition of the Warrenton Commission on Open and Transparent Government, alleging that certain Commission members had been associated with political organizations that contributed to Council candidates' campaigns. He argued that the termination of Mr. Cassidy appeared intended to remove an obstacle to the objectives of certain Council members.

Mr. Mettinger stated that he was filing a complaint as a citizen against the four Council members who supported the termination and called upon them to remove themselves from office.

Mr. John Albertella spoke on behalf of the Warrenton Preservation Alliance. Mr. Albertella initially asked whether he was entitled to five minutes as the representative of an organization. Chair Pro Tem Mooney explained that the extended speaking period applied to public hearings rather than Citizen's Time.

Mr. Albertella addressed the Town's property-maintenance enforcement actions concerning 3 Hotel Street and 46 Winchester Street. He referenced the relief requested in the Town's court complaints, including authorization for the Town to correct violations and recover the resulting costs from the property owners through available tax-collection procedures.

Mr. Albertella stated that he had also researched other possible enforcement remedies and suggested that the Town consider collection actions, garnishment, and other coercive measures rather than relying upon a single remedy. He urged the Council to examine all available enforcement options in addressing the conditions of the properties.

Ms. Robin Thompson, of 157 Pinnacle Court, thanked Mayor Nevill and Vice Mayor Semple for responding quickly to a recent concern and stated that their involvement had made a meaningful difference.

Ms. Thompson also thanked Mayor Nevill for acts of kindness shown to her late father, Robert Walker, who had lived on Fourth Street for more than 70 years. She recalled that the Mayor had quietly assisted her father by clearing snow and providing other personal support during his later years.

Ms. Thompson stated that she had been encouraged by the cooperative atmosphere at the preceding Council meeting but was troubled by the reports concerning the termination of Mr. Cassidy's contract. She described Mr. Cassidy as approachable and supportive, particularly in his relationship with her church. Ms. Thompson expressed concern for Mr. Cassidy and his family and encouraged the Council to exercise wisdom, fairness, and unity.

Mr. Raheem Ebrahim, a resident of Ward 4, expressed concerns regarding the proposed installation of Flock Safety automated license-plate-reader cameras at several entrances to the Town.

Mr. Ebrahim stated that, unlike cameras activated by a specific traffic violation, the proposed system could record the license plates of all vehicles passing the cameras. He expressed concern regarding the expansion of public and private surveillance systems and the potential use or sharing of collected information.

Mr. Ebrahim acknowledged that the proposed Warrenton system would include certain safeguards, including Town law-enforcement ownership of the data and a limited data-retention period. Nevertheless, he urged the Town to proceed cautiously. He stated that he intended to attend an upcoming Police Department community meeting to obtain additional information and further express his concerns.

Mr. Ebrahim also expressed disappointment regarding the Council's decision to terminate Mr. Cassidy's contract. He stated that his personal interactions with Mr. Cassidy had been positive and described him as an engaged public servant who supported Town employees and maintained strong community relationships.

Mr. Ebrahim thanked Mayor Nevill, Vice Mayor Semple, Councilwoman O'Halloran, and Councilman Francis for opposing the termination. He requested that the Council members who supported the action provide the public with an explanation for their decision.

Mr. Winston Watt, of 158 Winchester Street, spoke in support of Mr. Cassidy. He described Mr. Cassidy as a leader who was professional, responsive, forward-looking, and principled.

Mr. Watt stated that he had worked with Mr. Cassidy for more than two years through the Warrenton Preservation Alliance. Although Mr. Cassidy did not always agree with the organization's requests, Mr. Watt said their working relationship remained respectful and productive.

Mr. Watt credited Mr. Cassidy's leadership with improving the operation and effectiveness of the Community Development Department. He asked the Council to reconsider its decision and stated that, absent a serious cause for termination, the public deserved an explanation.

Mr. Brandon Neil stated that he had spoken before the Council approximately four months earlier and had since met with several Council members regarding potential investment in the Town.

Mr. Neil stated that he had encountered what he viewed as unnecessary administrative barriers while attempting to attract investors for a significant development project. He argued that an individual could be an effective leader but nevertheless not be the appropriate leader for a particular organization or direction.

Mr. Neil expressed support for the Council's decision concerning Mr. Cassidy. He compared the Town to a corporation whose residents were its stakeholders and stated that leadership should pursue efficiency, technology, accountability, and timely decision-making.

Mr. Neil encouraged the Council to continue making difficult decisions and identified the principles he expected from his own organization through the acronym "TEACH": transparency, efficiency, accountability, collaboration, and hospitality.

After the registered speakers had concluded, Chair Pro Tem Mooney invited additional attendees to address the Council.

Mr. Charles Hooper, of 62 Old Orchard Lane, expressed support for the Council's decision concerning Mr. Cassidy. Mr. Hooper made strongly critical allegations regarding Mr. Cassidy's conduct and management of the Town.

Mr. Hooper acknowledged that the Council's decision had likely been difficult and stated that he looked forward to the selection of a new Town Manager who would provide a new direction and serve all Town residents.

Mr. Rernard Carlos, of 54 East Shirley Avenue, expressed disappointment regarding the reports of Mr. Cassidy's termination. He acknowledged that Council members were required to make difficult decisions and stated that he did not expect any employee or official to be perfect.

Mr. Carlos stated that, after Mr. Cassidy's years of service to the Town, he would have preferred a more respectful and orderly departure in which Mr. Cassidy was thanked for his service and informed that the Town was moving in a different direction.

Mr. Carlos expressed concern that some Council members appeared to have been surprised by the action. He encouraged members to communicate directly with one another, even when they disagreed, and stated that unexpected actions and a lack of communication did not promote effective governance.

Mr. Carlos emphasized that the Town's future depended upon the Council's ability to work cooperatively. He also stated that the manner in which the Town treated its employees could affect employee retention and the Town's ability to recruit future staff.

Mr. Carlos noted that the Town continued to face significant housing, economic, and governmental challenges and that recruiting a new Town Manager would require additional time and attention that might otherwise have been directed toward those priorities.

There were no additional speakers, and Chair Pro Tem Mooney closed Citizen's Time.

APPROVAL OF THE AGENDA.

Councilman Gagnon moved to amend the agenda by adding an item under New Business concerning the scheduling of a special meeting to discuss and vote on the appointment of a new Town Attorney. Councilman Kovalik seconded the motion.

Vice Mayor Semple asked Councilman Gagnon to explain the reason for the proposed special meeting. Councilman Gagnon stated that the purpose would be to discuss and vote on the appointment of a new Town Attorney at a special meeting to be held in approximately one week.

Vice Mayor Semple questioned the need for the proposed meeting. He stated that Councilman Gagnon appeared to believe the Town Attorney had created obstacles to certain investigations, even though prior Council resolutions had assigned the Town Attorney responsibility for providing legal advice and assisting with those matters.

Vice Mayor Semple stated that the Town's attorneys were highly qualified, had provided excellent service to staff, and had represented the interests of the Town as a whole.

Councilman Gagnon stated that he was prepared to provide a more complete explanation but suggested that the substantive discussion occur under New Business if the agenda amendment were approved.

Mr. Patrick Corish advised that discussing the reasons for the proposed special meeting under New Business would be the more appropriate procedure.

Chair Pro Tem Mooney called for a roll-call vote on the motion to amend the agenda.

The vote was as follows:

Ayes: Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Chair Pro Tem Paul Mooney; Vice Mayor William Semple.

The motion to amend the agenda passed by a vote of 4–2.

Councilman Francis then moved to approve the agenda as amended. Councilman Kovalik seconded the motion.

There was no further discussion.

The votes were as follows:

Ayes: Chair Pro Tem Paul Mooney; Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. David McGuire.

Nays: Vice Mayor William Semple.

The agenda, as amended, was approved by a vote of 5–1.

PUBLIC HEARINGS.

There were no public hearings for the evening.

CONSENT AGENDA.

Approval of Town Council Meeting Minutes

February 25th, 2025, Special Town Council Meeting.

BZA Appointment Vacancy- Advertising Request

Appropriate DCR Grant Funding

COOP + EMD Updates

Councilman Francis moved to approve the Consent Agenda as submitted.

Councilman McGuire seconded the motion.

There was no discussion. The votes were as follows:

Ayes: Chair Pro Tem Paul Mooney; Vice Mayor William Semple; Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. David McGuire.

Nays: None.

The motion passed unanimously by a vote of 6–0, and the Consent Agenda was approved as submitted.

NEW BUSINESS.

a. Legal Requests

Mr. Patrick Corish presented a proposed resolution authorizing the Town Attorney's office to file a miscellaneous action in the Fauquier County Circuit Court in support of the Warrenton Commission on Open and Transparent Government.

Mr. Corish explained that the miscellaneous action would provide a procedural mechanism through which the Commission could obtain subpoenas for third parties. If the Commission requested that a third party appear or produce documents and the party failed to comply, the Town Attorney's office could seek a court-issued subpoena compelling the requested appearance or production of records.

Mr. Corish recommended that the Council approve the resolution as drafted.

Councilman Francis moved to approve the proposed resolution and direct the Town Attorney's office to file the miscellaneous action. Before the motion was seconded, Councilman McGuire asked whether the Council should conduct a public hearing because the resolution could ultimately compel individuals to appear or produce documents.

Mr. Corish stated that a public hearing was not legally required, although the Council could conduct one if it wished.

Councilman Mooney stated that the Council had already established the Commission and approved its responsibilities. The speaker understood the proposed resolution as implementing the Commission's existing authority by providing access to a judicial subpoena process if it became necessary.

Mr. Corish agreed and clarified that the initial court filing would not name a defendant. The miscellaneous action would establish a pending court matter through which subpoenas could later be requested if a third party failed to comply with a Commission request.

During the discussion, the Council recognized that Councilman Francis's motion had not yet received a second. Councilman Kovalik seconded the motion for purposes of discussion.

Councilman McGuire asked what consequences could result if an individual failed to comply with a Commission request or subpoena.

Mr. Corish explained that the Commission would first issue a request or demand. If the person did not respond, the Town Attorney's office could seek a subpoena through the miscellaneous court action. Failure to comply with the court-issued subpoena could result in a show-cause proceeding or a motion to quash the subpoena. Continued noncompliance could constitute contempt of court, with the consequences determined by the presiding judge.

Councilman McGuire asked whether a person appearing in response to the subpoena could invoke the Fifth Amendment. Mr. Corish confirmed that the person could assert any applicable constitutional right.

Vice Mayor Semple stated that the Council's previous resolution establishing the Commission had contemplated the possible issuance of subpoenas. He noted that the Commission had approved the proposed court filing and described the action as a procedural step necessary to advance the Commission's work after several months of delay.

Councilman Kovalik asked whether the matter had come from the Commission to the Council with the Commission's recommendation for approval. Mr. Corish confirmed that it had.

There was no further discussion. The votes were as follows:

Ayes: Chair Pro Tem Paul Mooney; Vice Mayor William Semple; Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon; Mr. David McGuire.

Nays: None.

The motion passed unanimously by a vote of 6-0.

b. Special Meeting Concerning the Town Attorney

Councilman Gagnon moved to hold a special meeting in approximately one week to discuss and vote on the appointment of a new Town Attorney. Councilman Francis seconded the motion.

Councilman Gagnon stated that significant disagreements had developed between certain Council members and the Town's current legal counsel. He characterized those disagreements as unlikely to be resolved and stated that the Town should consider a change in legal representation.

Councilman Gagnon alleged that the Town Attorney had substituted his judgment for that of the Council, failed to follow Council instructions in at least one significant legal matter, and had not been adequately prepared for certain discussions. He stated that a special meeting would provide an opportunity to discuss those concerns and consider alternatives for retaining new legal counsel.

Vice Mayor Semple opposed the proposal. He stated that disagreement with legal advice was not sufficient reason to replace the Town Attorney. He emphasized that the Town had retained experienced legal counsel from a respected law firm and that the attorneys had provided written recommendations concerning the matters before the Council.

Vice Mayor Semple stated that attorneys advise the Council but do not control its decisions. He cautioned that disregarding professional legal advice could expose the Town to adverse consequences. He also praised the Town Attorney's work on the Town's routine legal matters and stated that counsel was obligated to provide impartial advice rather than advice designed to achieve the preferred objective of individual Council members.

Councilman Kovalik stated that he was not attempting to resolve the competing assertions made by Councilman Gagnon and Vice Mayor Semple. His concern was that several legal matters had been pending for an extended period and had not progressed as quickly as he expected after the Council provided direction months earlier.

Councilman Kovalik stated that a work session would allow the Council to discuss why the matters appeared to have stalled and determine how to proceed. He supported holding a discussion but noted that the date would need to be coordinated with existing meetings and schedules.

Vice Mayor Semple suggested that the Council could discuss the issue during the current meeting.

Councilman McGuire objected to conducting a detailed discussion while Town Attorney Chap Petersen was absent. He stated that professional courtesy and fairness required that Mr. Petersen be present and have an opportunity to respond.

Several members agreed that the substantive discussion should occur when Mr. Petersen was available.

Councilman Francis addressed the residents of Ward 1 and stated that the plaintiffs involved in the Amazon matter were located within his ward. He stated that he felt obligated to support those residents but found it difficult to evaluate the conflicting information and legal positions presented to the Council.

Councilman Francis expressed concern that the matter had not progressed and stated that the Town needed to move forward rather than continue arguing without resolution. He said he did not feel that the Ward 1 residents or the Council were receiving sufficient support in advancing the matter.

Town Clerk Stephen Clough asked Councilman Gagnon whether the phrase “approximately one week” allowed staff to select a date based upon the schedules of Council members and Mr. Petersen.

Mr. Clough noted that the Planning Commission was scheduled to meet one week later and that other events were also planned.

Councilman Gagnon confirmed that the meeting could occur a few days before or after the one-week timeframe, depending upon availability. He agreed that Mr. Petersen should be included.

Councilman McGuire noted that Mr. Petersen was expected to return on Sunday, October 19, 2025. He stated that the special meeting should occur after Mr. Petersen returned so that he could respond to the allegations and so the Council could review the evidence supporting the concerns raised.

Chair Pro Tem Mooney clarified that the proposed special meeting would include the current Town Attorney and would address the future of the Town’s legal representation. He agreed that the meeting should be scheduled after Mr. Petersen’s return.

Councilman McGuire stated that the Council would also need a transition plan and an understanding of available alternatives before terminating its current legal representation. The speaker recommended that the special meeting initially be informational, allowing the Council to hear from the Town Attorney before determining its next action.

Chair Pro Tem Mooney called for a roll-call vote.

Councilman Francis stated that he did not favor language that appeared to place a potential termination over the Town Attorney before the discussion occurred. He stated that he would rather have the discussion of what is or what is not being done and that things could be accomplished in different ways. He stated he voted aye to have the discussion down the road.

Ayes: Mr. Roy Francis; Mr. Larry Kovalik; Mr. Eric Gagnon.

Nays: Chair Pro Tem Paul Mooney; Vice Mayor William Semple.

Abstention: Mr. David McGuire.

Absent: Mayor Carter Nevill; Councilwoman Michele O'Halloran.

The motion passed by a vote of 3–2, with one abstention. Staff was directed to schedule and advertise the special meeting in coordination with the Council and legal counsel.

UNFINISHED BUSINESS.

There was no unfinished business

TOWN ATTORNEY'S REPORT.

Mr. Patrick Corish reported that the Town Attorney's office had been working with Town staff on several contractual, litigation, development, and property-related matters.

Mr. Corish stated that the agreement involving Taylor Middle School and Branch, the project contractor, had been completed and that he understood the necessary permits had been issued.

He also reported that agreements had been reached for monitoring the heating and air-conditioning equipment at the Warrenton Aquatic and Recreation Facility and for cybersecurity support to assist the Information Technology Department with identifying potentially dangerous websites and strengthening the Town's computer firewalls.

Mr. Corish provided an update on several pending court matters. Two General District Court actions involving building-code violations were scheduled for proceedings, with one matter set for the following month and another set for January.

A motion for summary judgment relating to one of the property-maintenance matters discussed during Citizen's Time was scheduled for October 24, 2025. Mr. Corish explained that the defendant had defaulted under a settlement agreement and that the requested final court order would provide the Town with the remedies sought in its complaint.

Mr. Corish reported that the trial in *Sayers v. Town of Warrenton* was scheduled for November 6, 2025. He also stated that he was continuing to work with Town Attorney Chap Petersen on the Amazon matter.

In addition, Mr. Corish had reviewed draft deeds and easements affecting properties throughout the Town and participated in preliminary discussions concerning the proposed Warrenton Village development and a proposed Comcast project.

Hotel Street and Winchester Street Properties

Councilman Kovalik asked whether the enforcement actions concerning the Hotel Street and Winchester Street properties were at the same stage of the court process.

Mr. Corish responded that both matters had previously been stayed pursuant to settlement agreements. A hearing in one matter was scheduled for October 24, 2025, and he expected to schedule the Hotel Street matter for a hearing in November. He anticipated that both cases would result in final court orders within approximately one month.

Councilman Kovalik asked when the Town would be able to enter the properties, correct the violations, and restore the buildings to a reasonable condition. The speaker characterized the continuing deterioration as demolition by neglect and asked whether the Town could recover its costs by placing a lien against the properties.

Mr. Corish explained that the requested final court orders would authorize the Town to enter the properties and perform the necessary remediation. The Town could then recover the remediation expenses by attaching the costs to the affected property through a tax lien.

Mr. Corish disagreed with the suggestion made during Citizen's Time that contempt sanctions should serve as the Town's primary remedy. He stated that the Town was following the specific statutory process provided by the General Assembly: issuing notices, pursuing enforcement actions, establishing the violations in court, correcting the conditions when the owner failed to do so, and recovering the costs from the property owner.

Mr. Corish stated that both matters were expected to proceed through motions for summary judgment rather than full trials because the underlying violations and obligations had already been incorporated into settlement agreements.

Councilman Kovalik asked whether the Town could also recover the legal expenses incurred in pursuing the cases.

Mr. Corish responded that attorney's fees associated with the newer proceedings arising from the breached settlement agreements could be recovered because the agreements contained attorney-fee provisions. He did not believe the governing statute authorized the recovery of all legal expenses incurred before the settlement agreements were breached.

Councilman McGuire asked whether the Town could issue citations for continuing building-code violations.

Mr. Corish confirmed that building-code violations could ordinarily be pursued through a warrant in debt, potentially involving penalties of approximately \$4,000 for continuing violations. He explained, however, that the Town had elected to pursue the more comprehensive Circuit Court remedy in these particular cases.

Councilman McGuire stated that the Town needed to enforce its ordinances more consistently and should consider revising its ordinances if necessary to provide clearer authority for citations and penalties. The speaker expressed concern that a lack of enforcement could encourage continued noncompliance and negatively affect surrounding properties and the Town's tax base.

TOWN MANAGER'S REPORT.

Deputy Town Manager Stephanie Miller provided the following updates:

The Communications and Emergency Management Department had launched Alert Warrenton, the Town's new emergency alert and public-information system.

The third session of the Your Town Academy was scheduled for October 15, 2025, and would feature presentations from the Parks and Recreation Department and Police Department. Ms. Miller reported that the academy continued to progress well.

The Parks and Recreation Department would host its annual Flashlight Candy Hunt at Rady Park on October 25, 2025.

Ms. Miller also reported that the Town Manager had recently provided Ignite Fauquier with information concerning the Main Street improvement project.

A public town hall concerning the Main Street project was scheduled for October 27, 2025, in the Council Chambers. The meeting would provide residents and business owners with another opportunity to receive information and ask questions regarding the planned construction.

COUNCILMEMBERS TIME.

Councilman Francis thanked the Ward 1 residents who attended the meeting and expressed appreciation for their support and participation.

He described service on the Council as difficult and stated that he needed to continue reviewing the issues before the Council so that he could make informed decisions.

Councilman Francis also commented that the anticipated opening of the Sheetz location did not appear likely to occur in November, although that remained the announced schedule. He thanked everyone for attending.

Vice Mayor Semple described the day as one of the most disappointing of his service on the Town Council.

He stated that he had hoped Council members would act in good faith and work collaboratively. He explained that the Warrenton Commission on Open and Transparent Government had been established to examine development-review procedures, identify practices that limited meaningful public participation, review significant applications from the preceding six years, and recommend changes that would make the Town government more open and transparent.

Vice Mayor Semple stated that the Commission's final report was intended to provide the Council with findings, supporting documentation, and recommendations for improving Town procedures.

He characterized the Council's earlier action concerning the Town Manager as one of the least transparent actions he had witnessed during his Council service. He objected that the action occurred without a public explanation and without involving three members of the Council in advance.

Vice Mayor Semple stated that the manner in which the decision was made had undermined the moral authority of the Commission and was inconsistent with the Council's stated goals of collaboration, communication, and transparency.

Councilman Kovalik thanked the residents who attended the meeting and those who spoke during Citizen's Time. He encouraged residents to continue communicating with Council members by attending meetings, sending correspondence, and sharing their concerns and ideas.

Councilman Kovalik stated that serving on the Council was rewarding but also difficult because members were required to consider extensive information and make decisions on which the community might not reach complete agreement.

He stated that he looked forward to receiving the final report of the Warrenton Commission on Open and Transparent Government and did not want to interfere with the Commission's work.

Councilman Kovalik rejected the suggestion that Council members were acting secretly or without regard for their constituents. He stated that the Council was examining prior land-use decisions that he believed had been harmful to the Town and had not adequately reflected substantial public opposition.

He expressed concern about decisions affecting significant transportation corridors and stated that he had requested transportation-impact information concerning Lee Highway, Culpeper Street, Shirley Avenue, Falmouth Street, and Meetze Road.

Councilman Kovalik also discussed his review of County records concerning development proposals and later rezoning applications involving potential incorporation into the Town. He stated that reviewing the history of those matters required substantial research and that the Council was attempting to ensure that no relevant information was overlooked.

He expressed disappointment that the Commission's work had not advanced more quickly and stated that any obstruction preventing access to information should be addressed. He emphasized that the information being sought belonged to the public and was necessary for the Council to conduct a thorough review.

Councilman Kovalik stated that the Council's decisions were not made casually or arbitrarily. He said Council members were attempting to understand questionable events that could have long-term effects on the community and to provide residents with the answers they deserved.

Chair Pro Tem Mooney thanked the residents who attended, contacted Council members, and provided feedback. He congratulated the employees recognized earlier in the meeting and

thanked Deputy Town Manager Stephanie Miller for her professionalism and leadership during the day.

Chair Pro Tem Mooney thanked Vice Mayor Semple, Ms. Miller, and Ms. Brooke Campbell for developing the financial-projection tool presented during the work session. He stated that the tool would allow Council members to test budget assumptions, evaluate personnel and expenditure scenarios, and better understand the long-term financial effects of Council decisions.

He expressed concern that current projections could require the Town to incur debt to support its operations. He stated that routinely borrowing to operate was not a sound financial practice and praised the Finance Committee and staff for creating a tool to help the Council address that concern.

Chair Pro Tem Mooney encouraged residents and Main Street stakeholders to attend the October 27, 2025 town hall concerning the Main Street construction project. He emphasized that the meeting would provide an opportunity to learn how construction would affect businesses, residents, and visitors.

Chair Pro Tem Mooney then addressed his vote earlier that day concerning Town Manager Frank Cassidy. He stated that the decision had not been made lightly and acknowledged the respect and admiration many employees had for Mr. Cassidy. He expressed appreciation for Mr. Cassidy's dedication and professionalism.

Chair Pro Tem Mooney stated that his responsibility as an elected representative was to act in the best interests of Town residents. He said he had spoken with staff members following the work session and explained his reasoning.

He stated that he lived, worked, and participated in the Warrenton community and regularly received feedback from residents. He acknowledged that Council decisions frequently produced both criticism and support, including from friends and family.

Chair Pro Tem Mooney stated that he made each decision independently, based upon his conscience, his work, and the residents he represented. He said that he accepted responsibility for his vote and was prepared to discuss it directly with Mr. Cassidy, Town employees, and members of the public.

He encouraged Town staff, the Council, and residents to remain focused on their shared goals and continue the Town's work.

Councilman Gagnon reported that the Council had voted during the work session to end further consideration of the proposed Flock Safety automated license-plate-reader cameras.

He stated that his position was based upon comments he had received from residents and the overwhelmingly negative public response he had observed. He characterized the technology as a form of mass surveillance with potentially harmful future consequences and stated that he would oppose similar proposals while serving on the Council.

Councilman Gagnon also discussed the work of the Warrenton Commission on Open and Transparent Government. He stated that the Commission had reached a critical point concerning access to Town email records and that decisions made during the following weeks would determine whether its final report satisfied the goals established by the Council.

He asserted that the Town's elected representatives and the Commission should be able to review Town email records, subject to appropriate privacy and security safeguards. He stated that restrictions on access could prevent the Commission from adequately examining the Amazon, Warrenton Village, and Arrington development matters.

Councilman Gagnon stated that he would continue advocating for access to the records because he believed it was necessary to complete the Commission's work and fulfill the expectations of the residents who elected him.

Councilman McGuire

Councilman McGuire thanked everyone for attending the meeting and wished those present a good evening.

ADJOURNMENT.

With no further business, this meeting was adjourned at 8:02 P.M. on Tuesday, October 14th, 2025.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on October 14th, 2025.

Stephen M. Clough
Town Recorder

Attachments:

- 1) Handouts to Council from Citizen's time. October 14th, 2025.
- 2) Citizen Comment Emails and form submissions.
- 3) Signed legislation.



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

October 14th, 2025, Regular Town Council Meeting Minutes

Attachment 1: Citizen Comment emails and form submissions.

From: "jim walther" [REDACTED]
Sent: Tue, 9 Sep 2025 10:25:38 -0400
To: "" <citizencomment@warrentonva.gov>
Subject: Timely updates.....Broadview ave.

You don't often get email from [REDACTED] [Learn why this is important](#)

Re: Broadview ave. construction

Is the project currently on schedule?

Has the change from night work to day work resulted in any measurable impacts—positive or negative—on cost, safety, or progress? Is the bike lane still required?

(https://virginiamercury.com/2023/10/02/as-va-officials-review-smart-scale-some-regional-planners-worry-about-shifting-priorities/?utm_source=chatgpt.com)

Has the projected cost savings been confirmed?

Why are traffic lanes not reopened during non-working hours to improve flow?

Has there been consideration of using middle lanes for through-traffic instead of blocking a lane 24/7?

Have local businesses been asked about the impact this project is having on their operations?

Does the Town anticipate that meals tax revenue may come in under budget as a result of business disruption?

I appreciate your time and any information you can provide to help residents and businesses better understand the status and impacts of this important project.

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
Sent: Tue, 9 Sep 2025 14:27:56 +0000
To: "" <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	jim walther
Address	34 broadview ave
City	warrenton
State	va
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	<i>Field not completed.</i>
Agenda Item	broadview construction. Update requested.
Comment	Re: Broadview ave. construction: Is the project currently on schedule? Has the change from night work to day work resulted in any measurable impacts—positive or negative—on cost, safety, or progress? Is the bike lane still required? (https://virginiamercury.com/2023/10/02/as-va-officials-review-smart-scale-some-regional-planners-worry-about-shifting-priorities/?utm_source=chatgpt.com) Has the projected cost savings been confirmed? Why are traffic lanes not reopened during non-working hours to improve flow? Has there been consideration of using middle lanes for through-traffic instead of blocking a lane 24/7?

Have local businesses been asked about the impact this project is having on their operations?

Does the Town anticipate that meals tax revenue may come in under budget as a result of business disruption?

I appreciate your time and any information you can provide to help residents and businesses better understand the status and impacts of this important project.

Email not displaying correctly? [View it in your browser.](#)

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
 <noreply@civicplus.com>
Sent: Wed, 17 Sep 2025 15:25:17 +0000
To: "" <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	Barbara Burden
Address	106 Meadowview Lane
City	Warrenton
State	va
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Planning Commission
Agenda Item	LWAV-25-2
Comment	Retaining wall...who will maintain its integrity. Drainage .. Who will provide and maintain accurate draining. Would like to see an appropriate easement in front of retaining wall to maintain its integrity.

Email not displaying correctly? [View it in your browser.](#)

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
 <noreply@civicplus.com>
Sent: Sat, 27 Sep 2025 13:21:59 +0000
To: "" <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Public Comment

Name	Declan McArdle
Address	8452 Turnbull Rd
City	Warrenton
State	Virginia
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Warrenton Contract with Flock Safety
Comment	I have some serious concerns with the plan to contract with Flock Safety and install "license plate reader" cameras on our streets. First of all, these are not plate readers. Also, contrary to Chief Carter's comments, Flock Safety not only shares all the data it collects, but it sells it to other law enforcement and federal agencies. Any good cop will admit that kind of info (often collected on private property, like 7-11 Flock cameras) cannot legally be collected without a warrant. But Flock deceptively makes its customers agree to make all data their property, so they sell it to anyone who wants it.

This is not acceptable, and the people of Warrenton deserve much more information before this change. I, for one, will not let my town sink into the surveillance state sludge.

Ask the question: why Flock's overpriced AI powered system?
Why not any other actual plate reader??

Email not displaying correctly? [View it in your browser.](#)

From: "NA Farmer" [REDACTED]
Sent: Mon, 6 Oct 2025 10:57:24 -0400
To: "" <citizencomment@warrentonva.gov>
Subject: FLOCK license plate reader

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello,

I wanted to comment on the FLOCK license plate reader.

I understand we want to do whatever is necessary to reduce crime, but I do not feel the FLOCK cameras are the way to go.

Law enforcement officials claim they are using these cameras solely to identify lawbreakers. However, at the same time, law enforcement is reviewing the license plates of thousands of innocent people and retaining this information on file for thirty days.

I am not a criminal and should not have my license plate number checked to see if I am a criminal, because I am driving in town for whatever reason.

These cameras will not be effective. Some criminals are not stupid. Those who are not will avoid going into town, along with innocent people who feel their privacy rights are being violated, will stop going into town to shop.

Please rethink the use of these cameras and find a more effective way of reducing crime.

Thank you,
Naomi Farmer
Fauquier County Resident

Draft

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
 <noreply@civicplus.com>
Sent: Thu, 9 Oct 2025 13:20:40 +0000
To: "" <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	R. Palmer
Address	200 Winchester St.
City	Warrenton
State	Va
Zip Code	20186
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	FLOCK: BIG BROTHER
Comment	To the Warrenton Town Council, I'm writing to voice my STRONG OPPOSITION to the proposed installation of Flock cameras in our town. While the police chief may frame this as a public safety measure, I see it for what it is: a dangerous step toward a surveillance state that erodes our fundamental rights and privacy. This isn't about solving crime; it's about building a database that allows for the tracking of every single one of us, regardless of whether we've done anything wrong. Privacy Invasions - "BIG BROTHER" Flock cameras are not like a traditional red-light or speed camera that only activates when a violation occurs. They are constantly on, capturing a "snapshot" of every vehicle that passes by. This isn't just a license plate number; the system captures a detailed VEHICLE FINGERPRINT, including the car's make, model, color, and even unique characteristics like

bumper stickers or roof racks.

This data is then uploaded to a central, searchable database. This means that a person's entire travel history can be looked up...where they go to work, who they visit, where their kid's school is, and more. This isn't limited to active criminal investigations. Authorities can use this database to track a specific vehicle's location history WITHOUT NEEDING A WARRANT, as noted in a lawsuit against the City of Norfolk, Virginia, that is challenging the constitutionality of this practice.

The idea that our daily movements can be logged and stored without our knowledge or consent is the very definition of a "Big Brother" surveillance system, and it flies in the face of our 4th Amendment rights. A federal court has even found that the long term location tracking capabilities of these systems are "notably similar" to the cell phone tracking found to be unconstitutional in the Supreme Court case *Carpenter v. United States*.

AMAZON: A slap in the face for residents

Let's not forget how this town got to this point. The last Town Council was voted out of office in large part because they approved the town's first data center, the Amazon Web Services data center. Now this new council is considering approving a surveillance platform that stores its data on... you guessed it, AMAZON WEB SERVICES!!

It's a HUGE insult to the community to even consider storing this sensitive surveillance data on the very same company's servers that fueled our last political firestorm. While Flock claims that this data is encrypted and secure, the fact remains that it is a privately-owned company that has a contract with another private corporation (Amazon) to store the information. This creates a troubling public-private partnership where our most sensitive personal information is held by corporations with a history of secrecy and a primary interest in profits, not public good.

PROTECT the 1st Amendment

We are at one of the most divisive times in our nation's history. Our First Amendment rights (freedom of speech, assembly, and protest) are under attack from all sides. Now you want to approve a system that could be used to TRACK and MONITOR citizens who are exercising those rights?! A system that will be

used to create a digital record of WHO attended a political rally, a protest or even a town council meeting? This is the EXACT kind of overreach that makes us afraid to speak our minds and get involved in the community. Keep in mind, the same police chief pushing this surveillance is the same one who kicked BLM protestors off Main street to silence their first amendment rights to assembly and free speech. Do we live in a police state, or a free state?

Passing this proposal would be a profound BETRAYAL of the trust the community placed in you. It would tell us that you value corporate surveillance over the constitutional freedoms and privacy of the very people you were elected to represent. It would tell us that you had no interest in the platform you ran on, that you used a legitimate group of concerned citizens to gain their vote, and then spat in their faces while taking away their rights. We demand that you REJECT THIS PROPOSAL and stand on the side of individual liberty, not corporate surveillance.

Email not displaying correctly? [View it in your browser.](#)

From: "noreply@civicplus.com" on behalf of "noreply@civicplus.com"
 <noreply@civicplus.com>
Sent: Tue, 14 Oct 2025 17:55:39 +0000
To: "" <citizencomment@warrentonva.gov>
Subject: Online Form Submittal: Public Comment

Public Comment

Name	Brittany Burgess
Address	123 Main St
City	Warrenton
State	VA
Zip Code	20186-3423
Email Address	[REDACTED]
Phone Number	[REDACTED]
Committee, Board, or Commission Type	Town Council
Agenda Item	Church/Municipal parking lot on 5th street
Comment	As the director of Warrenton Baptist Tiny Tots, I have rising concerns about our shared parking lot on 5th street. We understand there is an agreement with the church that parking in this lot on Sundays is for church use only. We are encountering a shortage of parking options for our families of Tiny Tots Monday-Friday causing our parents who pay for our services to have to walk through side streets or around the block because there is no parking for them to pick up their children at the rear of our building. While we do have a small lot off of 6th street, we are unable to navigate 75 children safely through that small lot in an hour drop off or 2 hour pick up window. In addition, my 15 staff park in this lot during their shift, leaving no parking spots to return to from their lunch break. The closest street parking is only 2 hour parking. There are trailers, trucks, and a man living in his van that park in this lot 24/7. This directly impacts our center and the safety of our children. Tiny Tots is requesting to amend the restrictions on this lot to help our center remain safe. Thank you!

Email not displaying correctly? [View it in your browser.](#)

Draft

From: "Beth Tessandori" [REDACTED]
Sent: Mon, 13 Oct 2025 08:08:17 -0400
To: "" <citizencomment@warrentonva.gov>
Subject: Daniels Property Exception

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Town Council, I am writing as a concerned resident of Monroe Estates to express my opposition to the proposed entrance of the Daniel property on Meadowview Lane. The proposed entrance would increase traffic and noise for our community. There is already an entrance being made at the 3 way stop that will connect to the property.

Beth and Paul Tessandori
96 Meadowview Lane



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

October 14th, 2025, Regular Town Council Meeting Minutes

Attachment 2: Signed Documents- Resolutions, Ordinances, Closed Session Motions



Motion for Convening a Closed Session

Council Meeting Date:

Agenda Title:

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 Mr. Frank Cassidy, Town Manger.
- _____ 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
 _____ disposition of publicly held real property 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:
☒ the pending case **the matter of CHARLES AND MARYGAY CROSS, ET. AL., PLAINTIFFS- PETITIONERS VS. THE TOWN COUNCIL OF THE TOWN OF WARRENTON AND THE TOWN OF WARRENTON, DEFENDANTS & GDC Action - Sayers v. Town of Warrenton,** 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 **The Town of Warrenton Commission on Open and Transparent Government**
- _____ 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: Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Ayes:

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: Mr. Roy Francis; Mr. William Semple; Mr. Larry Kovalik; Ms. Michele O'Halloran; Mr. Eric Gagnon; Mr. Paul Mooney; Mr. David McGuire

Nays:

Absent from Vote: None

For Information:
Town Clerk

Effective date: 10/14/25

Stephen Clough, Town Recorder



October 14, 2025
Town Council
Regular Meeting
RES-25-10-01

A RESOLUTION TO AMEND THE FISCAL YEAR 2026 ADOPTED BUDGET TO APPROPRIATE VIRGINIA DEPARTMENT CONSERVATION AND RECREATION GRANT FUNDING IN THE AMOUNT OF \$420,508 TO FUND THE MASTER DRAINAGE PLAN

WHEREAS, the Warrenton Town Council is charged by the Code of Virginia with the preparation of an annual budget for the Town of Warrenton; and

WHEREAS, on June 10, 2025, the Town Council adopted the Town of Warrenton Fiscal Year 2025 Budget; and

WHEREAS, during the fiscal year, certain events occur that necessitate amending the budget; and

WHEREAS, the Virginia Department of Conservation and Recreation (DCR) funds the Virginia Community Flood Preparedness Fund (CFPF) Grant 25-05-69 to provide support for localities to reduce the impacts of flooding and to empower communities to complete vulnerability assessments, and development action-oriented approaches to bolster flood preparedness and increase resilience.

WHEREAS, the Master Drainage Plan project is part of the FY 2026-2031 Capital Improvement Plan adopted by the Town Council on June 10, 2025

WHEREAS, the Town has been approved by the Department of Conservation and Recreation to receive \$420,508 of reimbursable grant revenue funds for the implementation of the Master Drainage Plan to address drainage concerns

WHEREAS, the Town Council directed the Town Manager to sign the agreement for grant number CFPF-25-05-69 upon receipt in order to accept the reimbursable grant funding via RES-25-07-01; and

NOW, THEREFORE, BE IT RESOLVED, that the Warrenton Town Council Hereby amends the Fiscal Year 2026 Adopted Budget to appropriate \$420,508 of grant revenue to implement the master drainage plan.

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Mr. Larry Kovalik, Mr. Eric Gagnon, Mr. David McGuire, Mr. Paul Mooney.

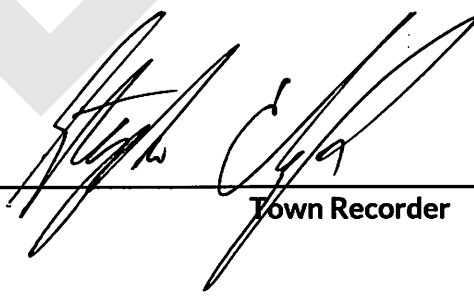
Nays:

Absent from Vote:

Absent from Meeting: Ms. Michele O'Halloran.

For Information:
Budget Manager

ATTEST: _____


Town Recorder

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, APPROVING THE UPDATED CONTINUITY OF OPERATIONS PLAN (COOP)

WHEREAS, the Town of Warrenton is committed to ensuring the delivery of essential services, the protection of its employees, facilities, records, and assets, and the execution of its fundamental governmental functions under all threats and hazardous conditions; and

WHEREAS, effective governmental preparedness is a critical responsibility of the Town Council and Warrenton Emergency Management Agency to maintain public confidence, safety, and operational resilience in the face of emergencies, including but not limited to natural disasters, technological failures, or public health crises; and

WHEREAS, a comprehensive Continuity of Operations Plan (COOP) is an essential planning document for a local government, providing a framework for identifying Mission Essential Functions (MEFs), defining command and control structures, establishing alert and notification procedures, and facilitating rapid recovery and reconstitution; and

WHEREAS, the Town Council formally approved the previous version of the Town of Warrenton COOP on August 10th, 2021; and

WHEREAS, the Town Office of Emergency Management, through dedicated internal efforts, has completed a comprehensive review and update of the COOP over the past year to reflect current organizational structures, resource availability, technological dependencies, and best practices in emergency management and continuity planning; and

WHEREAS, the updated COOP ensures that the Town is optimally prepared to continue its essential operations with minimal disruption, demonstrating due diligence in protecting the interests of the citizens of Warrenton;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Warrenton, Virginia, that the updated Continuity of Operations Plan (COOP), presented to the Town Council October 14th, 2025, is hereby **APPROVED AND ADOPTED**, superseding the plan approved on August 10th, 2021.

BE IT FURTHER RESOLVED that the Town Manager and the Office of Emergency Management are authorized and directed to ensure that the updated COOP is communicated, trained, and exercised regularly by all relevant departments and personnel to maintain a high state of operational readiness.

BE IT FURTHER RESOLVED that this resolution shall take effect upon its adoption.

ATTACHMENT: None

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Mr. Larry Kovalik, Mr. Eric Gagnon, Mr. David McGuire, Mr. Paul Mooney.

Nays:

Absent from Vote:

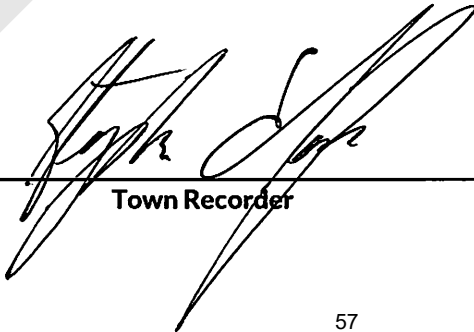
Absent from Meeting: Ms. Michele O'Halloran.

For Information:

Town Manager

Town Emergency Coordinator

ATTEST: _____


Town Recorder

October 14th, 2025
Town Council
Regular Meeting
RES-25-10-03

**A RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO FILE A MISALLENIOUS ACTION AND
BEGING TO SUBPOENA INDIVIDUALS OR ENTITIES BASED ON THE WORK OF THE WARRENTON
COMMISSION ON OPEN AND TRANSPARENT GOVERNMENT**

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

WHEREAS, the Town of Warrenton is a corporate entity with those powers authorized within its own charter and by Title 15.2 of the Virginia Code; and

WHEREAS, the Virginia Code, per Section 15.2-1409, empowers localities, such as the Town, to form a commission which can investigate matters relating to the Town and its governance; and

WHEREAS, the Town Council on January 14, 2025 voted to authorize such a commission which it named "The Town of Warrenton Commission for Transparent and Open Government"; and

WHEREAS, the function of the "Commission" is to focus on the land use application process and find ways to make it more open and transparent for citizens and applicants alike; and

WHEREAS, the Town Council on March 10, 2025, appropriated \$60,000 in funds for the Commission to further its work and further authorized it to hire Whitson Robinson, Esq., as its Special Counsel; and

WHEREAS, the Commission held its first meeting on March 27th, 2025, at which it decided to focus on three land use applications which had been considered and approved by the Council over the past five years; and

WHEREAS, the Commission members and Special Counsel have been working with Town staff over the past six months to obtain and review internal Town records which are relevant to the Commission's business; and

WHEREAS, the Commission has adopted a discovery plan which permitted the Town Attorney to decide any disputes relating to methods of gathering and reviewing Town records that might be deemed confidential; and

WHEREAS, since August 23, 2025, the Town staff has been producing, and the Commission members reviewing, Town records pursuant to a 4-point agreement drafted by the Town Attorney which addresses both cost concerns and the non-disclosure of confidential information; and

WHEREAS, the Commission now seeks to obtain information from outside parties, per Section 15.2-1409, and has voted to authorize the Town Attorney to issue subpoenas for relevant information;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Warrenton that the Town Attorney is authorized to issue and enforce subpoenas, pursuant to the guidance in Section 15.2-1409, on behalf of the Commission.

ATTACHMENT:

Votes:

Ayes: Mr. Roy Francis, Mr. William Semple, Mr. Larry Kovalik, Mr. Eric Gagnon, Mr. David McGuire, Mr. Paul Mooney.

Nays:

Absent from Vote:

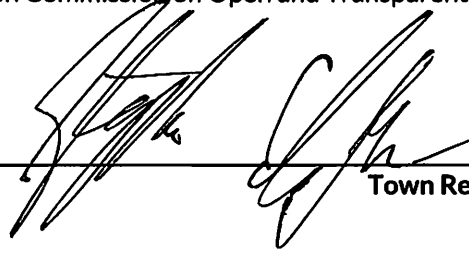
Absent from Meeting: Ms. Michele O'Halloran.

For Information:

Town Attorney

Warrenton Commission on Open and Transparent Government ,Chair

ATTEST:

Two handwritten signatures in black ink. The first signature is on the left, and the second signature is on the right, positioned above the 'Town Recorder' label.

Town Recorder



STAFF REPORT

Council Meeting Date:	September 8 th , 2026
Agenda Title:	Main Street Project
Requested Action:	Receive the information
Department / Agency Lead:	Town Council
Staff Lead:	Judson Rex, Town Manager

EXECUTIVE SUMMARY

The Town Council has requested a discussion and update on the Main Street Project. Town Manager Judson Rex will provide an update on the project.

BACKGROUND

The Main Street Project is a construction project partnered with VDOT for renovations of the sidewalk and paving on Main Street.

STAFF RECOMMENDATION

Receive the information

Service Level/Collaborative Impact

Service level impact has not been reviewed for this item.

Policy Direction/Warrenton Plan 2040

Policy direction / Plan 2040 impact has not been done for this item.

Fiscal Impact

A fiscal impact analysis has not been created for this item.

Legal Impact

Legal impact will be briefed by the Town Attorney in Closed Session.

ATTACHMENTS