



TOWN OF OCCOQUAN

Circa 1734 | Chartered 1804 | Incorporated 1874

314 Mill Street
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Occoquan Town Council Town Council Meeting January 18, 2022 | 7:00 p.m.

1. **Call to Order**
2. **Citizens' Time** - Members of the public may, for three minutes, present for the purpose of directing attention to or requesting action on matters not included on the prepared agenda. These matters shall be referred to the appropriate town official(s) for investigation and report. Citizens may address issues as they come up on the agenda if advance notice is given during 'Citizens' Time'.
3. **Consent Agenda**
 - a. December 7, 2021 Meeting Minutes
 - b. Request to Adopt Resolution to Refer Amendments to the Town Code Generally Relating to the Chesapeake Bay Preservation Overlay District to the Planning Commission
4. **Mayor's Report**
5. **Councilmember Reports**
6. **Boards and Commissions**
7. **Administrative Reports** (*Dated January 4, 2022*)
 - a. Administrative Report
 - b. Town Treasurer's Report
 - c. Town Attorney
8. **Regular Business**
 - a. Request to Adopt Resolution of Appreciation to Ms. Robyn Becker on the Occasion of her Retirement
 - b. Request to Adopt Resolution of Appreciation to Ms. Mitzie Tibbets on the Occasion of her Retirement
9. **Discussion Items**
 - a. Admin Manual Update - Leave Program Discussion
 - b. FY 2023 Budget - Town Council Priority Discussion
10. **Closed Session**
11. **Adjournment**

Portions of this meeting may be held in closed session pursuant to the Virginia Freedom of Information Act.
A copy of this agenda with supporting documents is available online at www.occoquanva.gov.



OCCOQUAN TOWN COUNCIL
Meeting Minutes DRAFT
Town Hall - 314 Mill Street, Occoquan, VA 22125
Tuesday, December 7, 2021
7:00 p.m.

Present: Mayor Earnie Porta; Councilmembers Krys Bienia, Cindy Fithian, Laurie Holloway and Eliot Perkins

Absent: Vice Mayor Jenn Loges

Staff: Kirstyn Jovanovich, Town Manager; Martin Crim, Town Attorney (remotely); Bruce Reese, Town Engineer (remotely); Adam Linn, Chief of Police; Julie Little, Events Director; Michele White, Town Clerk

1. CALL TO ORDER

Mayor Porta called the meeting to order at 7:01 p.m. Vice Mayor Loges was unable to attend for health reasons.

2. PLEDGE OF ALLEGIANCE

3. CITIZENS' TIME

No one spoke at Citizens' time.

4. PUBLIC HEARINGS

a. Public Hearing on Comprehensive Plan Update

Mayor Porta opened the public hearing at 7:02 p.m.

Ms. Jovanovich presented the Vision 2026 Comprehensive Plan 2021 Update.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:14 p.m.

b. Public Hearing on Amendments Relating to Land Development Process

Mayor Porta opened the public hearing at 7:14 p.m.

Mr. Reese provided an overview of the proposed ordinance related to updates to the town's land development process.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:18 p.m.

c. Public Hearing on Amendments to Town Code § 157.121 to Permit Residential Use By-Right in One Story Buildings Fronting Commerce and Ellicott Streets in the B-1 Zoning District

Mayor Porta opened the public hearing at 7:18 p.m.

Mr. Reese provided a presentation on proposed amendments to the Town Code relating to permitting residential use by-right in one-story buildings fronting Commerce and Ellicott Streets in the B-1 zoning district.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:23 p.m.

d. Public Hearing on Amendments to Town Code § 157.304 (B)(12) Regarding Illuminated Signs

Mayor Porta opened the public hearing at 7:23 p.m.

Mr. Reese provided a presentation on proposed amendments to the Town Code regarding illuminated signs.

Mayor Porta invited the public for comment. No public comments were made.

Mayor Porta closed the public hearing at 7:26 p.m.

Councilmember Holloway moved to close all four Public Hearings. Councilmember Perkins seconded. Motion passed unanimously by roll call.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

5. CONSENT AGENDA

Mayor Porta asked for unanimous consent to add to the Consent Agenda Ordinance O-2021-08, moving the Town's elections from May to November as required by state law adopted in 2021 and as addressed in a prior public hearing. There being no objection the item was added to the agenda.

a. November 3, 2021 Meeting Minutes

b. O-2021-08 Move Elections from May to November

Councilmember Perkins moved approval of the Consent Agenda. Councilmember Holloway seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

6. MAYOR'S REPORT

Mayor Porta reported the following:

- On November 4, he met with the Town Manager and the new owners of Ebenezer Baptist Church.
- On November 12, he emceed with Dr. Bienia at the monthly Trivia Night in River Mill Park.
- On November 16, he gave an historical tour for a bus group from Pennsylvania brought by Norwin Express Tours.
- On November 17, he gave a slide presentation on Occoquan history to a First Baptist Church group.
- On November 20, with the rest of the councilmembers, he participated in the Shop Late & Tree Lighting Event.
- On December 4, with assistance of Councilmember Holloway, he brought Santa in by boat and participated in the Artisan Market and other HolidayFest activities over the weekend.

7. COUNCILMEMBER REPORTS

Councilmember Perkins noted that he enjoyed the process of putting up holiday lights and volunteering at the fire pits during HolidayFest.

Councilmember Fithian said that the December Artisan Market was a huge success and that the vendors really like having volunteers assist with providing breaks to the vendors. She thanked Julie Little for her efforts.

Councilmember Holloway echoed the previous Councilmembers' sentiments regarding the success of the holiday events and decorating and that it has been a fun six weeks in town.

Councilmember Bienia thanked Events Director Julie Little and noted that the town benefits broadly from Ms. Little's efforts.

8. BOARDS AND COMMISSIONS REPORTS

Councilmember Fithian reported that the Architectural Review Board (ARB) did not meet in November.

Councilmember Perkins thanked the Town Manager and staff for their work on the 2021 Comprehensive Plan Update. He stated that Planning Commissioner Ryan Somma did a tremendous job on the Plan Update. He also stated that the Planning Commission meeting in December has been canceled.

9. ADMINISTRATIVE REPORTS

a. Administrative Report

Ms. Jovanovich provided a written report as part of the agenda packet. Ms. Jovanovich thanked Mayor Porta and Town Council for their assistance with holiday events and decorations.

Mayor Porta noted that the previous two meals tax delinquencies and the Transient delinquencies were now in compliance.

Mayor Porta asked in regards to the Engineer Report what support was provided by the Engineer regarding tree permits. Ms. Jovanovich stated that the Engineer recently provided support with review of a tree removal and replacement request for Occoquan Reach HOA. Councilmember Holloway asked if tree permits were required when property owners wanted to remove trees. Ms. Jovanovich stated that the Town Code required that tree permits be obtained from the town for removal of trees meeting a certain diameter requirement.

b. Town Treasurer Report

Mr. Casillas provided a written report as part of the agenda packet.

Mayor Porta noted that most of the expenses and revenues are tracking to budget as expected; however, he inquired about the increase in expenses for Materials and Supplies. Ms. Jovanovich noted that several large budgeted public safety costs were expended in the first quarter and anticipates staying close to budget for the remainder of the fiscal year, excepting any unforeseen costs.

c. Town Attorney

Mr. Crim provided a written report as part of the agenda packet. There were no questions for Mr. Crim.

10. REGULAR BUSINESS

a. Request to Adopt Comprehensive Plan Update

Councilmember Holloway moved to approve the 2021 Update to the Vision 2026 Comprehensive Plan as presented. Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

Mayor Porta expressed his appreciation to the members of the Planning Commission for their work on the plan update, noting that he thought they did an excellent job of analyzing and incorporating various new issues (e.g. anticipated changes in the surrounding area) into the plan.

b. Request to Adopt Ordinance O-2021-05 Relating to Land Development Process

Councilmember Perkins moved to adopt Ordinance O-2021-05 as presented.

Councilmember Bienia seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

c. Request to Adopt Ordinance O-2021-06 Amending Town Code § 157.121 to Permit Residential Use By-Right in One Story Buildings Fronting Commerce and Ellicott Streets in the B-1 Zoning District

Councilmember Bienia moved to adopt Ordinance O-2021-06 as presented.

Councilmember Fithian seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

d. Request to Adopt Ordinance O-2021-07 Amending Town Code § 157.304 (B)(12) Regarding Illuminated Signs

Councilmember Holloway moved to adopt Ordinance O-2021-07 as presented.

Councilmember Perkins seconded. Motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

Mayor Porta expressed his appreciation to the staff and Town Council regarding these three ordinance changes, noting that they all were designed to make things easier for residents and businesses by creating additional flexibility in the Town Code in a manner consistent with the overall vision of the Town. He noted that these are the kinds of things government can do to make life easier for constituents.

e. Request to Adopt Approve Revised Fee Schedule

Councilmember Fithian moved to approve the revised fee schedule as presented effective December 7, 2021. Councilmember Perkins seconded. Motion passed unanimously by voice vote.

f. Request to Approve Update to the Town Administrative Manual

Ms. Jovanovich reviewed the proposed updates to the Administrative Manual.

Councilmember Bienia asked if the changes to the annual leave cap regulations stopped vacation accrual once the employee reached the cap at any point in the year, or if the employee could accrue over the cap amount, but would lose any unused leave over the cap at the end of the calendar year. Ms. Jovanovich responded that the proposed change would stop leave accrual once the employee reached the cap at any point in the year and

leave accrual would commence again once the employee used leave to bring them below the leave accrual cap.

After taking a straw poll of the Council, Mayor Porta noted that the Town Council was overall in favor of approving all of the proposed changes included in the Administrative Manual as presented, and encouraged Councilmember Bienia to meet with the Town Manager for further discussion on the topic of the annual vacation leave cap. Mayor Porta further requested that the Town Manager report back to the Town Council regarding this topic for Council to consider and provide additional direction at a future meeting.

Councilmember Perkins moved to approve the update to the Town Administrative Manual, contingent on final review by the Town Attorney. Councilmember Holloway seconded. Motion passed unanimously by voice vote.

11. CLOSED SESSION

Councilmember Holloway made a motion 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: performance, specifically dealing with the Town Manager, and as permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: acquisition of real property for public purposes; and as permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of an individual in a matter not involving the public business. Councilmember Fithian seconded the motion. The motion passed unanimously by voice vote.

The Council went into closed session at 8:08 p.m.

The Council came out of closed session at 8:26 p.m.

Councilmember Holloway moved to 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. Seconded by Councilmember Perkins. The motion passed unanimously by roll call vote.

Ayes: Councilmember Bienia, Councilmember Fithian, Councilmember Holloway, Councilmember Perkins.

Nays: None.

12. ADJOURNMENT

The meeting was adjourned at 8:28 p.m.

Michele L. White, Town Clerk



TOWN OF OCCOQUAN

TOWN COUNCIL MEETING

Agenda Communication

3. Consent Agenda	Meeting Date: January 18, 2022
3 B: Request to Adopt Resolution to Refer Amendments to the Town Code Generally Relating to the Chesapeake Bay Preservation Overlay District to the Planning Commission	

Attachments: a. Resolution R-2022-01
b. Draft Ordinance

Submitted by: Bruce Reese
Town Engineer

Explanation and Summary:

This is a request to adopt a resolution to refer amendments to the Town Code generally relating to the Chesapeake Bay Preservation Overlay District to the Planning Commission for review, public hearing, and recommendation. The draft ordinance is attached.

Background

On July 10, 2020, the Town was notified by the Department of Environmental Quality (DEQ) that the local Chesapeake Bay Preservation Act (CBPA) program, which the Town administers, was to be reviewed for compliance. The Town accommodated the CBPA by adopting the Chesapeake Bay Preservation Overlay District within the Zoning Ordinance in 1998 (then § 66-191).

Such reviews are conducted by DEQ periodically to assure compliance by the localities with the intent and letter of the CBPA. This review includes an evaluation of the Town's ordinances, a review of previously approved plans, a review of the Town's Comprehensive Plan, and an inspection of active construction sites. Since the July 2020 notice, Daniel Moore, Principal Environmental Planner with DEQ's Water Division, has conducted the required reviews and inspections. The Town was found to be in compliance with regard to plan review and site enforcement. There were, however, suggestions for changes to the Town's Comprehensive Plan and Zoning Ordinance (now starting at § 157.150 after the recodification).

In December 2021, the Town Council adopted changes to the Town's Comprehensive Plan which included recommendations by Mr. Moore, who has since acknowledged those changes met his criteria for compliance.

After several iterations of changes to the Town's Zoning Ordinance (Chapter 157, beginning at 157.150, Chesapeake Bay Preservation Overlay District), the revisions proposed with this Zoning Text Amendment will bring the Town Code into conformance with DEQ's recommendations for compliance with the CBPA.

Town Attorney's Recommendation: Recommend referral to the Planning Commission for review, public hearing, and recommendation.

Town Manager's Recommendation: Concur with the Town Attorney's recommendation.

Cost and Financing: N/A

Account Number: N/A

Proposed/Suggested Motion:

"I move to adopt Resolution R-2022-01 to refer amendments to the Planning Commission for its recommendation after public hearing."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION TO REFER ZONING TEXT AMENDMENT TO PLANNING
COMMISSION TO BRING TOWN CODE INTO CONFORMANCE WITH THE
DEPARTMENT OF ENVIRONMENTAL QUALITY’S RECOMMENDATIONS FOR
IMPLEMENTING THE CHESAPEAKE BAY PRESERVATION ACT**

WHEREAS, Virginia Code § 15.2-2285 (B) requires that any amendment to a zoning ordinance be referred to the local planning commission for its recommendations before it is adopted; and

WHEREAS, Virginia Code § 15.2-2286 (A) (7) provides that a zoning ordinance amendment can be initiated by a resolution of the governing body; and

WHEREAS, the Town Council of the Town of Occoquan, as governing body of the Town, wishes to initiate a zoning ordinance amendment regarding the implementation of the Chesapeake Bay Preservation Act in order to conform to the Department of Environmental Quality’s recommendations.

NOW, THEREFORE, BE IT RESOLVED that the attached draft zoning text amendment is referred to the Town Planning Commission for its review and recommendations.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th Day of January 2022.

MOTION:

**DATE: January 18, 2022
Town Council Meeting**

SECOND:

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Michele White, Town Clerk

ORDINANCE # O-2022-XX

AN ORDINANCE TO AMEND SECTIONS 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, AND 157.163 OF THE TOWN CODE GENERALLY RELATING TO CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT

WHEREAS, The Virginia Department of Environmental Quality (DEQ) has suggested various changes to the Town zoning code to address compliance with the Chesapeake Bay Preservation Act (Article 2.5 of Chapter, 3.1, Title 62.1 of the Code of Virginia); and

WHEREAS, The Town Council and Planning Commission are dedicated to protecting the Chesapeake Bay from pollution.

NOW, THEREFORE, BE IT ORDAINED by the Council for the Town of Occoquan, Virginia meeting in regular session this ___ day of _____, 2022:

1. That the Town Council hereby amends Town Code §§ 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 as follows:

§ 157.152 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words and terms not defined in this subchapter but defined in this chapter shall be given the meanings previously set forth.

APPLICANT. A person seeking any determination under this part or permit required by this subchapter.

BEST MANAGEMENT PRACTICE (BMPS). A practice, or a combination of practices, that is determined by a state or designated area-wide planning agency to be the most effective, practical means of preventing or reducing the amount of pollution generated by nonpoint sources to a level compatible with water quality goals.

BUFFER AREA. Natural or established vegetation managed to protect other components of a resource protection area and state waters from significant degradation due to land disturbances.

CHESAPEAKE BAY PRESERVATION AREA (CBPA). Any land designated by the Town Council pursuant to part III of the Chesapeake Bay Preservation Area

designation and management regulations, 9 VAC §§ 25-830-70 et seq. and 62.1-44.15:72. A CBPA shall consist of a resource protection area and a resource management area.

CONSTRUCTION FOOTPRINT. The area of all impervious surface including, but not limited to, buildings, roads and drives, parking areas, sidewalks, and the area necessary for construction of such improvements.

DEVELOPMENT. The construction or substantial alteration of residential, commercial, industrial, institutional, recreation, transportation, or utility facilities or structures.

DIAMETER AT BREAST HEIGHT (DBH). The diameter of a tree measured outside the bark at a point four and one-half feet above ~~height (dBA)~~ the highest point of ground at the tree's base.

DRIPLINE. A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.

FLOODPLAIN. All lands that would be inundated by floodwater as a result of a storm event of a 100-year return interval.

HIGHLY ERODIBLE SOILS. Soils (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is defined as the product of the formula $RKLS/T$, where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.

HIGHLY PERMEABLE SOILS. Soils with a given potential to transmit water through the soil profile. **HIGHLY PERMEABLE SOILS** are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches, permeability groups rapid and very rapid, as found in the National Soil Survey Handbook of November 1996, in the Field Office Technical Guide of the U.S. Department of Agricultural Natural Resources Conservation Service.

IMPERVIOUS COVER or IMPERVIOUS SURFACES. A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. ~~IMPERVIOUS SURFACES It includes, but are not limited to,~~ roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

INTENSELY DEVELOPED AREAS (IDAs). A portion of a resource protection area or a resource management area designated by the Town Council where development is concentrated and little of the natural environment remains.

NONPOINT SOURCE POLLUTION. Pollution consisting of constituents such as sediment, nutrients, and organic and toxic substances from diffuse sources, such as runoff from agriculture and urban land development and use.

NONTIDAL WETLANDS. Wetlands other than tidal wetlands that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to § 404 of the Federal Clean Water Act, in 33 C.F.R. § 328.3b.

NOXIOUS WEEDS. Weeds that are difficult to control effectively, such as Johnson grass, kudzu, and multiflora rose.

PLAN OF DEVELOPMENT. The process for site plan or subdivision plat review to ensure compliance with 9 VAC § 25-830, and this subchapter prior to any clearing or grading of a site or the issuance of a building permit.

PRIVATE ROAD. A privately owned and maintained road designed and constructed in accordance with the State Department of Transportation standards.

PUBLIC ROAD. A publicly owned road designed in accordance with the State Department of Transportation standards.

REDEVELOPMENT. The process of developing land that is or has been previously developed, including in-fill development in intensely developed areas.

RESOURCE MANAGEMENT AREA (RMA). The component of the CBPA that is not classified as the resource protection area. RMAs include land types that, if improperly used or developed, have the potential for causing significant water quality degradation or for diminishing the functional value of the resource protection area.

RESOURCE PROTECTION AREA (RPA). The component of the CBPA comprised of lands adjacent to water bodies with perennial flow, that have an intrinsic water quality value due to the ecological and biological processes they perform or are

sensitive to impacts that may result in significant degradation to the quality of state waters. See § 157.153 for areas of applicability.

SUBSTANTIAL ALTERATION. The expansion or modification of a building or development within the resource management area that would result in land disturbance exceeding 2,500 square feet.

THIS SUBCHAPTER. Sections 157.150 through 157.163 of this code.

TIDAL SHORE or SHORE. Land contiguous to a tidal body of water between the mean low water level and the mean high water level.

TIDAL WETLANDS. Vegetated and non-vegetated wetlands as defined in VA Code § 28.2-1300.

WATER-DEPENDENT FACILITY. Development of land that cannot exist outside of the RPA and must be located on the shoreline due to the intrinsic nature of its operation. These facilities include, but are not limited to: ports; the intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers; marinas and other boat docking structures; beaches and other public water-oriented recreation areas; and fisheries or other marine resources facilities.

WETLANDS. Tidal and nontidal wetlands.

§ 157.153 AREAS OF APPLICABILITY.

(A) The Chesapeake Bay Preservation Area Overlay District shall apply to all lands identified as CBPAs as designated by the Town Council and as shown on the Occoquan Chesapeake Bay Preservation Area Map. This map, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this subchapter.

(1) The resource protection area (RPA) is hereby established and shall consist of lands adjacent to water bodies with perennial flow that include:

(a) Tidal wetlands;

(b) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(c) Tidal shores; and

(d) A 100-foot vegetated buffer area located adjacent to and landward of the components listed in divisions (A)(1)(a) through (A)(1)(c) above and along both sides of any water bodies with perennial flow.

(2) The RMA is composed of concentrations of the following land categories: floodplains; highly erodible soils, including steep slopes; highly permeable soils; nontidal wetlands not included in the RPA; and other lands, including all areas in the town necessary to protect the quality of state waters.

(B) The Occoquan Chesapeake Bay Preservation Area Map shows the general location of CBPAs and should be consulted by persons contemplating activities within the town prior to engaging in a regulated activity. The specific location of RPAs on a lot or parcel shall be delineated on each site or parcel as required under § 157.158.

(C) All areas within the town limits north of and including Mill Street and Poplar Lane are designated as ~~IDEAS~~IDEASIDAs. These areas shall serve as redevelopment areas. Areas so designated shall comply with all erosion and sediment control requirements and the performance standards for redevelopment in § 157.159.

§ 157.159 PERFORMANCE STANDARDS.

(A) *Purpose and intent.*

(1) The purpose and intent of this section is to prevent a net increase in nonpoint source pollution from new development and achieve a 10% reduction in nonpoint source pollution from redevelopment.

(2) The performance standards establish the means to minimize erosion and sedimentation potential, reduce land application of nutrients and toxics, and maximize rainwater infiltration. Natural ground cover, especially woody vegetation, is most effective in holding soil in place and preventing site erosion. Indigenous vegetation, with its adaptability to local conditions without the use of harmful fertilizers or pesticides, is an especially effective filter of stormwater runoff. Minimizing impervious cover enhances rainwater infiltration and effectively reduces stormwater runoff potential.

(3) Except as otherwise expressly stated in this Chapter, development in Chesapeake Bay Preservation Areas shall comply with state regulations found at 9VAC25-830-130, 9VAC25-830-140, and 9VAC25-830-150.

(B) General performance standards for development and redevelopment.

(1) Land disturbance shall be limited to the area necessary to provide for the proposed use or development.

(a) In accordance with an approved site plan, the limits of land disturbance, including clearing or grading, shall be strictly defined by the construction footprint. These limits shall be clearly shown on submitted plans and physically marked on the development site.

(b) Ingress and egress during construction shall be limited to one access point unless otherwise approved by the Zoning Administrator.

(2) Indigenous vegetation shall be preserved to the maximum extent practicable, consistent with the use or development proposed, and in accordance with the *Virginia Erosion and Sediment Control Handbook*.

(a) Existing trees over six inches ~~dbh~~ DBH shall be preserved outside the construction footprint. Diseased trees or trees weakened by age, storm, fire or other injury may be removed.

(b) Clearing shall be allowed only to provide necessary access, positive site drainage, water quality BMPs, and the installation of utilities, as approved by the Zoning Administrator.

(c) Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected one foot outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain erected throughout all phases of construction. The storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.

(3) Land development shall minimize impervious cover to promote infiltration of stormwater into the ground consistent with the proposed use or development permitted.

(4) Notwithstanding any other provisions of this division (B) or exceptions or exemptions to this division (B), any land disturbing activity exceeding 2,500 square feet, including construction of all single-family houses, shall comply with the requirements of Chapter 152 of this code.

(5) All existing sewage disposal systems not requiring a VPDES permit shall be pumped out at least once every five years, in accordance with the provisions of the County Health Code. New septic tanks and private sewage plants are not permitted.

(6) For any development or redevelopment, stormwater runoff shall be controlled by the use of BMPs that achieve the following.

(a) For development, the post-development nonpoint source pollution runoff load shall not exceed the predevelopment load, based on a Chesapeake Bay watershed-wide average impervious surface cover of 16%.

(b) For any redevelopment site and for sites within ~~IDEAS~~ IDAS, the nonpoint source pollution load shall be reduced by at least 10%. The Zoning Administrator may waive or modify this requirement for redevelopment sites that originally incorporated BMPs for stormwater runoff quality control, provided the following provisions are satisfied:

1. In no case may the post-development nonpoint source pollution runoff load exceed the predevelopment load;

2. Runoff pollution loads must have been calculated and the BMPs selected for the expressed purpose of controlling nonpoint source pollution; and

3. If BMPs are structural, evidence shall be provided that facilities are currently in good working order and performing at the design levels of service. The Zoning Administrator may require a review of both the original structural design and maintenance plans to verify this provision. A new maintenance agreement may be required to ensure compliance with this division (B)(6).

(c) For redevelopment, both the pre- and post-development loadings shall be calculated by the same procedures. However, where the design data is available, the original post-development nonpoint source pollution loadings can be substituted for the existing development loadings.

(7) Prior to initiating grading or other on-site activities on any portion of a lot or parcel, all wetlands permits required by federal, state, and local laws and regulations shall be obtained and evidence of such submitted to the Zoning Administrator, in accordance with § 157.161.

(8) Clearing, land disturbance, or development exceeding 500 square feet, ~~on a recorded lot of record as of the date of this chapter amendment,~~ on slopes 20% or greater is prohibited.

(C) Buffer area requirements.

(1) To minimize the adverse effects of human activities on the other components of RPAs, state waters, and aquatic life, a 100-foot buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist. The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area with permissibility of only water dependent facilities or redevelopment shall be shown on all plans and plats.

(2) The buffer area shall be located adjacent to and landward of other RPA components and along both sides of any waterbody with perennial flow. The full buffer area shall be designated as the landward component of the RPA, in accordance with sections § 157.153 and 157.161.

(3) The 100-foot buffer area shall be deemed to achieve a 75% reduction of sediments and a 40% reduction of nutrients.

(4) The buffer area shall be maintained to meet the following additional performance standards.

(a) In order to maintain the functional value of the buffer area, indigenous vegetation may be removed only, as permitted by the Zoning Administrator, to provide for reasonable sight lines, access paths, general woodlot management practices, including those that prevent upland erosion and concentrated flows of stormwater and BMPs, as follows.

1. Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.

2. Any path shall be constructed and surfaced to effectively control erosion.

3. Dead, diseased, or dying trees or shrubbery and noxious weeds may be removed and thinning of trees may be allowed pursuant to sound horticulture practice as recommended by the town.

4. For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirements.

(b) When the application of the buffer areas would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, the Zoning Administrator may allow encroachments into the buffer area in accordance with § 157.161 and the following criteria.

1. Encroachments into the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities.

2. Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal to the area of encroachment into the buffer area shall be established elsewhere on the lot or parcel.

3. The encroachment may not extend into the seaward 50 feet of the buffer area.

(c) Redevelopment within ~~IDEAS~~ IDAs may be exempt from the buffer area, in accordance with § 157.161. Where possible a buffer area shall be provided in order to remove pollutants and protect water quality. Any and all buffer exemptions are to be granted by the Zoning Administrator.

§ 157.160 WATER QUALITY IMPACT ASSESSMENT.

(A) The purpose of the water quality impact assessment is to:

(1) Identify the impacts of proposed development on water quality and lands within RPAs and other environmentally sensitive lands;

(2) Ensure that, where development does take place within RPAs and other sensitive lands, it will be in a manner that will be least disruptive to the natural functions of RPAs and other sensitive lands;

(3) Protect individuals from investing funds for proposed improvements on lands not suited for such development because of high groundwater, erosion, or vulnerability to flood and storm damage;

(4) Provide for administrative relief from the terms of this section when warranted and in accordance with the requirements contained in this section; and

(5) Specify mitigation that will address water quality protection.

(B) A water quality impact assessment is required for any proposed land disturbance, development, or redevelopment within an RPA, including any buffer area modification or encroachment as provided for in § 157.159; and any development in an RMA, floodplain, area of highly erodible soils, or 20% or greater slopes.

(C) There shall be two levels of water quality impact assessments, minor and major.

(1) Minor water quality impact assessment.

(a) A minor water quality impact assessment pertains only to development within an RPA and its 100-foot buffer strip under the following conditions:

1. No more than 6,000 square feet of land disturbance; and
2. No disturbance of the seaward 50 feet of the 100-foot buffer area.

(b) A minor assessment must demonstrate that the undisturbed buffer area, enhanced vegetative plantings, and any required BMPs will result in removal of no less than 75% of sediments and 40% of nutrients from post-development stormwater runoff. It must also demonstrate that it will retard runoff, prevent erosion, and filter nonpoint source pollution the equivalent of the full undisturbed 100-foot buffer area. A minor assessment shall include a site drawing to scale, which shows the following:

1. Location of the components of the RPA, including the 100-foot buffer area;

2. Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;

3. Type and location of proposed BMPs to mitigate the proposed encroachment;

4. If development is in an IDEAIDA, proposed measures to restore all or part of the buffer strip, if possible;

5. Location of existing vegetation on-site, including the number and type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and

6. Re-vegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion, and runoff control.

(2) Major water quality impact assessment.

(a) 1. A major water quality impact assessment shall be required for any development that:

a. Exceeds 6,000 square feet of land disturbance within an RPA or its buffer strip;

b. Disturbs any portion of the seaward 50 feet of the 100-foot buffer area; or

c. Is located in an RMA and includes areas of floodplain, highly erodible soils, or 20% or greater slopes.

2. The information required in this division (C)(2)(a) shall be considered a minimum unless the Zoning Administrator determines that some of the elements are unnecessary due to the scope and nature of the proposed use and development of land.

(b) The following elements shall be included in the preparation and submission of a major water quality assessment:

1. All of the information required in a minor water quality impact assessment, as specified in this division (C);

2. A hydrogeological element that:

a. Describes the existing topography, soils, hydrology, and geology of the site and adjacent lands; and

b. Describes the impacts of the proposed development on topography, soils, hydrology, and geology on the site and adjacent lands.

3. Indicates the following:

a. Disturbance or destruction of wetlands and justification for such action;

b. Disruptions or reductions in the supply of water to wetland, streams, lakes, rivers, or other water bodies;

c. Disruptions to existing hydrology, including wetland and stream circulation patterns;

d. Source location and description of proposed fill material;

e. Location of dredge material and location of dumping area for such material;

f. Location of and impacts on shellfish beds, submerged aquatic vegetation, and fish spawning areas;

g. Estimation of pre- and post-development pollutant loads in runoff;

h. Estimation of percentage of increase in impervious surface on the site and types of surfacing materials used;

i. Percentage of site to be cleared for the project;

j. Anticipated duration and phasing schedule of the construction project; and

k. Listing of all requisite permits from all applicable agencies necessary to develop the project.

4. Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:

a. Proposed erosion and sediment control concepts; concepts may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;

b. Proposed stormwater management system;

c. Creation of wetlands to replace those lost; and

d. Minimizing cut and fill.

(c) A landscape element that:

1. Identifies and delineates the location of all significant plant material on-site, including all trees six inches or greater ~~d.b.h.~~DBH. Where there are groups of trees, stands may be outlined;

2. Describes the impacts of the development or use on the existing vegetation, including:

a. General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities;

b. Clear delineation of all trees to be removed; and

c. Description of plant species to be disturbed or removed.

3. Describes the potential measures for mitigation. Possible mitigation measures include:

a. Replanting schedule for trees and other significant vegetation removed for construction, including a list of possible plants and trees to be used;

b. Demonstration that the design of the plan will preserve, to the greatest extent possible, any significant trees and vegetation on the site and will provide maximum erosion control and overland flow benefits from such vegetation; and

c. Demonstration that indigenous plants are to be used to the greatest extent possible.

(d) Submission and review requirements.

1. Ten copies of all site drawings and other applicable information as required by divisions (C)(2)(c)1. and (C)(2)(c)2. above shall be submitted to the Zoning Administrator for review.

2. All information required in this section shall be certified as complete and accurate by a professional engineer.

3. A water quality impact assessment shall be prepared and submitted to and reviewed by the Zoning Administrator in conjunction with § 157.161.

4. As part of any major water quality impact assessment submittal, the Zoning Administrator may require review by the Chesapeake Bay Local Assistance Department (CBLAD). Upon receipt of a major water quality impact assessment, the Zoning Administrator will determine if such review is warranted and may request CBLAD to review the assessment and respond with written comments. Any comments by CBLAD will be incorporated into the final review by the Zoning Administrator, provided that such comments are provided by CBLAD within 90 days of the request.

(e) Evaluation procedure.

1. Upon the completed review of a minor water quality impact assessment, the Zoning Administrator will determine if any proposed modification or reduction to the buffer area is consistent with the provisions of this subchapter and make a finding based upon the following criteria:

a. The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;

b. Impervious surface is minimized;

c. Proposed BMPs, where required, achieve the requisite reductions in pollutant loadings;

d. The development, as proposed, meets the purpose and intent of this section; and

e. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.

2. Upon the completed review of a major water quality impact assessment, the Zoning Administrator will determine if the proposed development is consistent with the purpose and intent of this section and make a finding based upon the following criteria:

a. The proposed development within the RPA is water dependent;

b. The disturbance of any wetlands will be minimized;

c. The development will not result in unnecessary disruption of the hydrology of the site;

d. The development will not result in unnecessary degradation to aquatic vegetation or life;

e. The development will not result in unnecessary destruction of plant materials on the site;

f. Proposed erosion and sediment control concepts are adequate to achieve the reductions in erosion and minimize off-site sedimentation;

g. Proposed stormwater management concepts are adequate to control the stormwater runoff and achieve the required performance standard for pollutant control;

h. Proposed re-vegetation of disturbed areas will provide effective erosion and sediment control benefits;

i. The development, as proposed, is consistent with the purpose and intent of the overlay district;

j. The cumulative impact of the proposed development, when considered in relation to other development in the vicinity, both existing and proposed, will not result in a significant degradation of water quality;

k. The Zoning Administrator shall require additional mitigation where potential impacts have not been adequately addressed. Evaluation of mitigation measures will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2; and

l. The Zoning Administrator shall find the proposal to be inconsistent with the purpose and intent of this section when the impacts created by the proposal cannot be mitigated. Evaluation of the impacts will be made by the Zoning Administrator based on the criteria listed in division (C)(2)(e)1. above and this division (C)(2)(e)2.

§ 157.161 PLAN OF DEVELOPMENT PROCESS.

(A) Any development or redevelopment exceeding 2,500 square feet of land disturbance shall be accomplished through a plan of development process prior to any clearing, grading, or filling of the site or the issuance of any building permit, to assure compliance with all applicable requirements of this subchapter.

(B) In addition to the requirements of this section and Chapters 155 and 156 of this code, the plan of development process shall consist of the plans and studies identified in this division (B). These required plans and studies may be coordinated or combined, as deemed appropriate by the Zoning Administrator. The Zoning Administrator may determine that some of the following information is unnecessary due to the scope and nature of the proposed development. The following plans or studies shall be submitted unless otherwise provided for in this Chapter:

(1) A site plan in accordance with the provisions of Chapter 155 of this code or a subdivision plat in accordance with the provisions of Chapter 156 of this code, as necessary;

(2) An environmental site assessment;

(3) A landscaping plan;

(4) A stormwater management plan; and

(5) An erosion and sediment control plan in accordance with the provisions of Chapter 152 of this code.

(C) An environmental site assessment shall be submitted in conjunction with preliminary site plan or preliminary subdivision plan approval.

(1) The environmental site assessment shall be drawn to scale and clearly delineate the following environmental features:

(a) Tidal wetlands;

(b) Tidal shores;

(c) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(d) A 100-foot buffer area located adjacent to and landward of the components listed in divisions (C)(1)(a) through (C)(1)(c) above and along both sides of any waterbody with perennial flow; and

(e) Other sensitive environmental features as determined by the Zoning Administrator.

(2) Wetlands delineations shall be performed consistent with the procedures specified in the current edition of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, or as determined by the Army Corps of Engineers (ACOE).

(3) The environmental site assessment shall delineate the site-specific geographic extent of the RPA.

(4) The environmental site assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat and shall be certified as complete and accurate by a professional engineer. This requirement may be waived by the Zoning Administrator when the proposed use or development would result in less than 5,000 square feet of disturbed area.

(5) Any request for exemption from the buffer requirements for properties contained wholly within designated ~~IDEAS~~ IDAs, as allowed by § 157.159(C)(4), must be submitted in writing with the assessment.

(D) A landscaping plan shall be submitted in conjunction with site plan approval or as part of subdivision plat approval. No clearing, grading, or filling of any lot or parcel shall be permitted without an approved landscaping plan.

(1) Contents of the plan.

(a) The landscaping plan shall be drawn to scale and clearly delineate the location, size, and description of existing and proposed plant material. All existing trees on the site six inches or greater ~~dbh~~ DBH shall be shown on the landscaping plan. Where there are groups of trees, stands may be outlined instead. The specific number of trees six inches or greater ~~dbh~~ DBH to be preserved outside the construction footprint shall be indicated on the plan. Trees to be removed to create a desired construction footprint shall be clearly delineated.

(b) Any required buffer area shall be clearly delineated, and any plant material to be added to establish or supplement the buffer area as required by this subchapter shall be shown.

(c) Within the buffer area, trees to be removed for sight lines, vistas, access paths, and BMPs, as provided for in this subchapter, shall be shown. Vegetation required by this subchapter to replace any existing trees within the buffer area shall also be shown.

(d) Trees to be removed for shoreline stabilization projects and any replacement vegetation required by this subchapter shall be shown on the landscaping plan.

(e) Grade changes or other work adjacent to trees that would affect adversely them. Specifications shall be provided as to how grade, drainage, and aeration will be maintained around trees to be preserved.

(f) Specifications for the protection of existing trees during clearing, grading, and all other phases of construction.

(2) Plant specifications.

(a) All plant materials necessary to supplement the buffer area or vegetated areas outside the construction footprint shall be installed according to standard planting practices and procedures.

(b) All supplementary or replacement plant materials shall be living and in a healthy condition. Plant materials shall conform to the standards of the most recent edition of the American Standard for Nursery Stock, published by the ~~American Association of Nurserymen~~ American Hort.

(c) Where areas that are to be preserved, as designated on an approved landscaping plan, are disturbed or encroached, replacement of existing trees and other vegetation will be achieved at a ratio of one planted tree to one removed. Replacement trees shall be of a similar species, a minimum of 12 feet in height and one and one-half inches DBH ~~DBA~~ at the time of planting.

(3) Maintenance.

(a) The applicant shall be responsible for the maintenance and replacement of all vegetation as may be required by the provisions of this subchapter.

(b) In buffer areas and areas outside the construction footprint, plant material shall be tended and maintained in a healthy growing condition and free from refuse and debris for a period of one year after the developer has completed all real estate sales in the developed property. Unhealthy, dying, or dead plant materials shall be replaced during the next planting season, as required by the provisions of this subchapter.

(E) A stormwater management plan shall be submitted in accordance with Chapter 153 of this code in conjunction with site plan or subdivision plan approval. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, and citations to supporting references as appropriate to communicate the information required by this subchapter.

(1) At a minimum, the stormwater management plan must contain the following:

(a) Location and design of all proposed stormwater control devices;

(b) Procedures for implementing nonstructural stormwater control practices and techniques;

(c) Pre- and post-development nonpoint source pollutant loadings with supporting documentation of all utilized coefficients and calculations; and

(d) For facilities, verification of structural soundness, including a professional engineer certification.

(2) All engineering calculations must be performed in accordance with procedures outlined in the current edition of the Virginia Stormwater Management Handbook.

(3) The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities including all maintenance requirements and persons responsible for performing said maintenance. If the designated maintenance responsibility is with a party other than the town, a maintenance agreement shall be executed between the responsible party and the town.

(F) An erosion and sediment control plan shall be submitted that satisfies the requirements of this subchapter and in accordance with Chapter 152 of this code, in conjunction with site plan or subdivision plan approval.

(G) Final plans for property within CBPAs shall be final plats for land to be subdivided or site plans for land not to be subdivided as required in Chapters 155 and 156 of this code.

(1) Final plans and plats for all lands within CBPAs shall include the following additional information:

(a) The delineation of the 100-foot RPA boundary for the retention of an undisturbed and vegetated 100-foot-wide buffer area, with permissibility of only water dependent facilities or redevelopment;

(b) The delineation of required buffer areas;

(c) All wetlands permits required by law;

(d) A maintenance agreement, as deemed necessary and appropriate by the Zoning Administrator, to ensure proper maintenance of BMPs in order to continue their functions;

(e) Measures to be taken for the protection of the resource protection areas (RPAs) during clearing, grading, and all other phases of construction. The following notations shall be included.

1. All existing vegetation within the RPA shall remain in its undisturbed natural state, except as allowed by this code.

2. Permissible development in the RPA is limited to water-dependent facilities, redevelopment, or other uses specifically allowed by this code.

(f) Gross acreages of the following physical land units shall be tabulated and computed by accurate planimetric methods at the final plan scale: 100-year floodplains; wetlands; existing water features (bodies of water, drainage channels, streams, and the like); and resource protection areas and resource management areas as specified by this subchapter; and

(g) Buildable areas allowed on each lot based on the performance criteria specified in the Chesapeake Bay Preservation Area regulations ~~in this chapter~~; front, side, and rear yard setback requirements established pursuant to this chapter, and any other relevant easements or limitations regarding lot coverage shall be graphically depicted on the site plan.

(2) Installation and bonding requirements are as follows.

(a) Where buffer areas, landscaping, stormwater management facilities, or other specifications of an approved plan are required, no certificate of occupancy shall be issued until the installation of required plant materials or facilities is completed in accordance with the approved site plan.

(b) When the occupancy of a structure is desired prior to the completion of the required landscaping, stormwater management facilities, or other specifications of an approved plan, a certificate of occupancy may be issued only if the applicant provides to the town a form of surety satisfactory to the Zoning Administrator in an amount equal to the remaining plant materials, related materials, and installation costs of the landscaping or other specifications and/or maintenance costs for any required stormwater management facilities.

(c) All required landscaping shall be installed and approved by the first planting season following issuance of a certificate of occupancy, or the surety may be forfeited to the town.

(d) All required stormwater management facilities or other specifications shall be installed and approved within 18 months of project commencement. Should the applicant fail, after proper notice, to initiate, complete, or maintain appropriate actions required by the approved plan, the surety may be forfeited to the town. The town may collect from the applicant the amount by which the reasonable cost of required actions exceeds the amount of the surety held.

(e) After all required actions of the approved site plan have been completed, the applicant must submit a written request for a final inspection with the as-built site plan or subdivision plan. If the requirements of the approved plan have been completed to the satisfaction of the Zoning Administrator, such unexpended or unobligated portion of the surety held shall be refunded in accordance with Chapters 155 and 156 of this code. The Zoning Administrator may require a certificate of substantial completion from a professional engineer before making a final inspection.

(H) Administration of the plan of development process shall be in accordance with Chapters 155 and 156 of this code.

(1) If the final plan or any component of the plan of development process, as related to this chapter, is not approved by the Zoning Administrator and/or recommended conditions or modifications are unacceptable to the applicant, the applicant may appeal such administrative decision to the Planning Commission.

(2) The appeal shall be made in writing to the Planning Commission. The Planning Commission shall review the appeal and ~~make recommendation to the Town Council. In reviewing the appeal, the Planning Commission shall~~ determine if:

(a) The plan is in accordance with all applicable ordinances and includes the necessary elements to mitigate any detrimental impact on water quality, adjacent properties, and the surrounding area; or

(b) Such plan meets the purpose and intent of the performance standards in this subchapter.

(3) If the Planning Commission finds that the applicant's plan does not meet the criteria stated in ~~subsection (i)(2) of this section, it shall recommend denial of reject~~ the plan to the Town Council. If the applicant's plan is found to meet the criteria stated in ~~subsection (i)(2) of this section, the Planning Commission shall recommend approval of approve the plan to the Town Council.~~

~~——(4) The Town Council shall consider the findings and rationale of the Planning Commission when voting to deny or approve the applicant's appeal.~~

§ 157.162 NONCONFORMING USES AND NONCOMPLYING STRUCTURES.

(A) The lawful use of a building or structure existing on the effective date of the ordinance from which this section derives or which exists at the time of any amendment to this subchapter, and which is not in conformity with the provisions of the overlay district may be continued in accordance with §§ 157.210 through 157.213.

(B) No change or expansion of use shall be allowed, with the exception that:

(1) The ~~Town Council~~ Planning Commission may grant a nonconforming use and development waiver for structures on legal nonconforming lots or parcels to provide for remodeling and alterations to such nonconforming structures, provided that:

(a) There will be no increase in nonpoint source pollution load; and

(b) Any development or land disturbance exceeding 2,500 square feet in area complies with all erosion and sediment control requirement of this subchapter.

(2) An application for a nonconforming use and development waiver shall be made to and upon forms furnished by the Zoning Administrator and shall include, for the purpose of proper enforcement of this section, the following information:

(a) Name and address of the applicant and the property owner;

(b) Legal description of the property;

(c) Type of proposed use and development;

(d) A sketch of the dimensions of the lot or parcel, location of buildings, and proposed additions relative to the lot lines, and boundary of the RPA; and

(e) Location and description of any existing private water supply or sewerage system.

(3) Requests for a nonconforming use and development waiver shall be reviewed by the Planning Commission for compliance with the provisions of this section, ~~who shall forward a recommendation to the Town Council;~~

(4) The Planning Commission shall review the ~~A~~ nonconforming use and development waiver ~~shall become null and void~~ 12 months from the date issued and shall revoke it by affirmative vote if no substantial work has commenced; and

(5) An application for the expansion of a nonconforming principal structure ~~may shall~~ be approved by the ~~Town Council~~ Planning Commission ~~after an administrative review process provided that if it finds that: the following findings are made:~~

(a) The request for the waiver is the minimum necessary to afford relief;

(b) Granting the waiver will not confer upon the applicant any specific privileges that are denied by this subchapter to other property owners in similar situations;

(c) The waiver is in harmony with the purpose and intent of this subchapter and does not result in water quality degradation;

(d) The waiver is not based on conditions or circumstances that are self-created or self-imposed, either by the current property owner or by a predecessor in title;

(e) Reasonable and appropriate conditions are imposed, as warranted, that will prevent the waiver from causing degradation of water quality; and

(f) The application does not include any accessory structures. ~~Other findings, as appropriate and required by the town, are met; and~~

~~(g) In no case shall this provision apply to accessory structures.~~

§ 157.163 EXEMPTIONS AND EXCEPTIONS.

(A) Exemptions for linear utilities:

(1) Construction, installation, operation, and maintenance of electric, natural gas, fiber optic, telephone transmission lines, underground telecommunications and

cable television lines, railroads, public roads, pedestrian and bike paths, and their appurtenant structures shall be exempt from compliance with this Subchapter so long as they comply with Erosion and Sediment Control Law, the Storm Water Management (SWM) Act of the Code of Virginia and the Prince William County Design and Construction Standards Manual. The exemption of public roads is further conditioned on the road alignment and design being such as to minimize encroachment into the RPA and adverse effects on water quality. A WQIA study will be required for public roads unless the Town grants an exception pursuant to subsection (B) of this section. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(2) Construction, installation, and maintenance of water and sewer lines owned by a regional service authority shall be exempt from the compliance with this Subchapter if the provisions of the following paragraphs (a) through (d) are met. The applicant shall submit proof of all required compliance to the Zoning Administrator, who shall process the application as provided in this section.

(a) To the degree possible, the location of such utilities and facilities should be outside Resource Protection Areas;

(b) No more land shall be disturbed than is necessary to provide for the necessary utility installation;

(c) All such construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality;

(d) Any land disturbance exceeding an area of 2,500 square feet shall comply with all erosion and sediment control requirements of the Design and Construction Standards Manual.

(B) Exceptions.

(1) Exceptions to the requirements of this Subchapter may be granted only as permitted by section 740.06 of the Prince William County Design and Construction Standards Manual. Exceptions for encroachment into the RPA will be processed in accordance with section 700 of the Prince William County Design and Construction Standards Manual either as administrative exceptions or as public hearing exceptions.

(2) When a public hearing is required by section 700 of the Prince William County Design and Construction Standards Manual, the Town Planning Commission shall conduct a public hearing to review a request for an exception for encroachment into the RPA and the associated water quality impact assessment study. The Planning Commission may grant the exception with such conditions and safeguards as stated in section 700 of the Prince William County Design and Construction Standards Manual.

~~(A) Construction, installation, and maintenance of water, sewer, roads, natural gas lines, underground telecommunications, and cable television lines owned, permitted by the town, shall be exempt from the overlay district provided that:~~

~~(1) To the extent possible, the location of such utilities and facilities shall be outside RPAs;~~

~~(2) No more land shall be disturbed than is necessary to provide for the proposed utility installation;~~

~~(3) All construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits and designed and conducted in a manner that protects water quality; and~~

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

~~(B) Water wells; passive recreation facilities such as boardwalks, trails, and pathways; and historic preservation and archaeological activities within the RPAs may be exempted from the overlay district, provided that it is demonstrated to the satisfaction of the Zoning Administrator that:~~

~~(1) Any required permits, except those to which this exemption specifically applies, shall have been issued;~~

~~(2) Sufficient and reasonable proof is submitted that the intended use will not deteriorate water quality;~~

~~(3) The intended use does not conflict with nearby planned or approved uses; and~~

~~(4) Any land disturbance exceeding 2,500 square feet in area shall comply with all town erosion and sediment control requirements.~~

2. That this ordinance is effective _____.

BY ORDER OF THE TOWN COUNCIL

**Meeting Date:
Town Council Meeting
Ord No. O-2022-XX**

RE: An Ordinance to Amend Sections 157.152, 157.153, 157.159, 157.160, 157.161, 157.162, and 157.163 of the Town Code Generally Relating to Chesapeake Bay Preservation Overlay District

**MOTION:
SECOND:
ACTION:**

**Votes:
Ayes:
Nays:
Absent from Vote:
Absent from Meeting:**

CERTIFIED COPY _____

Town Clerk



TOWN OF OCCOQUAN

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TOWN COUNCIL
Earnest W. Porta, Jr., Mayor
Jenn Loges, Vice Mayor
Krys Bienia
Cindy Fithian
Laurie Holloway
Eliot Perkins

TOWN MANAGER
Kirstyn Jovanovich

TO: The Honorable Mayor and Town Council

FROM: Kirstyn Jovanovich, Town Manager

DATE: January 18, 2022 (*Updated as of January 4, 2022*)

SUBJECT: Administrative Report

This is a monthly report to the Town Council that provides general information on departmental activities including administration, public safety, engineering, zoning and building, public works and events.

Administration

- **Coronavirus Updates:** Town staff is continuing to monitor the impacts of the COVID-19 pandemic, including the rise and impact of variants. On July 27, the CDC updated their masking guidelines recommending that all individuals, including those fully vaccinated, wear a face covering in public indoor settings in areas of substantial or high transmission. Prince William County is currently classified as High Transmission. At this time, masking inside town facilities, regardless of vaccination status, continues to be required. Staff will continue to closely monitor information from the CDC and local health and government authorities to guide decisions about Town activities and policies.
- **ARPA Update:** The Town Council received a briefing on the Coronavirus State and Local Fiscal Recovery Fund (CLFRF) regarding the town's expected distribution and the Interim Final Rule's guidance on uses. The Town is entitled to receive \$949,560.76 under the Non-Entitlement Unit (NEU) distribution, having received the first half on June 30, 2021, and the second tranche expected around June 2022. Staff is continuing to review the Interim Final Rule and develop a list of potential projects for future Council consideration as we wait for the Final Rule to be issued by the Treasury Department. Updates will continue to be provided as more information is received.
- **Intersection Improvements Update:** Scheduling is pending for the intersection improvements that will include installation of ADA ramps and crosswalks at the intersections of Mill/Washington Street and Mill/Ellicott Streets.
- **Amplified Outdoor Sound Permit:** An Amplified Outdoor Sound Permit has been established as per Town Code § 92.10. Information on the process is available on the Town's website; however, the permit process will not be enacted until Spring 2022. Staff will provide information to the businesses over the next few months in preparation for launching the permit program in early 2022.
- **Mill at Occoquan Project:** Facilitated pre-application meeting regarding forthcoming Architectural Review Board (ARB) application for the Mill at Occoquan project. Application was reviewed by the ARB at their September 28, 2021 meeting. Additional information was requested, and the hearing continued; the application will be scheduled to be heard by the ARB at a future ARB meeting. Sample materials are available at Town Hall to be viewed.
- **VDOT TAP Grant Project:** Participated in a meeting with representatives from Prince William

County and VDOT regarding the County's TAP projects, specifically the Union Street sidewalk project that would connect the proposed Occoquan Greenway Trail to the Town's existing sidewalk along Ellicott Street. The project is being proposed by Prince William County Parks and includes sidewalk improvements along Ellicott Street, including adding a missing sidewalk connection near the intersection Mill and Ellicott Streets. The Town Council adopted a resolution of support for the project at its September 21, 2021 meeting, which has been provided to County staff. The project is being submitted as part of the County's TAP project list. Notification of award status is not expected until Spring 2022.

- **Community Strategy & Comprehensive Plan Update:** Staff is working with the Planning Commission to develop a Community Plan as an addendum to the Town's Comprehensive Plan. The 2021 update of the Comprehensive Plan was approved at the December 7, 2021 Town Council meeting, and completion of the Community Strategy Plan is currently planned for spring 2022.
- **Regional Hazard Mitigation Plan Update:** Town staff is participating in the update to the Northern Virginia Hazard Mitigation Plan, which is updated every five years.

Treasurer Report - Supplemental Information

The October 2021 Financial Report is included in the Town Council agenda packet. Additional information regarding current delinquencies is included below.

BPOL Tax Delinquencies		
Business Name	Years of Delinquency	Date of Last Notice/Status

Transient Tax Delinquencies		
Business Owner	Months of Delinquency	Date of Last Notice/Status

Meals Tax Delinquencies		
Business Name	Months of Delinquency	Date of Last Notice/Status
Riverside Coffee/Baba & Me	4	11/30/2021
Bann Thai Old Town	2	

Real Estate Delinquencies				
Property Owner	Years of Delinquency	Delinquent Tax Amount	Date of Last Notice	Notes
FEINGOLD DAVID S	1	\$48.84	11/15/2021	USPS UTF; Mortgage Co. notified
FUGATE JIM R & LINDA L SURV	1	\$190.84	10/26/2021	
GRANNY'S COTTAGE INC	5	\$341.38	8/15/2021	Enforcement Pending
HOUGHTON RONALD	3	\$52.31	10/26/2021	Enforcement Pending
JONES SALUKA HALLIE	1	\$298.60	10/26/2021	2019 Tax Year - Non-compliant
KASTENS DOUGLASS & MARTA	1	\$43.25	10/26/2021	
LIGHT MARK D & RINA KOCSANY J-T SURV	1	\$44.66	10/26/2021	
LUDWIG CATHERINE	1	\$469.15	11/15/2021	USPS UTF; Mortgage Co. notified

Engineering

ACTIVE ITEMS:

- **FEMA Flood Insurance Rate Map (FIRM) - no change from last report:** Minor changes suggested on stream names. Town website included notification of changes to FIRM. Expected adoption of new mapping winter 2021, spring 2022. May require update of ordinance.
- **DEQ review of Town's Chesapeake Bay Preservation Ordinances - update from last report:** DEQ report issued April 7, 2021 with Draft Corrective Action Plan issued for changes to Town Code and Comprehensive Plan not later than March 31, 2022. Working with Town Manager and Town Attorney to draft appropriate language. Draft language created by Town Attorney and forwarded to DEQ liaison on 12/7/2021. Planning Commission incorporated changes into Comprehensive Plan update, which was forwarded to DEQ 12/10/21. New Ches Bay changes will need to be presented in public hearing before Planning Commission and Town Council, with adoption by March 31, 2022.
- **Kiely Court Project - no change from last report:** Land Disturbance Permit issued - construction commenced. Zoning permits have been issued for both houses. Town staff continues to monitor erosion and sediment controls and parking on/ near job site.
- **Rivertown Overlook Project - no change from last report:** Land Disturbance Permit issued - construction proceeding.
- **Mill at Occoquan - update from last report:** Floodplain study comments by FEMA issued. Pre-application meeting held with J2 Engineering for site plan.
- **PWC Transportation Alternatives Program (TAP) grant projects - no change from last report:** Sidewalk extensions on Ellicott Street only, in conjunction with the PWC Park Authority.
- **PWC Transportation Mill Street pedestrian crosswalks - no change from last report:** Crosswalks approved and ready for construction. Bid advertised and bid opening scheduled for first week of November 2021. Construction commencement after January 1, 2022.
- **Community Strategy - no change from last report:** Working with Planning Commission on addendum to Comprehensive Plan to establish minimum standards for Town facilities. Preliminary outline presented to Planning Commission on August 26, 2021. Anticipated adoption in spring 2022.
- **Stormwater Management Grants - no change from last report:** Reviewing various grant and loan opportunities for multiple projects throughout Town.
- **Site Plans Under Review or Being Discussed with Owner/Tenant:**

Address	Plan Number	Use	Status
109 Poplar Lane	N/A	Dock extension	No submission to date
Mill at Occoquan	N/A	Mixed Use project	Pre-application 12/17/21

INACTIVE ITEMS (no action/monitoring pending):

- **Vantage Point BMP maintenance - no change from last report:** Bid received from Total Development Solutions (\$38,730). Lynn property - re-inspected with calculations on channel capacity and protective lining. Town Engineer evaluated runoff onto downstream property and prepared channel improvement plan for owner.
- **Tanyard Hill Park (Oaks III) - no change from last report**
 - Approved by PWC BOS 5/15/18 with revised proffers
 - Trails marked and blazed on site
 - Use as park and open space - trails and Stormwater Pond shown on GDP
 - Plat vacating lot line when site plan needed - NRA to review first
 - Access to potential parking lot for trail head allowed off Tanyard Hill
 - Reserve ROW along Tanyard Hill and Old Bridge Roads

Zoning Administrator

A. The following is a list of **zoning reviews** from December 1, to December 28, 2021:

	Zoning Application #	Property Address	Activity
1	TZP2021-053	216 West Locust Street	Replace furnace
2	TZP2021-054	435 Fortress Way	Proposed community dog park

A. The following is a list of **new violation letters** from December 1, to December 28, 2021:

	Property Address	Violation	Town Action
N/A			

B. The following is a list of **active/previous violations** from December 1, to December 28, 2021:

	Property Address	Violation	Town Action
1	Rivertown Overlook	Weed violation	Violation Letter sent on 11/24/2021. Reinspect in early January 2022 to check status.
2	204 Union Street	Refuse violation	Violation Letter sent on 11/24/2021. Reinspect in early January 2022 to check status.
3	209 Commerce Street	Refuse and weed violation	Violation Letter sent on 11/24/2021. Reinspect in early January 2022 to check status.
4	Berrywood	Refuse Enclosure Required	Met on-site with developer on 8/3 to discuss next steps and close out of project, including design of enclosure and location; Received ARB approval on enclosure design on 8/24; Zoning application approved. Awaiting construction.
5	201 Union St. - Riverside Coffee and Ice Cream (Baba & Me)	Unpermitted Signage	E-mail correspondence on 8/2/21 and 8/12/21 to work with owner on compliance; some signs removed - some violations remain; <i>Referred to enforcement for action- see above.</i> 30-day appeal period expired on 11/30. Working with Town Attorney on issuing summons with magistrate.
6	307 Commerce St.	Residential use in B-1	One-story residential on Commerce Street; complies with O-2021-06 allows residential use by-right; in compliance as of December 7, 2021.
7	204 Ellicott St.	Residential use in B-1	Letter, 1 st Enforcement Action; <i>Action Plan Developed</i> - Current use is mixed-use; business front Ellicott Street and residential in rear; in compliance
8	303 Commerce St.	Residential use in B-1	Letter, 1 st Enforcement Action; <i>Action Plan Developed - In Progress</i>
9	201 Union St.	Refuse Enclosure Required	Letter - 1 st Enforcement Action; Town Manager attempted to work with property owner to bring into compliance; property owner - last written communication requesting complete zoning application sent 8/25 - Zoning Application submitted 10/21/21. Meeting on-site with ZA 11/4 to discuss options for compliance. Mostly resolved on 12/6 visit. One last follow up in early January to ensure compliance.

Building Official

Please see the attached monthly report provided by Prince William County providing information on permits within the Town of Occoquan. Below are status notes related to permits issued two or more years ago as of December 28, 2021:

Permit No.	Address	Type	Status	Issue Date	Note
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BLD-2019-00547	402 Fortress Way	Building	Issued	07/30/2018	No inspections have been made.
GAS2019-00432	270 Gaslight Landing Ct	Gas	Issued	9/20/2018	No inspections have been made.
PLB2020-00752	201 Mill Street	Plumbing	Issued	10/1/2019	No inspections have been made.
BLD2018-04471	313 Mill Street	Building	Issued	02/23/2018	No inspections have been made
BLD2014-05879	1441 Occoquan Heights Ct	Building	Issued	04/25/2014	Footing Inspection Approved 5/5/2014
BLD2018-04008	199 Union Street	Building	Issued	01/31/2018	No inspections have been made
PLB2018-01862	199 Union Street	Plumbing	Issued	01/31/2018	450 Final Inspection rejected on 4/12/2018
PLB2018-02373	411 Union Street	Plumbing	Issued	03/23/2018	404 Sewer Lateral Inspection approved on 3/29/2018
BLD2019-00785 ELE2019-00643 PLB2019-00381	131 Washington Street	Building Electrical Plumbing	Issued	08/13/2018	198 Combination concealment rejected on 9/18/2018
PLB2018-01956	103 West Locust Street	Plumbing	Issued	02/08/2018	No inspections have been made
Permit No.	Address	Type	Status	Issue Date	Note
BLD2018-02984 ELE2020-04159 GAS2021-00349 MEC2021-00002 PLB2021-00536	430 Mill Street – Kiely Court	Various	Issued	2019-2021	Kiely Court Project – in progress
Various	1551 – 1556 Rivertown Place	Various	Issued	Various	Rivertown Overlook Project – in progress

Staff will work with Prince William County Building Department staff to develop a letter template to notify property owners within the town of outstanding open permits.

Public Safety

Departmental Goals

- Goal 1: Provide for the public safety of the persons and property of the residents, businesses, and visitors of the Town of Occoquan.
- Goal 2: Promote a professional and accountable police department.
- Goal 3: Promote safe roads and sidewalks in the Town of Occoquan.

Current Initiatives

Continued patrol and business coverage in town. Continued community policing and safe sidewalks. Continued speed enforcement on Route 123, Washington Street, and Union Street/Tanyard Hill Road. Continued DMV selective enforcement grants to address impaired driving, reduce accidents, and increase pedestrian safety.

Community Relations

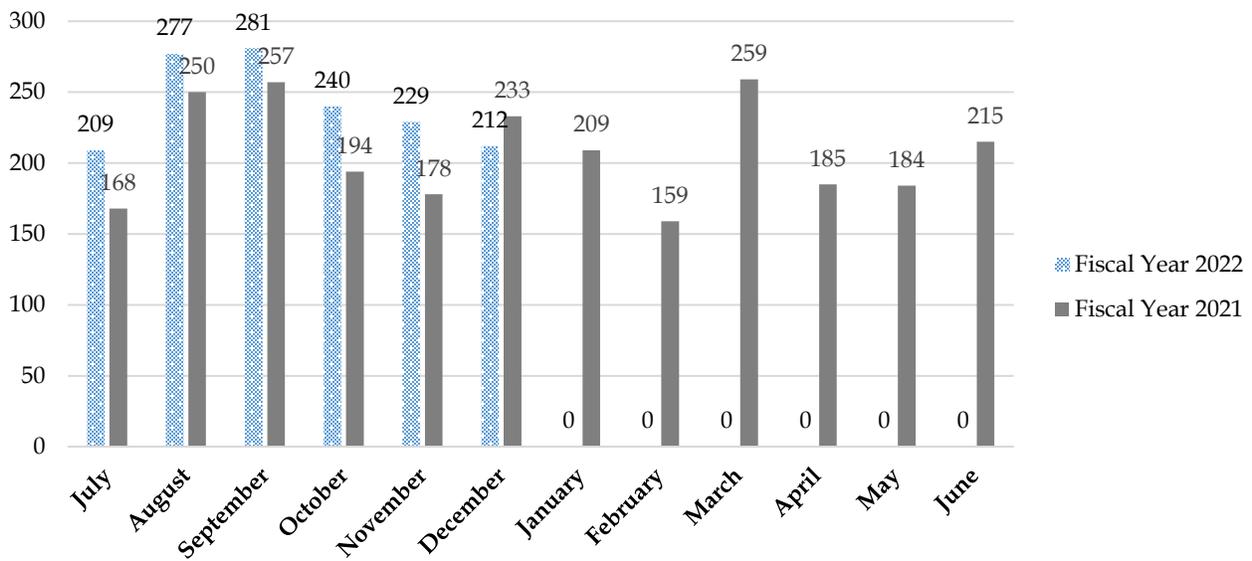
Engaged in foot patrols during times of high pedestrian traffic in Town. Officers provided coverage

for Town HolidayFest events. Officers spoke with business owners and residents throughout the month.

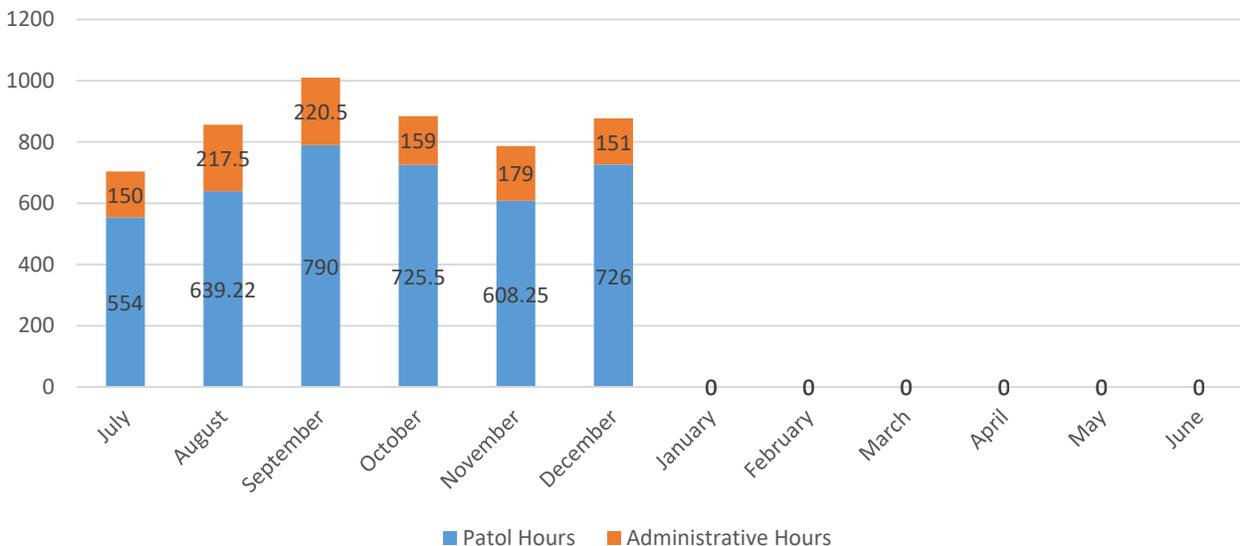
Patrol and Enforcement Activities

As of December 27, 2021, in the month of December, the Town Police made 54 business checks and 130 park checks. The Town Police also had 113 calls for service, with 21 suspicious person/vehicle/circumstance calls, 11 vehicle accidents, 7 disabled vehicles/motorist assist calls, 5 medical calls, 4 trespassing calls, 4 impaired driving calls, 3 larceny/theft calls, 2 disorderly/assault in progress calls, 2 Destruction of property calls, 2 roadway obstruction calls, 2 hit & run calls, 1 drug complaint call, 1 traffic control call, 1 noise complaint, 1 stolen vehicle call, 1 theft call, 1 brandishing call, 1 missing person call, 1 fleeing and eluding, 1 domestic dispute call, 1 DUID arrest, multiple service/assist calls, and issued 212 traffic summonses, 51 parking violations, and 44 warnings.

Traffic Summonses FYTD (GRAPH)



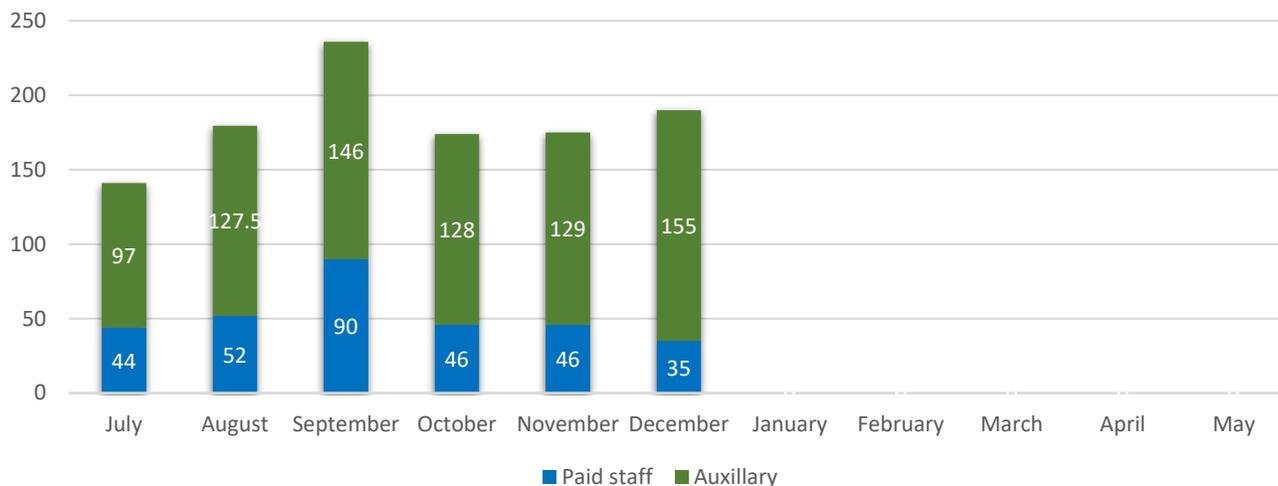
Patrol/Administrative Hours FYTD (GRAPH)



Volunteer in Police Service

For fiscal year 2022, our auxiliary police officers and paid police staff have donated a total of 1095.5 uncompensated hours to the Town. Below is a list of volunteer hours (uncompensated time) provided by our auxiliary police officers and paid police staff:

Volunteered Hours



Public Works

Weekly Activities

The Public Works Department engages in the following regular maintenance activities:

Activity	Daily, M-F	Sat/Sun	Weekly	Monthly	Notes
Trash Collection/Check	X	X			Weekend checks during high traffic seasons
Street Sweeping			X		Sweeping Season: April - October
Check/Repair Gaslights	X				Review and schedule repairs as needed
Check/Repair Gaslight Banners	X				
Check/Clean Trash/Recycling Cans			X		Clean as needed
Check/Replace Doggie Bags			X		
Check/Clear Storm drains			X		Weekly + Storm Prep
Check Public Restrooms	X	X			Weekend checks during high traffic seasons
Contractor Cleaning - RMP			X		Contractor cleans Fridays and Mondays
Check Tanyard Hill Park			X		Review and schedule repairs as needed
Check Mamie Davis Park and Boardwalk	X				Review and schedule repairs as needed
Check River Mill Park	X				Review and schedule repairs as needed
Check Furnace Branch Park			X		Review and schedule repairs as needed
Minor Brick Sidewalk Check/Repairs			X		Review and schedule repairs as needed
Check/Replace Flags			X		

Activity	Daily, M-F	Sat/Sun	Weekly	Monthly	Notes
Maintain Town Equipment			X		Vehicle and small engine repair, seasonal and as needed
Maintain Town Buildings			X		Review and schedule repairs as needed
Clean Town Vehicle			X		Ensure cleanliness and care of town vehicle
Maintain Annex/PW Facility	X				External and Internal clean up and organization
Check/Maintain Dumpster and storage area				X	
Water Flowers	X				Seasonal
Graffiti Check/Removal	X				
Litter Check/Removal	X				

Maintenance Highlights (November 2021)

- Provided event support for HolidayFest event
- Preparing Scope of Work for paving projects for FY2022 and other public works capital projects scheduled for FY2022

Upkeep and Maintenance Projects

Below is an updated list of maintenance activities with statuses updated as of December 28, 2021:

Project	Not Started	In Progress	Completed
Town Hall Bathroom Remodel	X		
Town Hall Kitchen Remodel	X		
River Mill Bathroom Upgrades	X		
Repair Town Hall Eve Damaged due to Tree	X		
Clean Lower Level Emergency Exit Stairs at Town Hall	X		
Install Custom Bricks at River Mill Park		X	
Backup Generator Project		X	
Paint cigarette Urns	X		
Install new fence at Mamie Davis Park	X		
Install replacement bench in River Mill Park		X	
Paint street sign poles black outside of historic district		X	
Paint Yellow curbs	X		
Address dirt area near LOVE sign steps	X		
Paint Town Hall front steps sides	X		
Repair Town Hall landscape lighting	X		
Repair concrete steps at Town Hall	X		
Clean/Maintain River Mill Park Light/Poles		X	
Clean off Kayak Ramp			X
Repair broken light on Fairfax side of footbridge		X	
Develop Art installation project for Agnes Commemoration		X	
Install curbstops along fence line in Town parking lot	X		
Remove graffiti from under bridge (ongoing), town		X	
Replace sensor at RMP for park lights		X	
Obtain Quote for electrical along fence line in RMP		X	

Project	Not Started	In Progress	Completed
Repair town portable generator	X		
Wash/Repair Winter Gaslight Banners/Install			X
Complete minor brick repairs		X	
Complete repairs on Riverwalk/dock - replace boards; reattach; safety issues		X	
Schedule powerwash of Riverwalk/dock	X		
Review/schedule major repairs to brick sidewalk areas	X		
Clean out leaves in front of Town Hall			X
Support HolidayFest Event			X
Cart Maintenance			X
Clean up and organize PW Annex		X	
Repair heater in RMP Bathroom		X	
Repair lattice on Town Sign at Commerce/123			X
Install signs at Footbridge			X
Install name plates on boy scout benches in RMP			X
Replace internals in Town Hall toilet			X
Repaired fence at Furnace Branch Park			X

Brick Installation and Maintenance Projects - Below is the status of the replacement and maintenance of sidewalk bricks:

Location	Not Started	In Progress	Completed	Notes
Corner by Post Office		X		Contractor Quote requested - concrete curb/rebuild needed [minor repairs made]
206 Mill Street		X		Contractor Quote requested - concrete curb/rebuild needed
Town Hall	X			
203 Union Street		X		Contractor Quote requested - concrete curb/rebuild needed
Corner of Center/Washington		X		Contractor Quote requested - connect concrete into Brick, repair brick work
304 Mill Street (Ballywhack)		X		Brick over dirt area - Contractor Quote requested
Minor Brick Repairs - Throughout Historic District		X		Scheduled for repairs by Maintenance Supervisor

**Minor brick repairs are in progress.*

Events and Community Development

- HolidayFest, November 20 – December 12, 2021 Recap:** HolidayFest was a 3-week event that kicked off with the annual Tree Lighting and a business Shop Late night. The Occoquan Business Partners offered a passport shopping experience and giveaway for patrons during this period. The Town produced the Holiday Artisan Market the first weekend of December, supported by 30 vendors. Activities included the arrival of and visits with Santa, a community gingerbread contest, caroling, firepits and the Town’s tradition of roasting marshmallows. The

Town partnered with a local theater company to produce a staged reading of A Christmas Carol on December 11 and 12. Saturday's event was canceled due to weather.

- **Planning for 2022:** Staff's primary focus for the new year will be on RiverFest, scheduled for June 4 and 5, 2022. The Occoquan Business Partners and Town staff will continue to partner on major tourism events for 2022.

**Town of Occoquan - Permit Report
December 2021**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
ELE2021-04934	124 COMMERCE ST	INSTALLATION OF GENERATOR	Electrical	Pending	C - Accessory Structure		
BLD2019-03820	206 COMMERCE ST	ANTENNA MOUNTED TO POLE IN TOWN OF OCCOQUAN.	Building	Pending	C - Alteration/Repair		
BLD2019-00547	402 FORTRESS WAY	KITCHEN RENOVATION TO CONDO UNIT - FOR KITCHEN CABINETS, CUTTING INTO THE CEILING TO INSTALL LIGHTS	Building	Issued	C - Alteration/Repair	07/30/2018	
BLD2021-07195	459 FORTRESS WAY	Installation of a new timber retaining wall with 6 x 6 pressure treated lumber. Inclusive of backfill and compact excavated areas with finished grade sloped and the installation of a new foundation drainage system and new clean stone.	Building	Issued	C - Retaining Wall	11/05/2021	
GAS2019-00432	270 GASLIGHT LANDING CT	ALTERATION/REPAIRS TO REPLACE HVAC UNIT AND FURNACE LIKE FOR LIKE	Gas	Issued	C - Alteration/Repair	09/20/2018	
ELE2022-02892	115 MILL ST	This project consists of upgrading the existing SCADA System (Data Acquisition) and Radio System at the existing L-73 Lift Station which is owned by the Prince William County Service Authority. The work involves removing the Existing Scada Cabinet and installing a new one and providing a few new security devices such as Camera's and door card readers for identification. This installation only involves electrical work. I have discussed this project with Zoning and Land Development and both have said since this is an existing commercial building that they do no need to review.	Electrical	Pending	C - Alteration/Repair		
PLB2020-00752	201 MILL ST	CAPPING THE WATER SERVICE	Plumbing	Issued	C - Alteration/Repair	10/01/2019	
BLD2018-04471	313 MILL ST	PARTIAL ROOF REPAIR DUE TO WATER DAMAGE - SEE PSTD2018-00224	Building	Issued	C - Alteration/Repair	02/23/2018	
ELE2022-00482	415 MILL ST	TLO FOR POPPS	Electrical	Pending	C - Tenant Layout		
MEC2021-02381	415 MILL ST	TLO FOR POPPS	Mechanical	Pending	C - Tenant Layout		
PLB2022-00959	415 MILL ST	TLO FOR POPPS	Plumbing	Pending	C - Tenant Layout		
BLD2022-01583	416 MILL ST	Construct a covered roof over existing patio. Located in the rear of the existing restaurant bldg and does not increase the previous occupant load.	Building	Pending	C - Tenant Layout		
BLD2018-02984	430 MILL ST	*SEE NOTE* KIELY RESIDENCE - LOT SPECIFIC SFD - PRIOR TO BEGINNING CONSTRUCTION ON NEW SFD, BLD2019-04458 (SHEETING & SHORING) MUST HAVE AN APPROVED FINAL INSPECTION/BE COMPLETED.	Building	Issued	R - New Single Family Dwelling	04/15/2019	
ELE2020-04159	430 MILL ST	HOUSE ELECTRICAL	Electrical	Issued	R - New Single Family Dwelling	04/07/2020	
GAS2021-00349	430 MILL ST	1 gas fireplace , 1 gas range , 1 gas stove , 1 gas water heater	Gas	Issued	R - New Single Family Dwelling	08/31/2020	
MEC2021-00002	430 MILL ST	DUCTWORK AND HVAC INSTALL **05/14/2021** added prefab fireplace to permit	Mechanical	Issued	R - New Single Family Dwelling	08/26/2020	
PLB2021-00536	430 MILL ST	water and sewer	Plumbing	Issued	R - New Single Family Dwelling	08/31/2020	
BLD2021-06428	440 MILL ST	SEE BCE2021-00264 -(S) Add sub floor reinforcing pier and cross beam support to supplement existing floor joists. No demolition or alteration of existing structures.	Building	Finalized	C - Alteration/Repair	10/26/2021	11/18/2021
ELE2022-02501	440 MILL ST	//GBC correct crawl space wiring	Electrical	Issued	C - Alteration/Repair	11/18/2021	
BLD2022-02422	458 MILL ST	TEMPORARY INFLATABLE MOVIE SCREEN - EVENT ON 10/23/2021	Building	Issued	C - Temporary Activity	10/22/2021	
BLD2014-05879	1441 OCCOQUAN HEIGHTS CT	DECK	Building	Issued	R - Addition	04/25/2014	
BLD2022-01366	101 POPLAR LN	Create opening in existing wall in basement.	Building	Finalized	R - Alteration/Repair	09/30/2021	11/22/2021
BLD2022-00079	109 POPLAR LN	CUSTOM SFD	Building	Pending	R - New Single Family Dwelling		
BLD2018-04392	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04221	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00596	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01181	1551 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/20/2018	
PLB2019-00861	1551 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 1 1551 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04390	1552 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 6 1552 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01737	1552 RIVERTOWN PL	INSTALL 200 AMPS SERVICE / LTS/SW/SM/ OUTLETS	Electrical	Issued	R - New Townhouse	10/11/2021	
GAS2022-00768	1552 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION	Gas	Issued	R - New Townhouse	10/15/2021	
MEC2022-00972	1552 RIVERTOWN PL	Installation of A/C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00888	1552 RIVERTOWN PL	ROUGH IN PLUMBING FOR NEW CONSTRUCTION	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04393	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04222	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00598	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01193	1553 RIVERTOWN PL	INSTALL NEW HVAC SYSTEM	Mechanical	Issued	R - New Townhouse	11/21/2018	
PLB2019-00864	1553 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 2 1553 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04376	1554 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 5 1554 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01736	1554 RIVERTOWN PL	INSTALL 200 AMPS SERVICE SW/ SM / OUTLETS / LTS	Electrical	Issued	R - New Townhouse	10/11/2021	
GAS2022-00767	1554 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION	Gas	Issued	R - New Townhouse	10/15/2021	
MEC2022-00971	1554 RIVERTOWN PL	Installation of new A/C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00887	1554 RIVERTOWN PL	ROUGH IN PLUMBING FOR NEW CONSTRUCTION	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04394	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2019-04220	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Electrical	Issued	R - New Townhouse	04/29/2019	
GAS2019-00599	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Gas	Issued	R - New Townhouse	10/22/2018	
MEC2019-01194	1555 RIVERTOWN PL	INSTALL NEW HVAC	Mechanical	Issued	R - New Townhouse	11/21/2018	
PLB2019-00865	1555 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 3 1555 RIVERTOWN PLACE	Plumbing	Issued	R - New Townhouse	10/22/2018	
BLD2018-04375	1556 RIVERTOWN PL	LOT SPECIFIC TOWNHOUSE - LOT 4 1556 RIVERTOWN PLACE	Building	Issued	R - New Townhouse	03/22/2018	
ELE2022-01735	1556 RIVERTOWN PL	Install 200 amps service / outlet's / SW/ SM/ LTS by town Council Agenda Packet Page 48 of 63	Electrical	Issued	R - New Townhouse	10/11/2021	
GAS2022-00766	1556 RIVERTOWN PL	ROUGH IN GAS LINES FOR NEW CONSTRUCTION	Gas	Issued	R - New Townhouse	10/15/2021	

**Town of Occoquan - Permit Report
December 2021**

Permit Number	Main Address	Description	Permit Type	Permit Status	Permit Workclass	Issue Date	Finalize Date
MEC2022-00973	1556 RIVERTOWN PL	Installation of A.C, gas furnace, and ductwork	Mechanical	Issued	R - New Townhouse	10/25/2021	
PLB2022-00886	1556 RIVERTOWN PL	rough in plumbing for new construction	Plumbing	Issued	R - New Townhouse	10/15/2021	
BLD2018-04008	199 UNION ST	UPDATE AND REPAIR BATHROOM IN RENTAL APARTMENT.***MUST PAY BCE ADMIN FEE***	Building	Issued	C - Alteration/Repair	01/31/2018	
PLB2018-01862	199 UNION ST	INTERIOR RENOVATIONS TO LAUNDRY AND BATHROOM IN RESIDENCE ON THE SECOND FLOOR. 1 BATH, 1 DRAIN.	Plumbing	Issued	C - Alteration/Repair	01/31/2018	
BLD2020-03981	202 UNION ST	ALTERATION/REPAIRS TO DEMO SPACE FOR FUTURE TENANT	Building	Issued	Demolition	02/12/2020	
BLD2020-04453	202 UNION ST	SALAD SALOON - TLO	Building	Pending	C - Tenant Layout		
MEC2020-02163	202 UNION ST	SALAD SALOON - TLO	Mechanical	Pending	C - Tenant Layout		
PLB2021-00690	202 UNION ST	SALAD SALOON - TLO	Plumbing	Pending	C - Tenant Layout		
BLD2021-08525	206 UNION ST	Converting existing retails space to new Nail Salon.	Building	Issued	C - Tenant Layout	11/15/2021	
ELE2022-01996	206 UNION ST	Converting existing retails space to new Nail Salon.	Electrical	Issued	C - Tenant Layout	11/22/2021	
MEC2022-01112	206 UNION ST	Converting existing retails space to new Nail Salon.	Mechanical	Pending	C - Tenant Layout		
PLB2022-01118	206 UNION ST	Converting existing retails space to new Nail Salon.	Plumbing	Pending	C - Tenant Layout		
PLB2018-02373	411 UNION ST	CONVERTING FROM SEPTIC TO PUBLIC SEWER	Plumbing	Issued	R - Alteration/Repair	03/23/2018	
BLD2022-01979	105 VISTA KNOLL DR	12' X 20' OPEN DECK NO STAIRS - PER PLANS	Building	Issued	R - Addition	09/29/2021	
BLD2021-00870	127 WASHINGTON ST	A/R TO ADD BEDROOM & QUARTERS ABOVE KITCHEN	Building	Issued	R - Alteration/Repair	11/09/2020	
ELE2021-02202	127 WASHINGTON ST	Add bedroom and quarters above kitchen	Electrical	Issued	R - Alteration/Repair	11/15/2020	
MEC2021-01175	127 WASHINGTON ST	install heat pump with duct work	Mechanical	Issued	R - Alteration/Repair	11/20/2020	
PLB2021-02432	127 WASHINGTON ST	A/R TO ADD BEDROOM & QUARTERS ABOVE KITCHEN	Plumbing	Issued	R - Alteration/Repair	04/01/2021	
BLD2019-00785	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Building	Issued	R - Alteration/Repair	08/13/2018	
ELE2019-00643	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Electrical	Issued	R - Alteration/Repair	08/16/2018	
PLB2019-00381	131 WASHINGTON ST	FINISH BASEMENT -*REVISED 9/19/18 TO REMOVE BEDROOM - SPACE WILL BE A REC ROOM NOW, WINDOW THAT WAS INSTALLED DID NOT REQUIRE MODIFICATION OF WINDOW OPENING* INSTALLING INTERIOR DOOR AND WET BAR- NON STRUCTURAL WORK	Plumbing	Issued	R - Alteration/Repair	08/15/2018	
PLB2021-00738	142 WASHINGTON ST	WATER SERVICE REPLACEMENT	Plumbing	Issued	R - Alteration/Repair	09/23/2020	
BLD2022-01142	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Building	Issued	C - Tenant Layout	09/28/2021	
ELE2022-01465	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Electrical	Issued	C - Tenant Layout	11/22/2021	
MEC2022-00655	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Mechanical	Issued	C - Tenant Layout	11/22/2021	
PLB2022-00561	202 WASHINGTON ST	(SEE BCE2022-00035) NEW TENANT BUILD-OUT FOR A NAIL SPA	Plumbing	Issued	C - Tenant Layout	11/22/2021	
BLD2022-02442	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Building	Pending	C - Tenant Layout		
PLB2022-01433	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Plumbing	Pending	C - Tenant Layout		
PLB2022-01433	206 WASHINGTON ST	Change of Use of an existing residential space to an office. Demo and new construction of existing space to follow update ADA requirements. Mixed use.	Plumbing	Pending	C - Tenant Layout		
PLB2018-01956	103 WEST LOCUST ST	Water Service	Plumbing	Issued	R - Alteration/Repair	02/08/2018	
ELE2022-02521	210 WEST LOCUST ST	remove blower and electric outlet from existing direct vent gas fireplace. Move to new fireplace in same location	Electrical	Finalized	R - Alteration/Repair	12/05/2021	12/08/2021
GAS2022-01036	210 WEST LOCUST ST	remove and replace existing direct vent gas fireplace	Gas	Finalized	R - Alteration/Repair	12/05/2021	12/08/2021
MEC2022-01308	210 WEST LOCUST ST	R&R NEW DIRECT VENT GAS FIREPLACE	Mechanical	Finalized	R - Alteration/Repair	12/05/2021	12/08/2021

END OF REPORT

Permit Issued Over 2 Years Old
Development Project

TOWN OF OCCOQUAN
FINANCIAL STATEMENTS
AS OF 11/30/2021

	As of 7/1/21 (unaudited)	<i>Unaudited Income/ (Loss) YTD FY22</i>	As of 11/30/2021
Nonspendable:			
Inventory	\$ -	\$ -	\$ -
Restricted:			
Mamie Davis Fund	\$ 100,000	\$ -	\$ 100,000
Assigned:			
Operating Reserves	\$ 85,000	\$ -	\$ 85,000
Events Fund	\$ 25,000	\$ 20,480	\$ 45,480
CIP Fund *	\$ 148,900	\$ -	\$ 148,900
Financing Proceeds	\$ 25,271	\$ -	\$ 25,271
Public Safety Grant Fund	\$ 64,237	\$ 8,719	\$ 72,955
CARES Act fund	\$ 8,302	\$ (7,605)	\$ 697
ARPA Fund	474,780	\$ -	\$ 474,780
Mamie Davis Park Fund	\$ 11,109	\$ 210	\$ 11,319
PEG Fund	\$ 1,562	\$ -	\$ 1,562
Public Art Fund	\$ 500	\$ -	\$ 500
Subtotal Assigned:	\$ 844,661	\$ 21,803	\$ 866,464
Unassigned	-	\$ (64,455)	\$ (64,455)
Total Available Fund Balance:	\$ 944,661	\$ (42,651)	\$ 902,010

*CIP paid by CARES is counted in CARES only

The Town of Occoquan
Profit & Loss Budget Performance
July through November 2021

	Jul - Nov 21	Annual Budget	Over/(Under) Budget	% of Budget
Ordinary Income/Expense				
Income				
40000 - TAXES				
40010 - Real Estate	\$ 1,584	\$ 249,189	\$ (247,605)	1%
40020 - Meals Tax	\$ 119,253	\$ 228,000	\$ (108,747)	52%
40030 - Sales Tax	\$ 8,685	\$ 30,000	\$ (21,315)	29%
40040 - Utility Tax	\$ 10,536	\$ 28,800	\$ (18,264)	37%
40050 - Communications Tax	\$ 8,463	\$ 35,000	\$ (26,537)	24%
40060 - Transient Occupancy Tax	\$ 6,160	\$ 11,200	\$ (5,040)	55%
Total 40000 - TAXES	\$ 154,681	\$ 582,189	\$ (427,508)	27%
41000 - FEES/LICENSES				
41010 - Vehicle License	\$ 8,056	\$ 12,000	\$ (3,944)	67%
41020 - Business Licenses	\$ 9,076	\$ 68,800	\$ (59,724)	13%
41030 - Late Fees	\$ 169	\$ 2,500	\$ (2,331)	7%
41040 - FINES (PUBLIC SAFETY)	\$ 168,227	\$ 297,580	\$ (129,353)	57%
41100 - Administrative Fees	\$ 2,873	\$ 5,000	\$ (2,127)	57%
41120 - Service Revenue - Eng	\$ 6,705	\$ 10,000	\$ (3,295)	67%
41130 - Service Revenue - Legal	\$ 4,727	\$ 10,000	\$ (5,273)	47%
41140 - Service Revenue - Other	\$ -	\$ 1,000	\$ (1,000)	0%
41170 - E-Summons	\$ 742	\$ 7,000	\$ (6,258)	11%
41000 - FEES/LICENSES - Other	\$ -	\$ 2,500	\$ (2,500)	0%
Total 41000 - FEES/LICENSES	\$ 201,284	\$ 416,380	\$ (215,096)	48%
42000 - GRANTS				
42010 - LITTER	\$ 1,329	\$ 1,050	\$ 279	127%
42020 - HB 599	\$ 11,844	\$ 23,686	\$ (11,842)	50%
42021 - NHSTA (DMV)	\$ -	\$ 14,594	\$ (14,594)	0%
Total 42000 - GRANTS	\$ 13,173	\$ 39,330	\$ (26,157)	33%
43000 - RENTALS				
43010 - Town Hall	\$ -	\$ 500	\$ (500)	0%
43020 - River Mill Park	\$ 700	\$ 2,000	\$ (1,300)	35%
43030 - Mamie Davis Park Rental	\$ 550	\$ 2,000	\$ (1,450)	28%
43040 - 200 Mill St	\$ -	\$ 7,500	\$ (7,500)	0%
Total 43000 - RENTALS	\$ 1,250	\$ 12,000	\$ (10,750)	10%
44000 - OTHER				
44010 - General Fund Interest	\$ 369	\$ 120	\$ 249	308%
44060 - Other	\$ 52	\$ 1,000	\$ (948)	5%
Total 44000 - OTHER	\$ 437	\$ 1,120	\$ (683)	39%
Total Income	\$ 370,880	\$ 1,051,019	\$ (680,139)	35%
Gross Profit				
	\$ 370,880	\$ 1,051,019	\$ (680,139)	35%
Expense				
Total 60000 - PERSONNEL SERVICES	\$ 219,137	\$ 633,918	\$ (414,781)	35%
Total 60400 - PROFESSIONAL SERVICES	\$ 70,588	\$ 156,770	\$ (86,182)	45%
Total 60800 - INFORMATION TECH SERV	\$ 10,516	\$ 27,205	\$ (16,689)	39%
Total 61200 - MATERIALS AND SUPPLIES	\$ 17,227	\$ 20,008	\$ (2,781)	86%
Total 61600 - OPERATIONAL SERVICES	\$ 3,740	\$ 7,500	\$ (3,760)	50%
Total 62000 - CONTRACTS	\$ 43,901	\$ 82,000	\$ (38,099)	54%
Total 62400 - INSURANCE	\$ 16,446	\$ 28,000	\$ (11,554)	59%
Total 62800 - PUBLIC INFORMATION	\$ 1,510	\$ 2,500	\$ (990)	60%
Total 63200 - ADVERTISING	\$ 1,260	\$ 2,000	\$ (740)	63%
Total 63600 - TRAINING AND TRAVEL	\$ 5,622	\$ 16,450	\$ (10,828)	34%
Total 64000 - VEHICLES AND EQUIPMENT	\$ 10,423	\$ 23,530	\$ (13,107)	44%
Total 64400 - SEASONAL	\$ 4,946	\$ 3,000	\$ 1,946	165%
64700 - FACILITIES EXPENSE				
Total 64800 - TOWN HALL	\$ 5,657	\$ 10,690	\$ (5,033)	53%
Total 65200 - MILL HOUSE MUSEUM	\$ 275	\$ 6,090	\$ (5,815)	5%
Total 65600 - 200 Mill Street	\$ 407			
Total 66000 - ANNEX / MAINTENANCE YARD	\$ 1,830	\$ 5,910	\$ (4,080)	31%
Total 66400 - MILL ST STORAGE FACILITY	\$ -	\$ 250	\$ (250)	0%
Total 66800 - RIVER MILL PARK & FACIL	\$ 7,531	\$ 14,970	\$ (7,439)	50%
Total 67200* - MAMIE DAVIS PARK & RIVERWALK	\$ 1,018	\$ 2,650	\$ (1,632)	38%
Total 68400* - STREETS AND SIDEWALKS	\$ 53	\$ 700	\$ (647)	8%
Total 68800 - HISTORIC DISTRICT	\$ 6,312	\$ 14,100	\$ (7,788)	45%
Total 64700 - FACILITIES EXPENSE	\$ 23,084	\$ 55,360	\$ (32,276)	42%
Total Expense	\$ 428,409	\$ 1,058,241	\$ (629,832)	40%
Net Ordinary Income	\$ (57,529)	\$ (7,222)	\$ (50,307)	797%
General Fund Net Income	\$ (57,371)	\$ (7,222)	\$ (50,149)	794%

CIP FUND				
Ordinary Income/Expense				
Income				
42000 - GRANTS	\$ -	\$ 5,000	\$ (5,000)	0%
Net Ordinary Income	\$ -	\$ 5,000	\$ (5,000)	0%
Other Income/Expense				
Other Expense				
70000 - CIP EXPENSE				
70001 - Streetscape	\$ -	\$ 10,000	\$ (10,000)	0%
70002 - Intersection Improvements	\$ -	\$ 3,400	\$ (3,400)	0%
70003 - Street Maintenance	\$ -	\$ 83,000	\$ (83,000)	0%
70004 - Sidewalk Maintenance	\$ -	\$ 12,000	\$ (12,000)	0%
70005 - Building Maintenance	\$ -	\$ 5,000	\$ (5,000)	0%
70006 - Stormwater Management	\$ -	\$ 10,000	\$ (10,000)	0%
70014 - Timed Parking Equipment	\$ -	\$ 5,500	\$ (5,500)	0%
70015 - Gaslight Banner Replacement	\$ -	\$ 5,000	\$ (5,000)	0%

The Town of Occoquan
Profit & Loss Budget Performance
July through November 2021

	Jul - Nov 21	Annual Budget	Over/(Under) Budget	% of Budget
72006 - Riverwalk	\$ -	\$ 10,000	\$ (10,000)	0%
74001 - Vehicles & Equipment	\$ -	\$ 5,000	\$ (5,000)	0%
74002 - In-Vehicle Laptop Replace	\$ -	\$ 4,000	\$ (4,000)	0%
74003 - Body Armor	\$ -	\$ 1,000	\$ (1,000)	0%
CARES Funds: 76005 - A/V Equipment - Town Hall	\$ 5,970			
Total 70000 - CIP EXPENSE	\$ 5,970	\$ 153,900	\$ (147,930)	4%
Total Other Expense	\$ 5,970	\$ 153,900	\$ (147,930)	4%
Net Other Income	\$ (5,970)	\$ (153,900)	\$ 147,930	4%
Net Income	\$ (5,970)	\$ (148,900)	\$ 142,930	4%

EVENT FUND				
Ordinary Income/Expense				
Income				
44000 - OTHER				
44020 - Events Fund Interest	\$ 448	\$ 3,000	\$ (2,552)	15%
44040 - Bricks Revenue	\$ 714	\$ 3,000	\$ (2,286)	24%
Total 44000 - OTHER	\$ 1,935	\$ 6,000	\$ (4,065)	32%
47000 - EVENTS REVENUE				
47010 - Sponsorships	\$ 3,728	\$ 10,000	\$ (6,272)	37%
47020 - Booth Rentals	\$ 56,814	\$ 170,600	\$ (113,787)	33%
47021 - Ticket Sales				
Total 47021 - Ticket Sales	\$ 9,430	\$ 9,590	\$ (160)	98%
47030 - Shuttle Fees	\$ 28,268	\$ 53,000	\$ (24,732)	53%
47040 - Parking Space Sales	\$ 3,525	\$ 6,000	\$ (2,475)	59%
47060 - Merchandise	\$ 785	\$ 1,000	\$ (215)	79%
47081 - Alcohol	\$ -	\$ 3,600	\$ (3,600)	0%
Total 47000 - EVENTS REVENUE	\$ 102,548	\$ 253,790	\$ (151,242)	40%
Total Income	\$ 106,903	\$ 259,790	\$ (152,887)	41%
Gross Profit	\$ 106,903	\$ 259,790	\$ (152,887)	41%
Expense				
Total 60000 - PERSONNEL SERVICES	\$ 26,120	\$ 62,892	\$ (36,772)	42%
Total 60400 - PROFESSIONAL SERVICES	\$ 4,821	\$ 10,000	\$ (5,179)	48%
Total 60800 - INFORMATION TECH SERV	\$ 457			
Total 61200 - MATERIALS AND SUPPLIES	\$ 5,697	\$ 5,150	\$ 547	111%
Total 62000 - CONTRACTS	\$ 31,580	\$ 66,700	\$ (35,120)	47%
Total 63200 - ADVERTISING	\$ 5,474	\$ 19,000	\$ (13,526)	29%
Total 64000 - VEHICLES AND EQUIPMENT	\$ 51			
Total 64700 - FACILITIES EXPENSE	\$ 245	\$ 1,000	\$ (755)	24%
Total 69200 - SPECIAL EVENTS	\$ 11,980	\$ 12,700	\$ (720)	94%
Total Expense	\$ 86,423	\$ 177,442	\$ (91,019)	49%
Net Ordinary Income	\$ 20,480	\$ 82,348	\$ (61,868)	25%
Net Income	\$ 20,480	\$ 82,348	\$ (61,868)	25%

MAMIE DAVIS PARK				
Ordinary Income/Expense				
Income				
44000 - OTHER				
44030 - Mamie Davis Park Interest	\$ 210	\$ 500	\$ (290)	42%
Total 44000 - OTHER	\$ 210	\$ 500	\$ (290)	42%
Total Income	\$ 210	\$ 500	\$ (290)	42%
70000 - CIP EXPENSE				
72005 - Mamie Davis Park Renovations	\$ -	\$ 2,000	\$ (2,000)	0%
Net Income	\$ 210	\$ (1,500)	\$ 1,710	-14%

Total Net Income/Loss (All Funds)	\$ (42,651)	\$ (75,274)	\$ 32,623	57%
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The Town of Occoquan
Balance Sheet Prev Year Comparison
As of November 30, 2021

	Nov 30, 21	Nov 30, 20	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
10001 - Petty Cash - Operating	100.00	100.00	0.00
10020 - Sun Trust Operating 0438	0.00	31,130.67	-31,130.67
10022 - Operating Account 0058	51,735.87	41,889.85	9,846.02
10029 - Events Fund - Checking 3126	50,644.79	0.00	50,644.79
10030 - Events Fund - Checking B&H	1,582.78	6,169.59	-4,586.81
10031 - Events Fund - MM/CD	200,000.00	200,000.00	0.00
10033 - Events Fund - Paypal	5,930.69	2,602.10	3,328.59
10034 - VIP - Investment Pool			
25-0001 - VIP 1-3 Year Bond Fund 0001	224.56	0.00	224.56
25-5001 - VIP NAV Liquidity Pool 5001	474,864.79	103,919.25	370,945.54
Total 10034 - VIP - Investment Pool	475,089.35	103,919.25	371,170.10
10080 - Mamie Davis - Checking	6,933.73	6,433.94	499.79
10081 - Mamie Davis - MM/CD	100,000.00	100,000.00	0.00
10091 - Bricks - PayPal	494.46	591.58	-97.12
10094 - Event Fund - MM 5997	15,553.40	2,551.00	13,002.40
10095 - Bricks MM 2125	11,298.79	9,209.01	2,089.78
Total Checking/Savings	919,363.86	504,596.99	414,766.87
Accounts Receivable			
10180 - Accounts Receivable	26,856.67	17,166.24	9,690.43
Total Accounts Receivable	26,856.67	17,166.24	9,690.43
Other Current Assets			
10190 - Real Estate Receivable	2,038.83	2,038.83	0.00
14990 - Undeposited Funds	9,120.27	540.72	8,579.55
Total Other Current Assets	11,159.10	2,579.55	8,579.55
Total Current Assets	957,379.63	524,342.78	433,036.85
TOTAL ASSETS	957,379.63	524,342.78	433,036.85
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
20000 - Accounts Payable	26,610.79	68,860.84	-42,250.05
Total Accounts Payable	26,610.79	68,860.84	-42,250.05
Credit Cards			
22000 - Credit Cards			
22020 Home Depot	127.23	82.00	45.23
22010 - ExxonMobil	1,254.23	319.69	934.54
22030 - Lowe's Proservices	1,135.07	229.37	905.70
22040 - United Bank Credit Cards	5,347.12	10,061.64	-4,714.52
Total 22000 - Credit Cards	7,863.65	10,692.70	-2,829.05
Total Credit Cards	7,863.65	10,692.70	-2,829.05
Other Current Liabilities			
20935 - Performance Bond	4,567.50	4,567.50	0.00
20960 - Unearned Other Revenue			
20970 - Rental	1,538.00	500.00	1,038.00
20972 - Unearned CARES Act Revenue	7,933.49	87,599.32	-79,665.83
20973 - Unearned ARPA Revenue	474,780.38	0.00	474,780.38
Total 20960 - Unearned Other Revenue	484,251.87	88,099.32	396,152.55
20980 - Unearned R.E. Tax	8,760.01	2,038.83	6,721.18
21200 - Payroll Liabilities			
21230 - VRS Employee Contributions	-2,016.04	-2,316.34	300.30
Total 21200 - Payroll Liabilities	-2,016.04	-2,316.34	300.30
Total Other Current Liabilities	495,563.34	92,389.31	403,174.03
Total Current Liabilities	530,037.78	171,942.85	358,094.93
Total Liabilities	530,037.78	171,942.85	358,094.93
Equity			
Total Equity	427,341.85	352,399.93	74,941.92
TOTAL LIABILITIES & EQUITY	957,379.63	524,342.78	433,036.85

Town Attorney Report

To: Mayor and Council, Town of Occoquan

Thru: Kirstyn Jovanovich, Town Manager

From: Martin Crim, Town Attorney

Re: January 2022 Town Attorney Report

Date: December 22, 2021

NOT CONFIDENTIAL

This is a non-confidential report on matters that my office has been working on for the Town since my previous report dated December 1, 2021:

1. Continued to work with the Town Manager and Town Engineer on the fee schedule.
2. Assisted the Zoning Administrator in providing zoning determinations for new owners or uses.
3. Reviewed staff report to Architectural Review Board for Mill at Occoquan.



TOWN OF OCCOQUAN TOWN COUNCIL MEETING

Agenda Communication

8. Regular Business	Meeting Date: January 18, 2022
8 A: Request to Adopt Resolution of Appreciation to Ms. Robyn Becker on the Occasion of her Retirement	

Attachments: a. R-2022-02

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

This is a request to adopt a resolution of appreciation to Ms. Robyn Becker on the occasion of her retirement. Ms. Becker, owner of Yarn Cloud, has closed her storefront in Occoquan.

Proposed/Suggested Motion:

"I move to approve Resolution R-2022-02 as presented."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION OF APPRECIATION TO
MS. ROBYN BECKER ON THE OCCASION OF HER RETIREMENT**

WHEREAS, Ms. Robyn Becker in 2014 opened her business the Yarn Cloud at 204 Washington Street in the Town of Occoquan, offering a wide variety of knitting, crochet, and related products, as well as related workshops and club activities; and

WHEREAS, in operating the Yarn Cloud she kept active the original site of Ogle Harris & Sons store, one of the iconic, historic, commercial locations in the Town of Occoquan in what was once the heart of the Town’s African-American business community; and

WHEREAS, over the years under her ownership the Yarn Cloud sponsored a number of charity programs, including Knitted Knockers, Let’s Warm Up America, Hats for the Homeless, and the Great Yarn Giveaway; and

WHEREAS, Ms. Becker was always quick with a kind word and generous in her praise and expressions of gratitude to others; and

WHEREAS, it is understood that Ms. Becker plans to re-open as a mobile yarn shop in the future, and we accordingly hope that we will see her again in Occoquan, perhaps in future Arts & Crafts Shows.

NOW, THEREFORE, BE IT RESOLVED, the Occoquan Town Council hereby congratulates Ms. Becker on her retirement, wishes to express its sincere appreciation for her decade of contributions to the Occoquan community, and wishes her well in all her future endeavors.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th Day of January 2022.

MOTION:

**DATE: January 18, 2022
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Michele White, Town Clerk



TOWN OF OCCOQUAN TOWN COUNCIL MEETING

Agenda Communication

8. Regular Business	Meeting Date: January 18, 2022
8 B: Request to Adopt Resolution of Appreciation to Ms. Mitzie Tibbets on the Occasion of her Retirement	

Attachments: a. R-2022-03

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

This is a request to adopt a resolution of appreciation to Ms. Mitzie Tibbets on the occasion of her retirement. Ms. Tibbets, owner of The Reclaimed Treasures, has closed her storefront in Occoquan.

Proposed/Suggested Motion:

"I move to approve Resolution R-2022-03 as presented."

OR

Other action Council deems appropriate.

**TOWN OF OCCOQUAN, VIRGINIA
RESOLUTION**

**RESOLUTION OF APPRECIATION TO
MS. MITZIE TIBBETS ON THE OCCASION OF HER RETIREMENT**

WHEREAS, Ms. Mitzie Tibbets with a partner in 2017 opened the business The Reclaimed Treasures in the Town of Occoquan, later moving it to a prominent location at the corner of Mill and Union Streets; and

WHEREAS, Ms. Tibbets eventually became the sole owner and operator of The Reclaimed Treasures, offering furniture, home décor, signs, artwork, and workshops, as well as a variety of goods and services for artists and the do-it-yourself community; and

WHEREAS, over the ensuing years Ms. Tibbets established The Reclaimed Treasures as a business that helped favorably evoke an image of Occoquan from earlier days when it offered a wide variety of artisan goods and antiques; and

WHEREAS, the Town of Occoquan wishes to express appreciation to Ms. Tibbets for her contributions to the Occoquan community.

NOW, THEREFORE, BE IT RESOLVED, the Occoquan Town Council hereby congratulates Ms. Tibbets on her retirement, expresses its appreciation to her for her contributions to the Occoquan community, and wishes her well in all her future endeavors.

Adopted by the Town Council of the Town of Occoquan, Virginia this 18th Day of January 2022.

MOTION:

**DATE: January 18, 2022
Town Council Meeting**

SECOND:

Votes

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

BY ORDER OF THE TOWN COUNCIL

Attested:

Earnest W. Porta, Jr., Mayor

Michele White, Town Clerk



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
 Agenda Communication

9. Discussion Items	Meeting Date: January 18, 2022
9 A: Administrative Manual Update – Leave Program Discussion	

Attachments: a. None

Submitted by: Kirstyn Jovanovich
 Town Manager

Explanation and Summary:

At the December 7, 2021 meeting, Town Council approved updates to the Town’s Administrative Manual which included an adjustment to the accrual policy for annual leave. With this update, the current Administrative Manual includes an Accrual Cap under which employees stop accruing annual leave once they hit the set Accrual Cap. During the meeting; however, there was discussion regarding utilizing a Roll Over Cap as opposed to an Accrual Cap. While the Council approved the Administrative Manual as presented including the Accrual Cap, staff was directed to review and bring the item back to the Town Council for further discussion and consideration.

Below is a brief chart that illustrates the differences between a Roll Over Cap and an Accrual Cap:

Roll Over Cap		Accrual Cap (Current)	
<i>Leave is earned by the employee throughout the calendar year; however, the employee can only carry over the Roll Over Cap on January 1 each year</i>		<i>Leave cannot be earned over the Accrual Cap once an employee reaches the Cap at any point in the year</i>	
Roll Over Cap	FT (80 hours) – 240 PT (60 hours) – 180 PT (40 hours) – 120	Accrual Cap	FT (80 hours) – 240 PT (60 hours) – 180 PT (40 hours) – 120
Sick Leave	Unlimited	Sick Leave	Unlimited
Payout	Annual Leave – upon separation from the town, employees are paid out for any unused Annual Leave. Sick Leave – not eligible for payout upon separation.	Payout	Annual Leave – upon separation from the town, employees are paid out for any unused Annual Leave. Sick Leave – not eligible for payout upon separation.

The philosophy behind the Accrual Cap is to firstly encourage employees to take vacations and secondly to reduce the financial liability to the town. By encouraging (and making possible) employees to take vacations, high leave accruals are limited, and the

Town will pay for vacation at the employee's current rate of pay, which presumably will be lower than the future rate for payout at separation. In addition, studies show that quality of life and productivity are increased when employees take leave from work responsibilities.

The Roll Over Cap would be an added benefit to employees by allowing them unlimited leave accrual throughout the year; however, this creates an increased liability to the town to pay out for the leave either through employee separation, increased vacation requests or through a leave payout program.

After review, staff is preparing revisions to the Administrative Manual related to the Leave Program to further adjust the leave program. Staff is requesting input from the Town Council. The changes are based on the following:

1. Roll Over Cap: Institute a roll over cap wherein employees earn unlimited leave throughout the year; however, leave is reduced back down to the roll over cap January 1 each year (use it or lose it scenario); AND
2. Annual Leave Buy Back Program: Institute a buy back program wherein employees may elect to 'cash out' up to 40 hours of accrued leave annually each November; AND
3. Payout Cap: Institute a Payout Cap wherein upon separation with the Town, employees will only receive up to the roll-over cap amount, regardless of total accrued leave balance at time of separation.

In addition, staff is in the process of reviewing a consolidated leave program wherein employees would accrue PTO only (no sick leave). Any further changes to the leave program will be part of the FY2023 budget process.

Staff Recommendation: Staff is recommending approval of adjustments to the Town's leave program as outlined above.

Cost and Financing: TBD

Account Number: TBD

Proposed/Suggested Motion:

"I move to approve the update to the Town Administrative Manual, contingent on final review by the Town Attorney."

OR

Other action Council deems appropriate.



TOWN OF OCCOQUAN
TOWN COUNCIL MEETING
Agenda Communication

9. Discussion Items	Meeting Date: January 18, 2022
9B: FY 2023 Budget – Town Council Priority Discussion	

Attachments: a. FY2022 Town Council Focus Areas
b. FY2023 Budget Calendar

Submitted by: Kirstyn Jovanovich
Town Manager

Explanation and Summary:

This is to discuss goals and priorities for the upcoming fiscal year in preparation for the FY 2023 Budget process.

Prior to developing the Proposed Budget for Town Council consideration, staff is seeking direction on priorities or focus areas that the Council wants to focus on in the coming year. The focus areas identified by the Town Council serve as the foundation to the budget development process.

Attached is the list of FY 2022 Focus Areas identified as part of the current fiscal year budget process.

This is an opportunity to review and/or alter focus areas and provide guidance to staff on the budget development process in term of goals, priorities and expectations.

Staff Recommendation: Recommend identifying and/or updating list of priorities for the FY2023 budget.

TOWN COUNCIL PRIORITIES FY2022

1. COMMUNITY DEVELOPMENT AND PROGRAMMING

- **Develop community programming and events**
 - Be clean, green, safe and stable
 - On-going coordination with Prince William/Fairfax Counties
- **Plan and promote Occoquan as a trail junction**
- **Outreach to HOAs**
- **Increase reputation and viability of annual events**
 - Be a shopping, dining, entertainment hub for Prince William County, Southern Fairfax County and Northern Stafford County
 - Promote coordination with LRPA and with Lorton Work House Arts Center
- **Business support**
 - Be an attractive center of employment for start-ups/small businesses (5-25) employees

2. HISTORIC PRESERVATION AND TOWN APPEARANCE

- **Maintain and preserve historic properties**
- **Promote maintenance of public and private properties**
 - Plan for expansion and maintenance of the Riverwalk
 - Improve the Town's gateways
 - Stewardship of Town's natural resources
 - Beautification/landscaping efforts to enhance Town aesthetics

3. PARKING MANAGEMENT

- **Manage parking and traffic issues in Historic District**
 - Measure, analyze and refine timed parking program
 - Continue development and implementation of comprehensive parking plan including paid private lots, development of parking facilities, and timed parking
 - Continue to analyze thru-traffic management, including continuing discussions with local jurisdictions regarding the issue
 - Develop town-owned parking lots

4. PUBLIC SAFETY

- **Identify and address public safety concerns**
 - Provide for the public safety of the persons and property of the residents, businesses and visitors to the town
 - Promote a professional and accountable police department
 - Promote safe roads and sidewalks in town

5. STORMWATER MANAGEMENT

- **Identify and support opportunities for stormwater management**
 - Sediment Response policy
 - Explore funding options for stormwater maintenance program

6. ECONOMIC AND PANDEMIC RECOVERY

- **Identify economic development opportunities**
- **Replenish reserves**



TOWN OF OCCOQUAN

Fiscal Year 2023 Budget Calendar

ACTIVITY	DATE	TIME
<input checked="" type="checkbox"/> Budget Staff Meeting – Budget Preparation and Task Setting	Tuesday, December 14, 2021	1:00 p.m.
Town Council Goal Setting Discussion	Tuesday, January 18, 2022	7:00 p.m.
Staff Meeting – Budget Discussion/Priorities	Wednesday, January 19, 2022	10:00 a.m.
Deadline for Department Budget Requests	Tuesday, February 1, 2022	COB
Staff Budget Work Session Prep	Monday, February 14, 2022	10:00 a.m.
Town Council Budget Work Session #1	Tuesday, February 15, 2022	7:00 p.m.
Staff Meeting – Budget Discussion	Tuesday, February 22, 2022	10:00 a.m.
Staff Budget Work Session Prep	Monday, March 14, 2022	10:00 a.m.
Town Council Budget Work Session #2	Tuesday, March 15, 2022	7:00 p.m.
Staff Meeting – Budget Discussion	Wednesday, March 16, 2022	10:00 a.m.
Proposed FY23 Budget Submitted to Council, Available to Public	Thursday, March 31, 2022	COB
Advertise for Tax Rate and Budget Public Hearings	Advertising Dates: March 31 + 24	Date to send to paper: March 18
Town Council Budget Work Session #3 <i>if needed</i>	Tuesday, April 5, 2022	7:00 p.m.
Public Hearing: Proposed FY23 Budget	Tuesday, April 5, 2022	7:00 p.m.
Public Hearing: Proposed FY23 Tax Rates	Tuesday, April 19, 2022	7:00 p.m.
Adoption of FY23 Tax Rates and Budget	Tuesday, May 3, 2022	7:00 p.m.
Submission of Budget to GFOA	90 Days from adoption	COB

Town Council Meetings/ Actions
 Administrative Deadlines