

BERRYVILLE AREA DEVELOPMENT AUTHORITY
MINUTES - REGULAR MEETING
Wednesday, December 1, 2021 at 7:00PM
Berryville-Clarke County Government Center – Main Meeting Room
101 Chalmers Court – Berryville, Virginia

A meeting of the Berryville Area Development Authority (BADA) was held on Wednesday, December 1, 2021.

ATTENDANCE

Authority Members Present: Diane Harrison; John Hudson; Kathy Smart; David Weiss

Authority Members Participating Remotely (due to COVID concerns): Allen Kitselman, Chair; George L. Ohrstrom, II, Vice-Chair

Authority Members Absent: none

Staff Present: Christy Dunkle, Berryville Community Development Director

Chair Kitselman called the meeting to order at 7:01PM.

APPROVAL OF AGENDA

The Authority voted to approve the agenda as presented.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved) Smart (seconded), Weiss

No: None

Absent: None

APPROVAL OF MINUTES

The Authority voted to approve the minutes of the October 27, 2021 meeting as presented.

Yes: Harrison (seconded), Hudson (moved), Kitselman, Ohrstrom, Smart, Weiss

No: None

Absent: None

PUBLIC HEARING – LOT 56 JACK ENDERS BOULEVARD

Ms. Dunkle asked whether a presiding officer was necessary. It was determined that staff would manage details of the meeting. Mr. Weiss asked about process for remote participation and Ms. Dunkle said as long as a quorum was present at the Government Center, which there is, remote participation was permitted.

Chair Kitselman called the public hearing to order. Ms. Dunkle read the public hearing notice and gave details about publication and mailings. She gave a brief overview of the proposed development. Vice-chair Ohrstrom requested clarification on whether the parcel was located in the Clarke County Business Park. She said it was not. She said that a time limit for action of 60 days is required by the Commonwealth. Lara Dunlap, Agent, addressed the Development Authority and requested an extension of any action until the January meeting due to a delay in addressing review comments.

Mr. Hudson asked if there were changes to the site plan since the October meeting. Ms. Dunkle said there were. Mr. Ohrstrom asked about phasing and timing. He asked if the approval was for one building and the other buildings may be in the future, he was not sure whether blanket approval for other buildings until what they might entail. Ms. Dunkle said the applicant has discussed this with staff. She said they would like to complete all of the site work and would construct the buildings when they have identified businesses who would lease from them.

Doug Shepherd, resident of McGuire Circle, he said his main concern that needs to be addressed is the kind of traffic tractor trailer traffic that will service these warehouses and using Jack Enders for primary access. He said Jack Enders Boulevard is not ideal for this type of traffic. He said the intersection of East Main Street is almost impossible to negotiate a right hand turn out to Route 7. He said the stop sign has been knocked over numerous times adding tractor trailers turning right cannot make that corner without using all four lanes. He added that if this increases, the intersection will need to be fixed.

Mr. Shepherd said the intersection of Business 7 and Route 7 Bypass, if a tractor trailer wants to turn east on the Bypass, there is no way the truck does that turn without giving way to the tractor trailer. He said it is a dangerous, unmanageable intersection that must be addressed by the County or the State.

Mr. Shepherd stated that this was news to him and Development Authority members, asked whether the property was zoned agricultural before this application or was it always zoned business. Mr. Weiss responded that it has been zoned for this use for 30 years. Mr. Shepherd said he hoped that the landscaping plan would take into account the adjacent residential zoning adding that residents of Berryville Glen are substantial tax payers in the Town and County and that their property values were higher than the rest of the Town and this is not going to enhance the property values. The lighting has not been sufficiently addressed this evening and he requested another run at this once the engineering and the traffic has been done to assure it is a complete review adding that it was feeling rushed.

Mr. Hudson asked for clarification on his comment concerning the 7 Bypass and 7 Business East access.

Brent Johnson, resident of McGuire Circle, said his first concern is lighting. He said the printing plant emits a lot of light and would like this addressed as the site is higher than the subdivision. He said he sent a request for a completion of the sidewalk on Jack Enders in September saying he does not feel like a part of Town and it is dangerous and the increase in tractor trailer traffic is a concern.

Mr. Weiss said the Town is the contact to discuss sidewalk construction. Ms. Harrison confirmed her involvement in the discussion.

Ms. Dunkle asked if there were any additional speakers. There were none.

Vice-chair Ohrstrom asked about the building phasing. He said once an approval is in place, it is difficult to ask for a change to the original approval. He said he was questioning whether it was smart for the BADA to approve a site plan for three different site plans when two will be built in the future and whether we want to look at the health, safety, and welfare of citizens over time. Ms. Dunkle said there is a precedent for this in the business park referencing the McGee Crane lot. She said the applicant wanted to get all of the infrastructure approved. She said from a zoning standpoint, if Town requirements change, they would have to come back in for additional approvals. Ms. Dunkle said she had a discussion with the applicant about timing who have identified needs for warehouse space in the community. Mr. Weiss said that it is good to retain control to an extent but it is a little unfair to hold people accountable to things that might happen. There was a discussion about approval time limits. Mr. Hudson said at the last meeting that the applicant indicated that they wanted to have all of the infrastructure in place to assure future compliance for all three structures.

Vito Germinario, managing principal and owner of LGV Group, he said he is happy to be in Berryville and lives in Bluemont. He said in a perfect world he would have the two buildings leased and the economy of scale would build them all at the same time adding he is working on that. He said there is a very good chance they will construct buildings one and two immediately and would like to build all three however with no tenant it does not make sense to have an empty building on the site.

Mr. Hudson thanked the two speakers about the lighting issues and agreed it needs to be looked at. Chair Kitselman added that dark-sky compliant regulations are reviewed thoroughly.

Mr. Weiss said representatives from the Town and County are aware of the issues at the intersection of East Main and Jack Enders. He explained the quest for funding and improvements to this intersection are high on the priority list.

He added that the site plan under consideration is a by-right use which may create additional traffic however they are two separate issues and the BADA cannot hold this site plan up based on these concerns. He added that this doesn't mean we won't continue to work hard to address these issues.

There was a discussion about tractor trailer restrictions for through trucks, VDOT modifications to the East Main and Jack Enders Boulevard intersection and the terminus of Jack Enders in the Business Park.

Ms. Dunkle gave a synopsis of items that are needed for the submission. She said the applicant has the ability to request an extension for action in order to allow flexibility with the Authority's determination. Mr. Ohrstrom discussed the applicant asking for a deferral if timeframes are extended due to agency review times.

Mr. Weiss suggested continuing the public hearing to the January meeting to allow public comments on updated plans and if all goes well can close ph in January and close at that time 60 days plenty of time

The Authority voted to continue the public hearing for the January 26, 2022 meeting.

Yes: Harrison, Hudson, Kitselman, Ohrstrom (moved), Smart (seconded), Weiss
No: None
Absent: None

DISCUSSION, ANNEXATION B-9

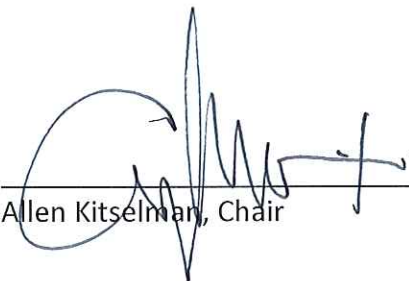
Vice chair Ohrstrom said he had requested a discussion about future annexations. It was determined that the Authority would wait until all members were available at the Government Center.

APPROVAL OF 2022 MEETING DATES


The Authority approved the proposed 2022 meeting dates by consensus.

ADJOURN

There being no further business and on a motion from Ms. Smart, seconded by Mr. Hudson, Chair Kitselman adjourned the meeting at 8:13 p.m.



Allen Kitselman, Chair



Christy Dunkle, Clerk