

The Planning Commission meeting of the Town of Front Royal, Virginia was held on September 16, 2020 at 7 pm.

Present: Douglas Jones, Chairman
Joseph McFadden, Vice Chairman
Darryl Merchant, Commissioner
William Gordon, Commissioner

Absent: Connie Marshner, Commissioner

Staff: Timothy L. Wilson, Director of Community Development and Planning
Connie L. Potter, Executive Assistant

CALL TO ORDER

Chairman Jones stated there was a quorum and called the meeting of the Planning Commission to order at 7 pm.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF MINUTES

Vice Chairman McFadden moved to approve the meeting minutes as written.

VOTE: Yes – Jones, McFadden, Merchant, Gordon
Absent – Marshner

PUBLIC HEARING:

- **FRREZON2013-2020.** A rezoning application submitted by the Industrial Development Authority of the Town of Front Royal and the County of Warren, also referred to as the Economic Development Authority to rezone approximately 62.7 acres from the R-1 Residential District to the I-2 industrial Employment District.

Timothy Wilson provided an overview of the application request.

For the record, a “Declaration of William Gordon” was read into the Planning Commission meeting minutes.

DECLARATION OF WILLIAM GORDON

I have consulted with Doug Napier, the Town Attorney, regarding the fact this rezoning application by the Economic Development Authority (EDA) is before the Front Royal Planning Commission. I informed Mr. Napier that my wife, Melissa Gordon, is a member of the Board of Directors of the EDA. I informed Mr. Napier that neither my wife, nor I, nor any member of my family will receive any financial benefit or penalty from whether or not the rezoning request is granted or not granted. Based upon this, I told Mr. Napier from a non-lawyer's perspective I did not think I had a legal conflict of interest, although I did understand it could potentially be viewed by some as creating “bad optics” if not treated properly, which I did not want, either for the Town, for the EDA, or for my wife or me personally. I asked Mr. Napier for his legal advice in this situation.

Mr. Napier advised me that legally and ethically, I do not have a conflict of interest under the Virginia State and Local Government Conflict of Interests Act. He also informed me that while he does not represent my wife, if my wife were to request independent advice of another attorney, Mr. Napier is confident that the other attorney would advise my wife that she has no conflict of interest, legally or ethically, under that Act either.

I further state, I am able to participate in this rezoning application request by the EDA fairly, objectively, and in the public interest.

I further state, I request that Ms. Connie Potter record this declaration in the written minutes of the Planning Commission, and file my signed written declaration with Tina Presley, the Clerk of the Town of Town Council, Front Royal, Virginia.

Thank you.

Respectfully submitted,

 9/16/20

William Gordon

Date

Chairman Jones opened the public hearing.

There were no speakers.

Chairman Jones closed the public hearing.

There were no additional questions or comments from Planning Commission members.

Commissioner Merchant moved, seconded by Vice Chairman McFadden that the Planning Commission issue a recommendation for approval to Town Council for FRREZON2013-2020.

Mr. Wilson asked for clarification in the motion if that would include the acceptance of all voluntary proffers as offered.

Commissioner Merchant amended the motion to include “that we accept the proffers as submitted with this application”.

**VOTE: Yes – Gordon, Jones, Merchant, McFadden
Absent - Marshner**

CONSENT AGENDA

There were no items on the consent agenda.

NEW BUSINESS

There were no items for new business.

OLD BUSINESS

There were no items for old business.

PLANNING DIRECTOR’S REPORT

There were no additional comments from the director.

COMMISSION MEMBER REPORTS

Commissioner Merchant noted there was currently an opening on the Planning Commission due to the resignation of Dr. Cee Davis and asked if there had been any movement regarding her replacement.

Mr. Wilson said that Town Council is looking to fill the vacancy. His last conversation with the Clerk of Council, Tina Presley who stated she has not received any applications for a potential Planning Commissioner.

ADJOURNMENT:

Vice Chairman McFadden moved, seconded by Commissioner Merchant to adjourn the meeting.

**VOTE: Yes – Merchant, McFadden, Jones, Gordon
Absent – Marshner**

The meeting adjourned at 7:10 pm.

Connie L. Potter

Connie L. Potter
Executive Assistant