



TOWN COUNCIL REGULAR MEETING

December 9, 2024 @ 7:00pm

Warren County Government Center

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the 2024 Council Meeting minutes of the November 25th Regular Meeting and December 2nd Work Session as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
 - A. Recognition of Retirement Jon J. McDonald, Sr.
 - B. Recognition of Service on ACES Jerome Ray
 - C. Recognition of Promotion of Sergeant Eric Seuss – Chief Whited
7. PUBLIC HEARINGS
 - A. Special Use Permit for Short Term Rental at 132 W. Criser Road – Theresa Roberson
 - B. Special Use Permit to Construct Multi-Family Apartments on E. Criser Road – Surber Development & Consulting LLC
 - C. An Ordinance Amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services and Approval of a Utility Disconnection Policy and Procedures
 - D. Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for Five Years
 - E. FY25 Budget Amendment and Budget Transfer for Outstanding Purchase Orders
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
 - A. Report of Town Manager
 - B. Report of Councilmembers
 - C. Report of the Mayor
10. CONSENT AGENDA ITEMS
 - A. Purchase and Replacement of Pickup Truck for Energy Services Department
 - B. Purchase of Wood Media for Wastewater Treatment Plant
11. Business Items
 - A. Request for Water and Sewer in the Corridor for Industrial Use from Equus Development LP (Executive Land Holdings IV, LLC) – Baugh Drive
 - B. Request for Water and Sewer in the Corridor for Industrial Use from Toray Plastics Inc. (TC MidAtlantic Development V, Inc) – Toray Drive/Baugh Drive
12. Adjourn



The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com for a limited time.

Moment of Silence

Pledge of Allegiance led by Dominic Giovinazo and Isabella Giovinazo

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris (stated her last name was now Veitenthal)
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.

APPROVAL OF MINUTES – Councilman Ingram moved seconded by Vice Mayor Sealock that Council approve the 2024 Council Meeting minutes of the October 28th Special Closed and Regular Meetings and November 12th Work Session, as presented.

Councilman Wood stated that he would be abstaining since he was not in attendance for the November 12, 2024 Work Session.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne
No – N/A
Absent – N/A
Abstain – Councilman Wood

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS

Councilwoman Veitenthal moved seconded by Vice Mayor Sealock that Council add items 11B-To Acquire a Deed of Easement from Front Royal Limited Partnership Granting an Easement to the Town of Front Royal Across Tax Map Nos. 20A221-9 and 20A221-11 in the Town of Front Royal for Construction of a Portion of the Route 522 North Corridor Redundant Waterline Project and 11C- Reconsider and Amend Motion/Resolution Initiating a Zoning Text Amendment on October 28, 2024 to the Planning Commission to the agenda.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS

Recognition of Holly Rhodenhizer for Service on the Board of Architectural Review (BAR) – Mayor Cockrell along with Council presented her with a Certificate of Recognition and thanked her for her service.

Presentation from Chief Whited – Chief Whited gave Council an update on two recruits who just completed the academy. He also advised that he had filled the Community Resource Officer position who would spend time on Main Street. He introduced Captain Zach King as being promoted to Major. Mayor and Council thanked Chief Whited on the updates and congratulated Major King on his promotion.



PUBLIC HEARINGS - None

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Kerry Barnhart, owner of 120-124 E. Main Street, voiced concern over the increase in commercial trash service rates. She gave Council a list of suggestions to consider as they entered further discussion on trash services at their work session on Monday night. She looked forward to a new account identification process and an equitable rate structure that will work for all businesses and residences in the Town. A handout was given to the Clerk of Council to be distributed to the Mayor and Council.

Shane Briggs, 205 E. Main Street, voiced concern over the increase in the trash service rates at his store on Main Street identifying it as a small gift shop. He preferred opting out of the charge.

REPORTS

Town Manager Report – Mr. Waltz advised that the concerns pertaining to Main Street's solid waste area would be discussed at Council's Work Session on December 2nd. He advised that the Town Business Offices would be closed for Thanksgiving and gave an updated trash collection schedule. He wished everyone a Happy Thanksgiving.

Town Council Reports

Vice Mayor Sealock thanked the Police Department for their canine visit at Heritage Hall Nursing Home.

Councilman Wood congratulated the mayor and fellow councilmembers who were re-elected and those who came out to vote. He noted that the Salvation Army would be hosting a Thanksgiving meal Wednesday evening at the First Baptist Church, and that there were 160 Angel Tree participants who would receive gifts from the Salvation Army. He welcomed all volunteers to assist with these events.

Councilwoman Veintenthal congratulated the mayor and fellow councilmembers who were re-elected.

Councilwoman DeDomenico-Payne thanked all the voters who came out to vote. She attended Fussell Florist's Ribbon Cutting. She reminded everyone of the Salvation Army Bell Ringing Program. She stated that this part of the meeting was a reminder that the mayor and council were involved in the community.

Councilman Rapaport congratulated the mayor and fellow councilmembers who were re-elected. He attended Fussell Florist's Ribbon Cutting, the Raymond E. Santmyers Student Union and Activity Center's Event and the NAACP Annual Freedom Fund Banquet.

Councilman Ingram congratulated the mayor and fellow councilmembers who were re-elected. He thanked law enforcement for keeping the recent "leaf traffic" flowing.

Report of the Mayor – Mayor Cockrell attended a presentation from the House of Delegates honoring former Mayor John Marlow, the NAACP Annual Freedom Banquet, a Young Life Event, Veterans Day Ceremony, and Joint Meetings with the Warren County Board of Supervisors and School Board. She thanked all the candidates who ran in the election and the citizens who gave her their concerns during the campaign. She gave thanks for all the blessings in her life and wished everyone a Happy Thanksgiving.



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CONSENT AGENDA ITEMS

Task Order for Additional Dam Evaluation Tasks and to Acquire an Operation/Maintenance Certificate

Council approved a task order for Potesta Engineering in the amount of \$101,100.00 to perform additional dam evaluation tasks and to acquire an Operation and Maintenance Certificate with the Virginia Department of Conservation & Recreation.

Task Order for the Performance of Sanitary Sewer Flow Monitoring Program for FY2025

Council approved a task order for CHA Engineering in the amount of \$272,700.00 for the performance of the Sanitary Sewer Flow Monitoring Program for FY2025.

FY25 Budget Amendment for Helene Storm Recovery Mutual Aid Reimbursement

Council approved a FY25 Budget Amendment in the amount of \$55,226.50 to receive funds from Clinton, South Carolina and Bristol, Virginia to reimburse the Town's Department of Energy Services for costs associated with labor and equipment providing assistance for Helene Storm Recovery efforts.

FY25 Budget Amendment to Receive Funds from Virginia Risk Sharing Association (VRSA) for Reimbursement of a Pedestrian Project and Camera/GPS System for Solid Waste Department

Council approved a FY25 Budget Amendment in the amount of \$5,000.00 to receive funds from Virginia Risk Sharing Association (VRSA) to reimburse the Town for a pedestrian project in the amount of \$2,000.00 and \$3,000.00 for a camera/G.P.S. system for the Department of Solid Waste.

Appointment to the Board of Architectural Review (BAR)

Council appointed Dede Nash to the Board of Architectural Review (BAR) to a 4-year term ending November 13, 2028.

Appointment to Advisory Committee for Environmental Sustainability (ACES)

Council appointed Celeste Horton to the Advisory Committee of Environmental Sustainability (ACES) to a 4-year term beginning December 13, 2024 and ending December 13, 2028.

Reappointment to the Front Royal Economic Development Authority (FREDA)

Council reappointed C. Frank Stankiewicz to the Front Royal Economic Development Authority (FREDA) to a 4- year term beginning December 13, 2024 and ending December 13, 2028.

Recommendation to the Judge of the Circuit Court for Appointment on Board of Zoning Appeals (BZA)

Council recommended James V. Jackson to the Judge of the Circuit Court for appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending May 1, 2028.

Mayor Cockrell read the names of those who were appointed, reappointed and recommended to various boards.

Councilman Ingram moved seconded by Vice Mayor Sealock that Council approve the consent agenda as presented

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



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BUSINESS ITEMS

Viability of the Industrial Development Authority of the Town of Front Royal and County of Warren, Virginia, A Political Subdivision of the Commonwealth of Virginia

Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council direct the Town Attorney to refer the matter of the viability of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, a political subdivision of the Commonwealth of Virginia, to the Office of the Attorney General of Virginia.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Added 11B - To Acquire a Deed of Easement from Front Royal Limited Partnership Granting an Easement to the Town of Front Royal Across Tax Map Nos. 20A221-9 and 20A221-11 in the Town of Front Royal for Construction of a Portion of the Route 522 North Corridor Redundant Waterline Project

Councilwoman Veitenthal moved seconded by Vice Mayor Sealock that Council approve and accept a Deed of Easement from Front Royal Limited Partnership for the sum of \$50,000 for the construction and maintenance of a portion of the Route 522 North Corridor Redundant Waterline Project across Tax Map Nos 20A221-9 and 20A221-11 in the Town of Front Royal as presented, and authorize the Town Attorney and the Town Manager to execute all necessary documents.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Added 11C- Reconsider and Amend Motion/Resolution Initiating a Zoning Text Amendment on October 28, 2024 to the Planning Commission to the agenda.

Councilman Rappaport moved seconded by Vice Mayor Sealock that Council reconsider the motion to initiate a zoning text amendment passed during the previous regular meeting on October 28, 2024 in order to state the public purpose therefore, made and seconded by councilmembers voting with the prevailing side. I further move that upon approving the reconsideration of the October 28, 2024 motion/resolution, that Council amend the initiating motion/resolution of October 28, 2024 by resolving to direct the Planning Commission to recommend a proposed tobacco, smoke and vape shop ordinance (or ordinances) to promote the health, safety and general welfare of the public, with a recommendation to Town Council within ninety (90) days from October 28, 2024.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

The meeting adjourned at approximately 7:48pm.

Approved by Town Council

Date: _____



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Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Veitenthal
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Director of Elections & General Registrar Matthew Reisinger presented certificates to Mayor Cockrell, Vice Mayor Sealock, Councilwoman DeDomenico-Payne and Councilman Wood for their most recent election to the mayor and councilmember seats.

ADDITION TO THE AGENDA

Amber Veitenthal moved seconded by Vice Mayor Sealock that Council add an item to the agenda as 3D – Purchase Wood Media for Wastewater Treatment Plant

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Main Street Solid Waste Service Area Discussion (Virtual) – John Culbertson and Cynthia Momile from MSW Consultants gave a virtual presentation that recapped their most recent Solid Waste Utility Cost of Service Rate Study for the Town. The presentation included: 1) an overview of the three customer classes (residential, commercial dumpsters and Main Street shared containers); 2) map of the Main Street service area; 3) cost of service vs. rate revenue; 4) service summary table that showed a breakdown of confirmed residential and commercial customers on Main Street; 5) Main Street evaluation process; 6) possible cost recovery options (solid waste tax, solid waste assessment and utility bill) giving an overview of each option; 7) summary of the outreach the Town did about the options to the customers; 8) Main Street recommendation approved by Town Council and Town Code Chapter 85 revisions; 9) focus on large business/restaurant (Class III) showing dumpsters outside of Main Street, market research on containerized waste service and commercial container service options; 10) status report for first month invoiced showing a subsidy required of \$24,776; and 11) other rate options that included OPTION 1: all accounts pay the same, no subsidy; OPTION 2: increase residential and commercial to full cost; OPTION 3: increase commercial rate same % as residential increase and retain large commercial subsidy; OPTION 4: increase commercial more than option 3 but less than full cost and retain small commercial subsidy; OPTION 5: remove Class III, retain other classes; and OPTION 6: remove Class III, adjust Class I and Class II higher. Other considerations included 1) have generators establish their own collection to alleviate overflow and billing controversy and 2) consider central compactor containers for Main Street.



Council questioned whether the models were ever based on businesses' revenue. Mr. Culbertson advised they had not but reminded Council that solid waste was a "tonnage base industry" noting there was no correlation between business revenue and waste collection.

Council questioned who was categorizing the businesses into their classes. Mr. Culbertson explained that customers being placed in the wrong class were expected and adjustments were necessary noting the Public Works Director was often the one making the determination. Town Manager Waltz explained that while executing the classes there were some flaws, but they had been addressed. Council noted that 99% of the businesses on Main Street had less than ten employees but it was stated that the study was based on solid waste usage not the number of employees. It was stated that businesses serving food could become a human services issue if the waste was not properly disposed of.

There was much discussion and explanation regarding the residential units on Main Street and how their utility accounts were established. Director of Finance BJ Wilson explained the billing process for both residential and commercial metered customers. Mr. Culbertson reminded Council that the focus was on large businesses and the Class III establishment noting that they generated more and heavier waste. He also noted that Main Street customers received three times a week collection services vs customers outside the Main Street service area who received once a week collection. He explained the efficient use of a front load truck with a single operator compared to other trucks that cost more to operate in difficult areas.

Council questioned what the Main Street service area covered since some customers on Main Street were not included. Mr. Wilson explained that those businesses most likely had their own container. The service area included only those businesses that have shared containers. Discussion ensued about how to exclude access to the shared dumpsters who were not customers and/or who were illegally dumping. Director of Public Works Robbie Boyer explained that cameras were used on Peyton Street at one time because of illegal dumping but have since been removed.

Discussion ensued about the option not to collect commercial waste and have businesses go to the private market or have large generators of solid waste go to the private market explaining that this would reduce the operating expenses in the downtown area. However, this would not alleviate the overflow issue and would likely take away parking spaces. At this point a central compactor for solid waste was discussed noting it could hold a lot more and eliminate smaller containers but would increase the level of difficulty depositing the solid waste since walking was required and parking spaces would be lost. The rate structure could stay the same for a compactor, but the consultant recommended to think more about implementation in the midterm to see how things work out. Mr. Waltz advised that staff was exploring the compactor idea and will bring forth when there was more information.

Council voiced concern that there were some residentials not paying anything and asked for some way to "fix" the situation. There was discussion on how other areas in Town handled individual apartments and how solid waste was collected. Mr. Wilson explained the process between landlord and tenant with some of the buildings in town. He advised that there were no more than twenty residential units on Main Street who were not paying for solid waste.

Council discussed the various options recommended by the consultant noting that subsidizing was a great concern. It was noted that a lot of businesses that located on Main Street were "built" on the former rate, and they could not react to the current increase. Mr. Waltz confirmed that the new rates had been implemented. He reiterated that the Town has a community dumpster system being used by residential



and commercial customers, explaining that if the commercial customers get their own dumpster the Town still had to serve the residential customers. It was noted that approximately two parking spaces were being used per enclosure and that a majority of dumpsters sat on town property with a few on private property. Much discussion continued on what option to choose, noting various charges by adjusting the individual class rates to create no subsidy or lower subsidy. Mr. Waltz reminded Council that any changes in rates would require a public hearing and the earliest that could be scheduled would be January 2025. Mr. Culbertson reiterated that the basis of subsidization was the lack of existing utility meter accounts, therefore some customers were not getting billed. Mr. Waltz advised that currently no one was being billed for Class III. He suggested keeping the rates for Class I and II and coming back to them on January 6th to discuss Class III options. Council suggested that staff look into a process to retrieve more information on the residential units on Main Street.

New Business

A. Purchase and Replacement of Truck for Department of Energy Services – Mr. Wilson advised that money was budgeted. Council agreed to add it to the December 9th Consent Agenda.

Mayor Cockrell moved the addition of 3D - Purchase Wood Media for Wastewater Treatment Plant to 3B – Mr. Wilson advised that this was sole source and was budgeted. Council agreed to add it to the December 9th Consent Agenda.

B. Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for Five Years – Mr. Waltz advised that the current agreement had expired, and this was an amendment to accept a 5-year extension. He gave the ridership statistics and noted the trolley was being utilized. Council agreed to a public hearing on December 9th. It was clarified that the advertisement had already been completed.

C. Request to Donate Utilities for Salvation Army's Angel Tree Drop-Off Location at 419 South Street – Mr. Waltz advised that the Salvation Army was asking for assistance to pay three months of utilities for their Angel Tree Drop-Off location located in the former Dominoe's Pizza location. Councilman Wood disclosed that he was on the Salvation Army Board. There was discussion about setting a precedence if approved. The consensus was to donate up to \$250.00 ending December 31, 2024. After further discussion Mayor Cockrell agreed that she would personally donate the \$250.00.

Requests for Town Water and Sewer in the Corridor for Industrial Use – Mr. Waltz handed out information to Council that included: Water System Volume Available Capacity and Sewer System Volume Available Capacity noting the various limits at each station.

A. Continued discussion – Equus Development LP (Executive Land Holdings IV, LLC) – Baugh Drive – Mr. Waltz advised that they estimated 4,200 gallons per day assuming twenty gallons per day per employee.

B. Continued Discussion – Toray Plastics Inc. (TC MidAtlantic Development V, Inc) – Toray Drive - Mr. Waltz advised they were estimating 1,800 gallon a day without a projection of the number of employees.

Council questioned the issues with the Riverton pump station. Mr. Boyer advised that the pump stations were built in the early 1980's and therefore needed upgrading, with plans currently being reviewed. He explained the difference between peak days and daily average and how it affected the numbers. He continued that the current daily average could handle these two requests. Mr. Waltz advised Council of the



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fees the two industries would bring in monthly. Council agreed to place both requestes under Business Items on the December 9th agenda.

CLOSED MEETING

Councilwoman Veinthal moved seconded by Councilman Wood that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: 1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, a) the insolvency of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, b) supplying water and sewer to industrial users outside of Town limits, and c) imposition of road impact fees.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Ingram moved seconded by Councilwoman Veithenthal that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Adjourned approximately 10:15pm

Approved by Town Council

Date: _____

Jon J. McDonald, Sr.

Senior Maintenance Worker

Horticulture Department

March 16, 2017 – January 1, 2025

We want to recognize and celebrate Jon McDonald as he is retiring from the Town on January 1st with eight years of service as a Senior Maintenance Worker in our Horticulture Division of Public Works. You may recognize Jon as being featured in publications from the Northern Virginia Daily, The Royal Examiner, and social media posts for his hard work and dedication to maintaining the Town's flower hanging baskets. We sincerely appreciate Jon for his efforts to instill such beauty in our community and wish him the very best in retirement.

RECOGNITION OF SERVICE AND APPRECIATION

Presented to

JEROMÉ RAY

ADVISORY COMMITTEE FOR ENVIRONMENTAL SUSTAINABILITY

December 13, 2021 – December 13, 2024

Recognized for three (3) years of service and dedication assisting with the preservation, enhancement, management and protection of the Town of Front Royal's environmental and natural resources through education and coordination with various community organizations.

**MAYOR AND TOWN COUNCIL
TOWN OF FRONT ROYAL, VIRGINIA**

Presented this 9th day of December 2024



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 07A

Agenda Item: PUBLIC HEARING – Special Use Permit for Short Term Rental at 132 W. Criser Rd – Theresa Roberson

Summary: Council is requested to consider a Special Use Permit (SUP) application submitted by Theresa Roberson to allow a short-term rental at 132 W. Criser Road. The property is identified by Tax Map 20A6-33-B1-1B and zoned R-3, Residential District. The applicant intends to rent the house as a whole with three (3) bedrooms and no more than six (6) occupants at a time. The Planning Commission recommended approval of the SUP with no additional conditions.

Budget/Funding: N/A

Meetings: Work Session held November 12, 2024

Proposed Motion: I move that Council approve a Special Use Permit (SUP) application submitted by Theresa Roberson to allow a short-term rental at 132 W. Criser Road (Tax Map 20A6-33-B1-1B).

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Veitenthal* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

2400522 – A Special Use Permit Application submitted by Theresa Roberson to allow a short-term rental located at 132 W. Criser Road, identified by Tax Map 20A6-33-B1-1B. The property is zoned R-3, Residential District.

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – Short-Term Rental #2400522

MEETING DATE: October 16, 2024

SUMMARY: A Special Use Permit application has been submitted for a Short-Term Rental located at 132 W. Criser Road. The applicant intends to rent the house as a whole with three (3) bedrooms and no more than six (6) occupants at a time.

STAFF RECOMMENDATION: Staff recommends approval of Special Use Permit #2400522

DRAFT MOTION: “I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council for Special Use Permit #2400522 for a Short-Term Rental located at 132 W. Criser Road.”

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ *Seconded* _____

Marshner _____ *Marrazzo* _____ *Neel* _____ *Gillispie* _____ *Brooks* _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting
October 16, 2024**

APPLICATION #:

Special Use Permit Application #2400522

APPLICANT:

Theresa Roberson

APPLICATION SUMMARY:

A Special Use Permit application has been submitted for a Short-Term Rental located at 132 W. Criser Road. The applicant intends to rent the house as a whole with three (3) bedrooms and no more than six (6) occupants at a time.

GENERAL INFORMATION:

<i>Site Addresses</i>	132 W. Criser Road
<i>Owner(s)</i>	Charles M. and Theresa A. Roberson
<i>Zoning District</i>	R-3, Residential District
<i>Historic District</i>	No
<i>Tax Identification</i>	Tax Map #20A6-33-B1-1B
<i>Request</i>	The Applicant is requesting to rent three (3) bedrooms and no more than six (6) occupants at a time.

View of Front Elevation – 132 W. Criser Road



Aerial Map (Warren County GIS)



STAFF RECOMMENDATION:

Staff recommends approval with no additional conditions.

ATTACHMENTS: Application and supporting documents.



Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540-635-4236
Fax: 540-631-2727
www.frontroyalva.com
planning@frontroyalva.com

RECEIVED
SEP 06 2024
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT:

NAME: THERESA ROBERSON

PHONE: [REDACTED]

ADDRESS: [REDACTED]

E-MAIL: [REDACTED]

PROPERTY OWNER:

NAME: Charles M. + Theresa Roberson

PHONE: [REDACTED]

ADDRESS: [REDACTED]

E-MAIL: [REDACTED]

PROPERTY DESCRIPTION:

PROPERTY ADDRESS 132 W. CRISER ROAD FRONT ROYAL VA 22630

TAX MAP 20A633B1 SECTION 3 BLOCK 1 LOT 1-B

SUBDIVISION NAME Ay-View Estates

ZONING DISTRICT FORK MAGISTERIAL DIST. ACREAGE 6,469 sq. ft.

SPECIFIC SPECIAL USE PERMIT REQUEST SHORT TERM RENTAL

☒ Whole house rental

☐ Partial rental, # of rooms rented _____

☐ Primary Residence

☐ Secondary Residence

ATTACHMENTS: The following must be submitted with the application. Additional information may be required depending on the nature of the request.

☒ Survey plat or sketch to scale of property showing all **existing** improvements, parking and refuse area and property boundaries.

☒ Provide a map of area attractions

☒ Provide proof that notification to operate was sent to the HOA, if applicable.

☐ Complete management plan.

☒ Written consent given to the Town to inspect for compliance.

☒ Emergency dwelling evacuation diagram (posted in each bedroom)

☐ Application fee of \$400.00

Receipt # 194319

Date Paid 9/6/2024

Check # 382

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regard to the property, please contact (owner) Charles Roberson
at (phone number) [REDACTED] or (property manager) TE ROBERSON
at (phone number) [REDACTED].

If the emergency requires immediate assistance, please call the following or 911.

Front Royal Police Department: 540-635-2111 or 911, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Volunteer Fire & Rescue: 540-635-2540 or 911, 221 N Commerce Ave, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630

Electrical Outage: 540-635-3027, 1101 Manassas Avenue, Front Royal, VA 22630. Outages may be reported online at <https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46>.

Emergency/afterhours 540-635-2111

OCCUPANCY

The Special Use Permit limits the occupancy for this short-term rental at 6 People and 3 Bedrooms.

NOISE

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING

Minimum available parking is 2 vehicle(s) in the driveway. (+ one in garage)

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner.

- Trash receptacles are located (Clarify location of trash bags and receptacles)

In front of house in Garage. TRASH BAGS ARE KEPT IN KITCHEN PANTRY. SMALL TRASH CANS ARE LOCATED IN KITCHEN AND BOTH BATHROOMS, AND IN GARAGE.

- Trash is collected (State the day of the week trash is picked up by the Town and where the container is to be placed on trash day)

Tuesday morning. Container placed roadside near mail box.
*MANAGENT WILL PLACE CITY CONTAINER IN PROPER PLACEMENT FOR TUESDAY MORNING PICKUP.

CHECK-IN & CHECK-OUT

Provide details

Guests may check-in beginning at 3:00pm and check out by 11:00 am. all lights off, all appliances off. all doors locked. Contact owner when leaving the property.

WIFI/PHONE/ETC

Provide details for special amenities if available

wifi provided

SPECIFIC PROPERTY DETAILS

Provide details regarding acreage, landscape, property boundaries (no trespassing notice), unique characteristic, warnings, kitchen use, house amenities, HVAC, etc.

* SEE Attached for more details.

Property is a 3 Bdrm 2 Bath, Split Entry with garage - Back deck, fenced yard, landscaping, outdoor shed and partially wooded backyard.

AREA ATTRACTIONS

Provide a map of area attractions

- Attractions: i.e., Shenandoah National Park, Shenandoah River State Park, Skyline Caverns, Golf Courses, Canoe Companies
- Groceries & Convenience: i.e., Walmart, Target, Martins, CVS
- Restaurants
- Wineries & Breweries

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No shooting of firearms ✓
- No outdoor fire burning ✓ (exc. firepit when town restrictions are lifted.)
- No fireworks ✓

- No Pets
- No smoking
- NO Illegal substances
- No firearms

Revised 12/21/2022

As per 175-3

Short-term rental- means the provision of a room or space that is suitable for, intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Any residential use that falls within the definition of short-term rental as defined in § 15.2-983, as amended, of Virginia State Code.

Short-term rental facility – A building or accessory structure, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a short-term basis, and open to the public or transient guests. The maximum number of occupants shall not exceed ten (10) unless determined appropriate by Town Council.

Short-term rental:

§ 175.151 Short-term rentals.

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. The one-time application fee shall be \$400.00.
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- E. Parking for the use shall be located in driveways or other designated and approved parking areas.
- F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- G. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the 2015 or 2018 Uniform Statewide Building Code (2018 Version required usage beginning July 1, 2022); and a carbon monoxide detector must be installed on each floor in every dwelling.
- H. The owner of the dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.
- I. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers

shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.

- J. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.
- K. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood.
- L. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling.
- M. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code.
- N. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time.

Property Owner's Signature: _____

Charles M. Roberson / Theresa A. Roberson

CERTIFICATION:

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature _____

Charles M. Roberson / Theresa A. Roberson

Date _____

9/6/2024

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

**CONSENT TO INSPECT
PRIVATE PROPERTY**

The undersigned herein consents to the Town of Front Royal, Department of Planning and Zoning Division Officers(s) right of entry to inspect all yard areas, building exterior and/or interior as needed to determine whether said property complies with local and state codes related to said property.

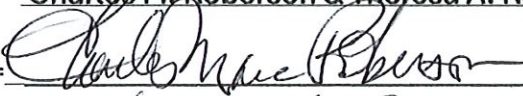
The undersigned herein states that he/she is in lawful possession or control of the property designated below or has the authority to act in the owner(s), tenants', and/or occupants' behalf in their absence.

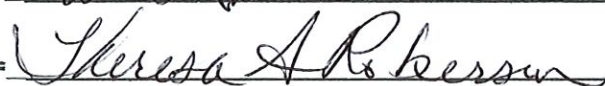
Property Address: **132 West Criser Road, Front Royal VA 22630**

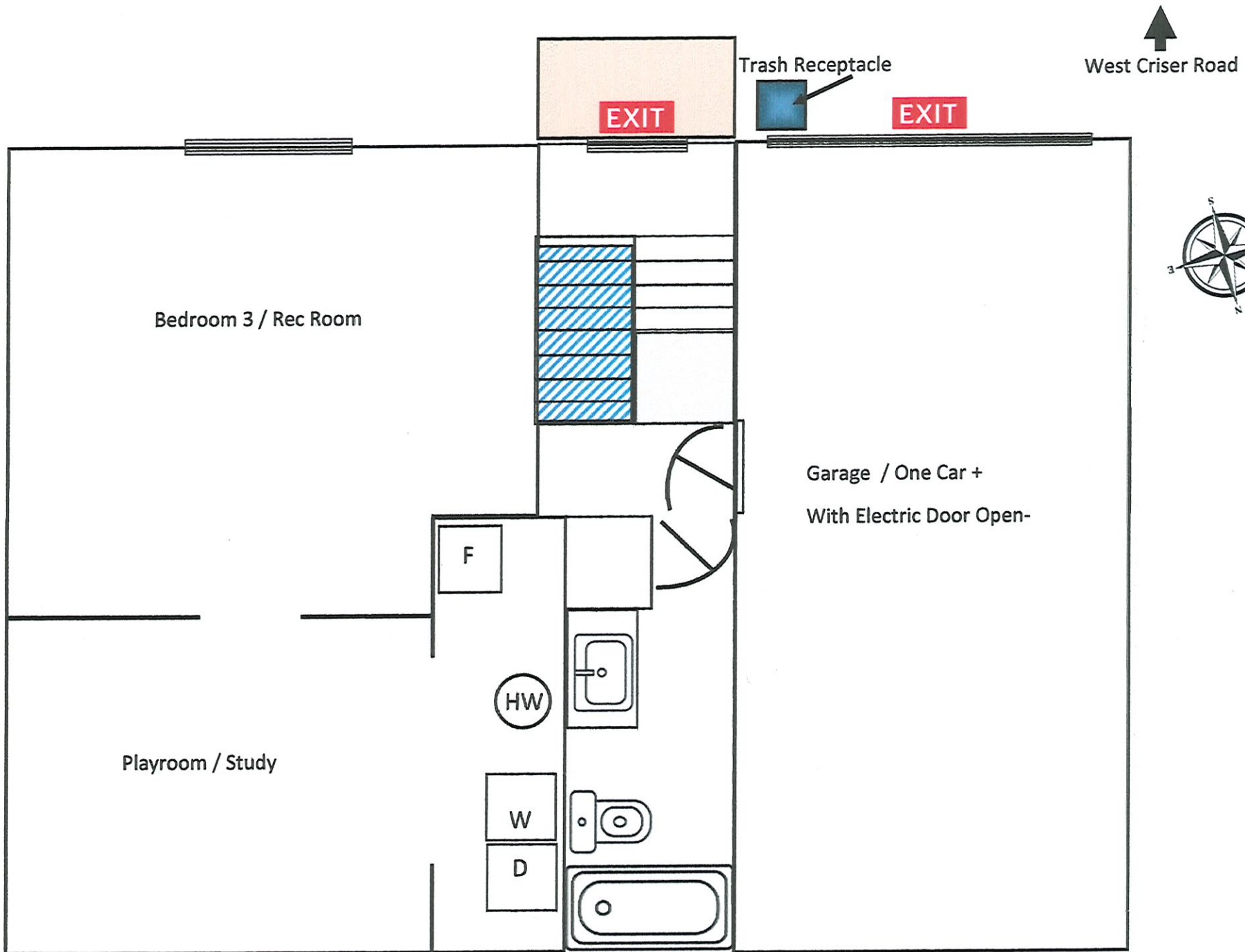
Tax Map **20A633 B1-3 Lot 1B**

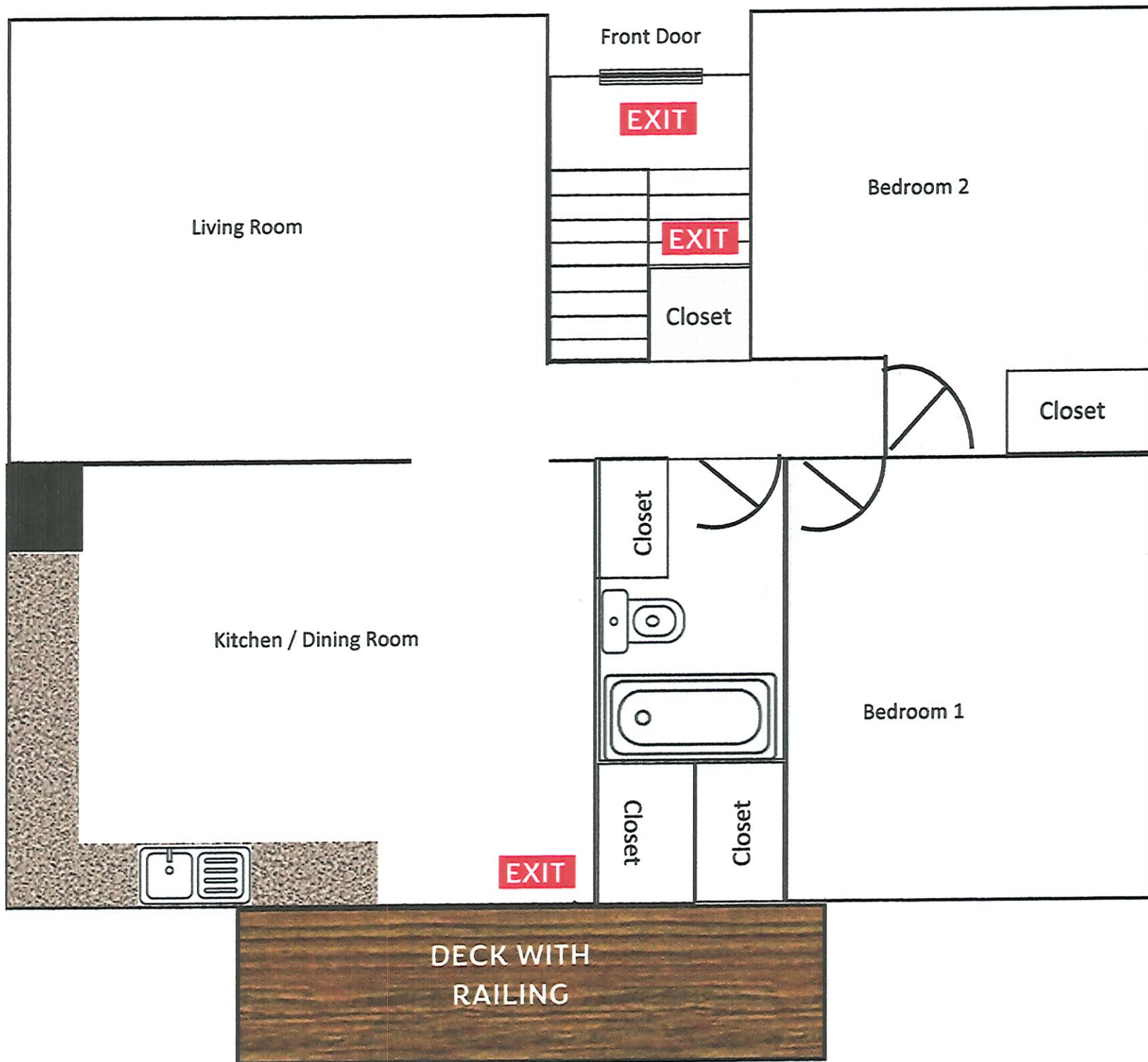
CONSENTING PARTY

Name : Charles M. Roberson & Theresa A. Roberson = Owners

Signature =  Date 9/6/2024

Signature =  Date 9-6-2024





Fire Extinguishers

Located in Kitchen
Pantry, Hallway stair-
well, Laundry room
and garage

Smoke/CO Alarms

are located in hall on
both floors!



CHECK OUT

- Please put all trash in the large green trash can by the garage door.
- Please place all used towels in the baskets in each bathroom
- You can leave the beds unmade.
- Turn off all lights, the AC, and fans.
- Make sure to check entire property for anything that is yours. (back yard, deck, garage, laundry room, etc.)
- Take everything that is yours from the fridge and freezer.
- Make your final exit through the garage. Make sure the garage door closes all the way. ** the entry code will expire after your check-out time.*
- Be safe traveling home.
- Send a note to us when you are all out.

We truly appreciate the opportunity to serve you and we pray
you had an enjoyable stay.

Please come again.

IMPORTANT STUFF YOU SHOULD KNOW

This Property address:

**132 West Criser Road
Front Royal, VA 22630**

Nearest Hospital

540 636 0030

***Or* 911**

Warren Memorial Hospital

351 Valley Health Way

Front Royal, VA 22630

Front Royal Police Dept.

540 635 2111

900 Monroe Ave

Front Royal, VA 22630

Front Royal Volunteer Fire Dept.

540 635 2540 (or 911)

221 North Commerce Ave

Front Royal, VA 22630

Electrical Outage

***(call owner first)* 540 327 0835**

Emergency # 540 635 3027

After hours 540 635 2111

All other needs contact Property Manager, Te Roberson

540 327 0835 or 540 327 4954

000087 NOV -02

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

● denotes pin set.

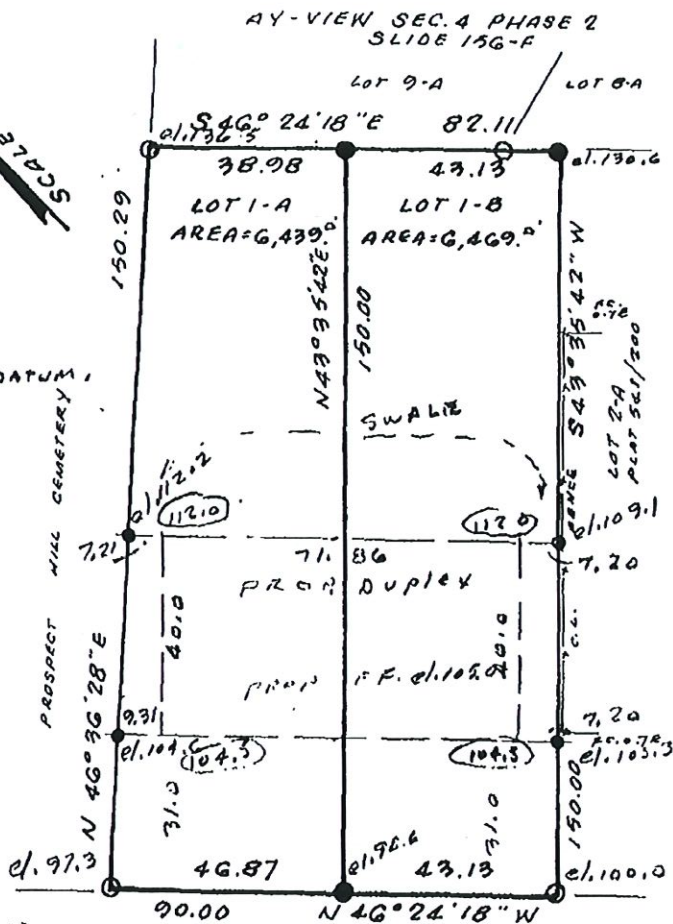
○ denotes existing pin or pipe.

DERIVATION OF TITLE TO POW-MORR, INC. IN

INST. #980007785.

100.0 DENOTES EXISTING, ASSUMED DATUM.
(100.0) DENOTES PROPOSED GRADE, λ

(100,0) DENOTES PROPOSITION GIVEN.



NOTE: SAN, SHE WILL
MANHOLE PAVED
OVER, UNABLE TO
DETERMINE
INVIOL.

CRISER
4.01.97.56

PAVED

ROAD

del.99x77

THIS PLAT WAS MADE WITH THE FREE CONSENT AND DESIRE OF THE UNDERSIGNED OWNER.

H. Q. Marvin

Acknowledged before me this 25 day of April 2002
My Commission expires 01/31/2005

My Commission expires 01/31/2005

Wanda L. McMahon

Notary

APPROVED BY TOWN OF FRONT ROYAL

PLANNING DIRECTOR Bryant D. Bridges

date 5/10/02

TOWN MANAGER

Atch, 6/26/21

date 5/10/02

ALL TOWN TAXES HAVE BEEN PAID AND RELEASED.

FINANCE DIRECTOR Kern Gellman, President

date 5/10/22

DIVISION OF LOT 1, BLOCK 1 SECTION 3
AY-VIEW ESTATES RECORDED IN 364/164, 165
TOWN OF FRONT ROYAL, VA.
prepared by:
JOSEPH G. BROGAN, SR.
PROFESSIONAL LAND SURVEYOR
P.O. BOX 1578 FRONT ROYAL, VA. 22630
TEL & FAX (540) 635-5657
JANUARY 10, 2002



AREA ATTRACTIONS

SHENANDOAH RIVER (0.4 miles):

Canoeing, kayaking, tubing, boat launch & Eastham Park (0.4 miles),
Shenandoah National Park Front Royal Entrance (1 mile)

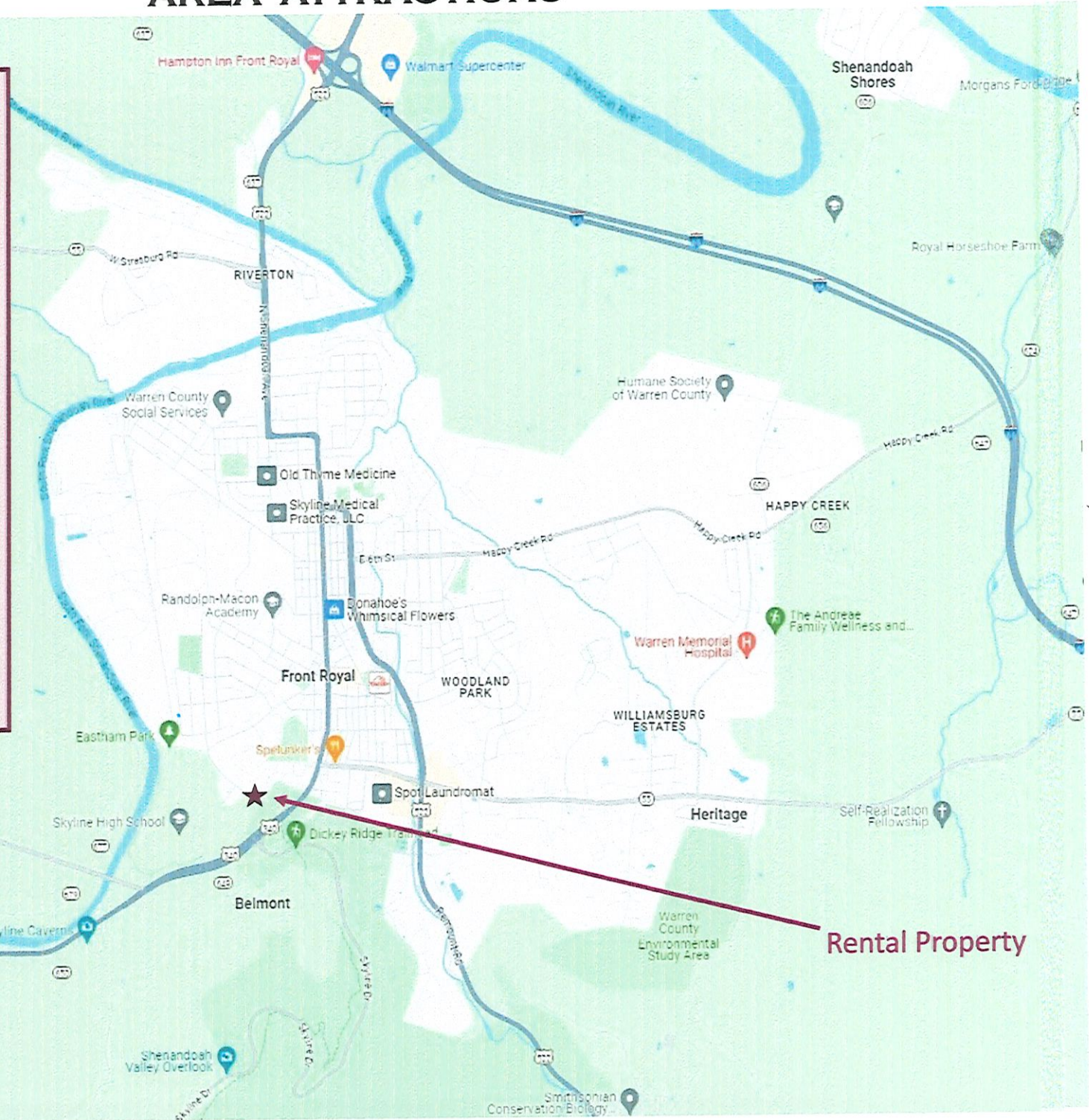
MAIN STREET Front Royal 3/4 mile
Skyline Drive .5 mile, Skyline Caverns (2 miles), Shenandoah River State Park (8 miles), Appalachian Trail (9 miles), Sky Meadows State Park (20 miles)

LOCAL ATTRACTIONS:

Fantasyland Playground (2 miles),
Patsy Cline Historic House (23 miles),
Museum of the Shenandoah Valley (24 miles)

DAY TRIPS: Luray Caverns (25 miles),
Shenandoah Caverns (43 miles),
Bryce Resort (50 miles), Washington, D.C. (70 miles)

AIRPORT: Dulles International Airport (53 miles)



LOCAL RESTAURANTS

ANTHONY'S PIZZA
103 S. Royal Avenue
(540) 636-2000

THE APPLE HOUSE & BUSHEL PUB
4675 John Marshall Hwy
(540) 636-6329

CASTIGLIA'S ITALIAN
328 Remount Road
(540) 635-8815

THE CATAMOUNT LOUNGE
124 E. Main Street
(540) 551-3058

ELEMENT
317 E. Main Street
(540) 636-1695

EL MAGUEY MEXICAN RESTAURANT
433 South Street
(540) 551-3608

FOX'S PIZZA DEN
239 South Street
(540) 635-2800

GOLDEN CHINA
1423 N. Shenandoah Avenue
(540) 635-3688

HIBACHI FRESH
460 S. Commerce Avenue #4
(540) 630-8366

KHUKURI NEPAL CUISINE
40 Riverton Commons Drive
(540) 749-2440

KNOTTY PINE RESTAURANT & LOUNGE
801 N. Royal Avenue
(540) 635-3064

L'DEES PANCAKE HOUSE
522 E. Main Street
(540) 635-3791

LOS POTRILLOS MEXICAN RESTAURANT
90 Riverton Commons Drive
(540) 622-2144

MAIN STREET MILL
500 E. Main Street
(540) 636-3123

MANOR LINE BACK 40
18 High Street
(540) 692-8197

MELTING POT PIZZA
138 W. 14th Street
(540) 636-6146

MIKADO'S HIBACHI & SUSHI
50 Riverton Commons Drive
(540) 631-0050

MOM'S COUNTRY KITCHEN
470 S. Commerce Avenue
(540) 636-7441

OLD PLACE ASIAN KITCHEN
239 South Street
(540) 635-9161

ON CUE SPORTS BAR & GRILL
206 E. Main Street
(540) 636-8424

OSTERIA MARIA ITALIAN
510 S. Royal Avenue
(540) 631-1101

OUR HOMETOWN DINER
107 Water Street
(540) 551-9948

PAVEMINT SMOKIN' TAPHOUSE
9 S. Commerce Avenue
(540) 252-4707

POPPY'S PLACE
205 S. Royal Avenue
(540) 749-2167

RANCHO NUEVO MEXICAN
915 N. Royal Avenue
(540) 551-3576

ROYAL SPICE INDIAN
219 E. Main Street
(540) 252-2288

SOUL MOUNTAIN CAFE
865 John Marshall Hwy
(540) 636-1185

SPELUNKERS
116 South Street
(540) 631-0300

TALK OF THE MOUNTAIN SEAFOOD
117 E. Main Street
(540) 305-0167

THUNWA THAI CUISINE
10 S. Commerce Avenue
(540) 631-0616

TRY THAI RESTAURANT & SUSHI BAR
205 E. Main Street
(540) 551-8171

YAMAFUJI JAPANESE
241 Chester Street
(540) 631-3454

BAKERIES & TREATS

C&C FROZEN TREATS
409 E. Main Street
(540) 450-7939

DOWN HOME COMFORT BAKERY
120 E. Main Street
(540) 635-6013

GARCIA & GAVINO
200 E. Main Street
(540) 395-3789

MELANIA'S GOURMET
104 S. Royal Avenue
(540) 749-0501

COFFEE & TEA

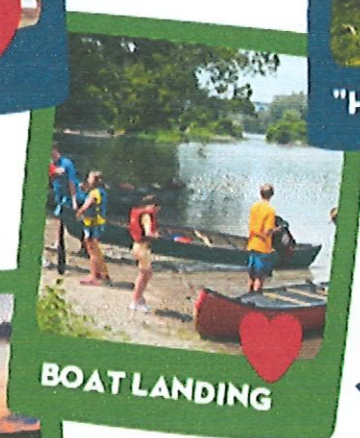
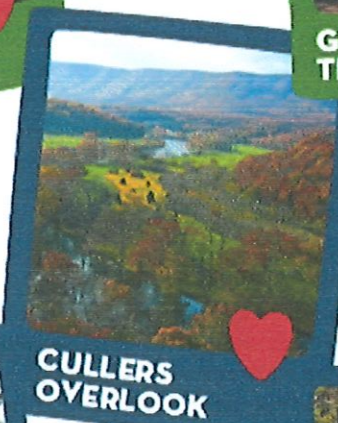
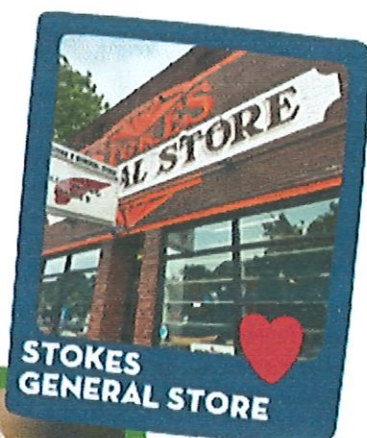
DL CAMPUS ON MAIN
131 E. Main Street

DOWNTOWN BLENDS
201 E. Main Street

MAIN STREET DAILY GRIND
215 E. Main Street
(540) 635-3556

MANOR LINE BACK 40
18 High Street

THE VINE AND LEAF
477 South Street
(540) 635-1043



SAY CHEESE!

**TRY OUT OUR TOP 10 PICKS FOR
GREAT IG POSTS & SELFIES
#FRONTROYALVA
#SETTLEINVENTUREOUT**

**BONUS SPOTS: ALL 9 MAIN STREET MURALS & THE
ROTUNDA AT RANDOLPH MACON ACADEMY!**

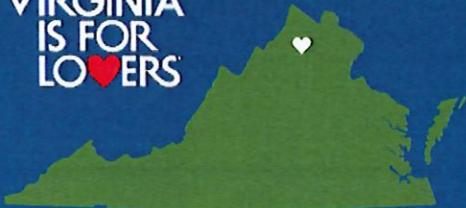


image credit: Roxanne Bauserman

VISITORS GUIDE

FRONT ROYAL, VIRGINIA

VIRGINIA
IS FOR
LOVERS



FRONTROYALVA.COM



FRONT ROYAL VISITOR CENTER

Front Royal Visitor Center
414 E. Main Street
Front Royal, VA 22630
540-635-5788
frontroyalva.com

CONNECT WITH US



@DiscoverFrontRoyal



@DiscoverFrontRoyal



@FRWCVisitorCenter



@VisitFrontRoyal



@Visit.FrontRoyal



FIND YOUR ADVENTURE

Outdoor Spaces	3-7
History, Culture & Activities	8-9
Dining	10
Wineries & Breweries	11
Shopping	11
Hotels & Lodging	12
Royal Instagram Shots	13
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We research to ensure as much accuracy as possible in all of our printed materials, however any and all data included is subject to change at any point. We are not responsible for any errors or omissions in any printed materials, including the Visitors Guide. Listing in this guide does not imply an endorsement from the Town of Front Royal or our affiliates. Reproduction of the Front Royal Visitors Guide requires prior written permission from the Town of Front Royal.

SHENANDOAH NATIONAL PARK

The Shenandoah National Park, just south of downtown, includes breathtaking sights, stunning waterfalls, part of the Appalachian Trail, and is home to the world-famous Skyline Drive.

When the state of Virginia amassed 196,000 acres of land in the early 1930's, Shenandoah National Park was born. Members of the Civilian Conservation Corps - a government program that provided jobs during the Great Depression - were given the task of building the park's facilities. They created picnic grounds, trails, rock walls, bridges, campgrounds, over 300 recreational buildings inside the park and the Skyline Drive. On the eve of Independence Day, the park was officially dedicated on July 3, 1936 as Shenandoah National Park.

The Park is popular globally, seeing over 2 million visitors each year. Any season of the year you visit SNP, you will be impressed by its views and wildlife!



PARK ENTRANCES

FRONT ROYAL ENTRANCE STATION
(Mile 0.6) is reachable via US 340

THORNTON GAP ENTRANCE STATION
(Mile 31.5) is reachable via US 211

SWIFT RUN GAP ENTRANCE STATION
(Mile 65.7) is reachable via US 33

ROCKFISH GAP ENTRANCE STATION
(Mile 104.9) is reachable via I-64

VISITOR CENTERS

DICKEY RIDGE VISITOR CENTER
(Mile 4.6) Open April to November

HARRY F. BYRD VISITOR CENTER
(Mile 51) Open year-round 9:00AM-5:00PM

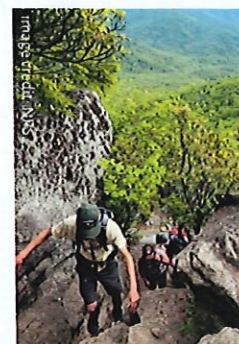
INFORMATION HUB

GENERAL INFORMATION
(540) 999-3500

LODGING RESERVATIONS
(877) 807-5015
www.goshenandoah.com

CAMPGROUND RESERVATIONS
www.recreation.gov

ONLINE PARK PASS INFO
www.recreation.gov



SHENANDOAH RIVER STATE PARK

Shenandoah River State Park, also known as the Raymond R. "Andy" Guest State Park, offers adventure on and off the river. The Park provides public access to the South Fork of the Shenandoah River and the scenic beauty of the Massanutten Mountain region.

Visitors can spend time hiking, biking, and horseback riding or at the riverside picnic area enjoying a cookout and a dip in the cool waters. The Park holds a wide variety of events, festivals, workshops and educational programs throughout the year, visit their website for more details.

INFORMATION

350 DAUGHTER OF STARS DRIVE,
BENTONVILLE, VA 22610
(540) 622-6840
www.virginiastateparks.gov



1,600 ACRES



5 MILES OF SHORELINE



24 MILES OF TRAILS



OVER 31 CAMP/CABIN OPTIONS



PERFECT SHOT SPOTS



image credit: VA DCR

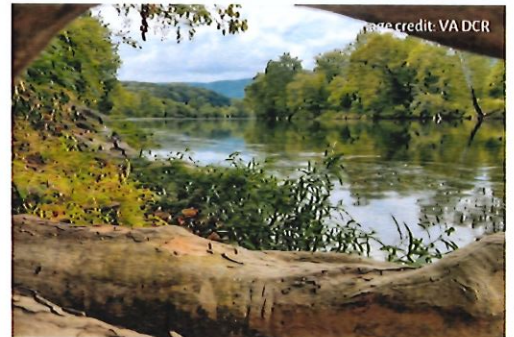


image credit: VA DCR



image credit: VA DCR

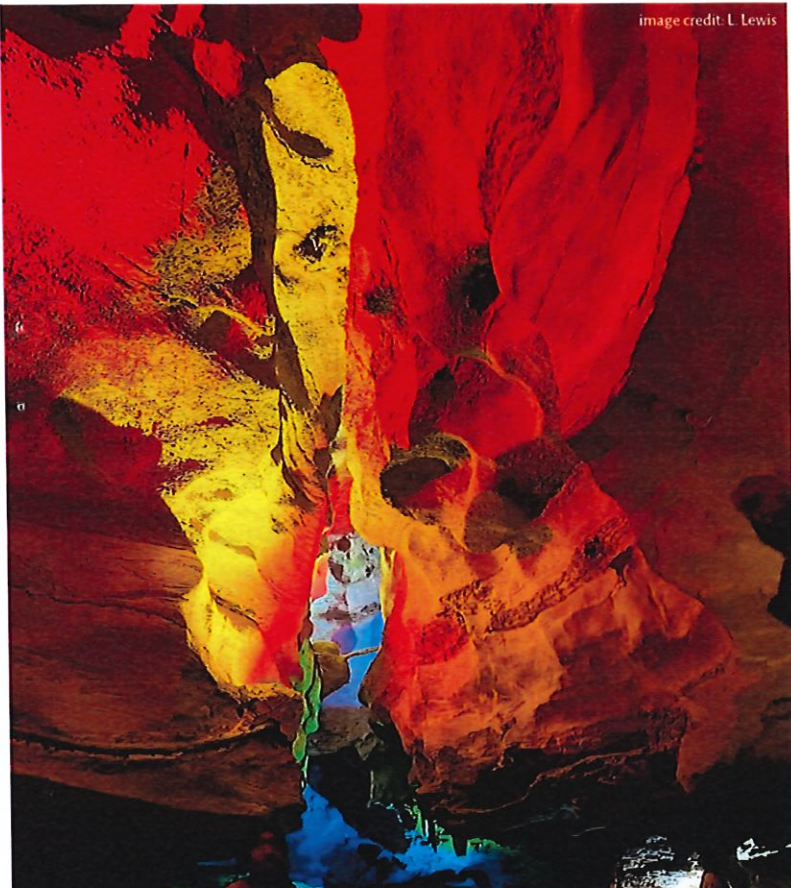


image credit: L. Lewis

SKYLINE CAVERNS

In 1937, geologists around the world stood in awe as Walter S. Amos discovered the underground wonder he always hoped to uncover. He carefully examined surface topography, exposing a secret that had lain beneath the earth's surface for 60 million years. This method of scientific analysis makes the discovery of Skyline Caverns rare, if not unique.

The caverns opened to the public in 1939 and have welcomed millions of guests in the past eight decades. As tourism in Virginia boomed in the 1950s through 80s, Skyline Caverns was a noted attraction.

Other activities on the grounds include a Nature Trail walking path, a Miniature Train for the little ones, and the Mirror Maze!

-  **54° YEAR-ROUND**
-  **GUIDED TOUR: ONE HOUR**
-  **73 STEPS YOU MUST CLIMB DURING THE TOUR**



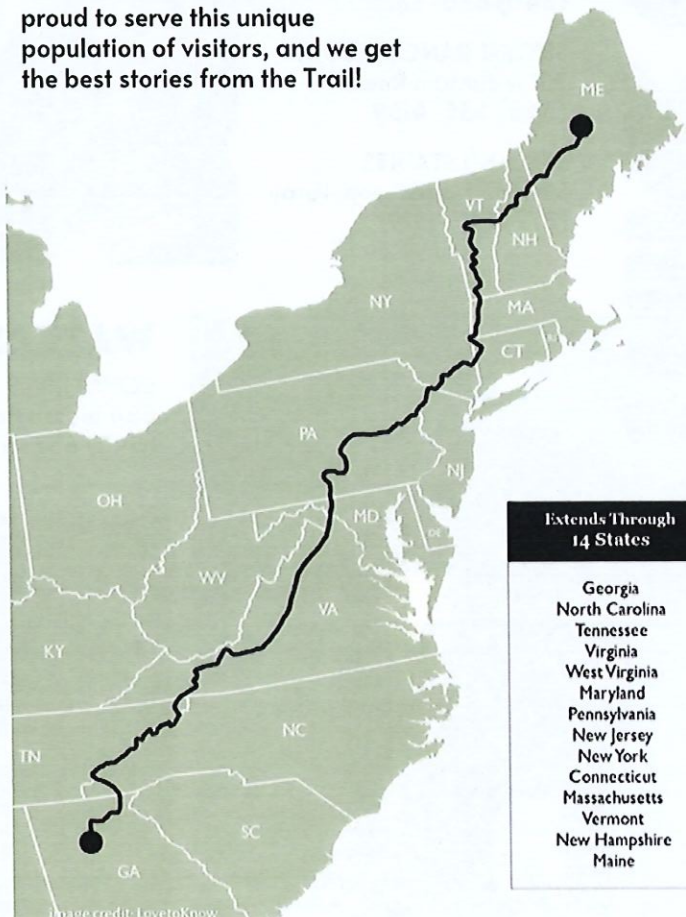
THE APPALACHIAN TRAIL

The Appalachian Trail is an over 2,000 mile long public footpath that traverses the scenic, wooded, pastoral, wild, and culturally resonant lands of the Appalachian Mountains. Conceived in 1921, built by private citizens, and completed just 16 years later in 1937, today the Trail is managed by the National Park Service, the US Forest Service, the Appalachian Trail Conservancy, numerous state agencies and the dedicated work of thousands of nature-loving volunteers.

Front Royal is a designated Appalachian Trail Community, with numerous AT hiker-friendly services and businesses. We are proud to serve this unique population of visitors, and we get the best stories from the Trail!



-  **2,190+ MILES**
-  **101 MILES RUN THROUGH SNP**
-  **BLAZES THROUGH 14 STATES**
-  **HIGHEST POINT: CLINGMANS DOME 6,643 FT.**
-  **TRAIL CROSSING 3 MILES SOUTH OF DOWNTOWN**



Extends Through 14 States

Georgia
North Carolina
Tennessee
Virginia
West Virginia
Maryland
Pennsylvania
New Jersey
New York
Connecticut
Massachusetts
Vermont
New Hampshire
Maine

image credit: LovetoKnow



SKY'S THE LIMIT

BLUE RIDGE HOT AIR BALLOONS
552 Milldale Hollow Road
(877) 743-3247

CASS AVIATION SCENIC AIRPLANE RIDES
229 Stokes Airport Road
(540) 635-3570

SKYDIVE FRONT ROYAL
229 Stokes Airport Road
(540) 935-3279



TRAIL RIDES

ROYAL HORSESHOE FARM
509 Morgan Ford Road
(540) 636-6375

SKYLINE RANCH RESORT
751 Mountain Road
(540) 635-4169

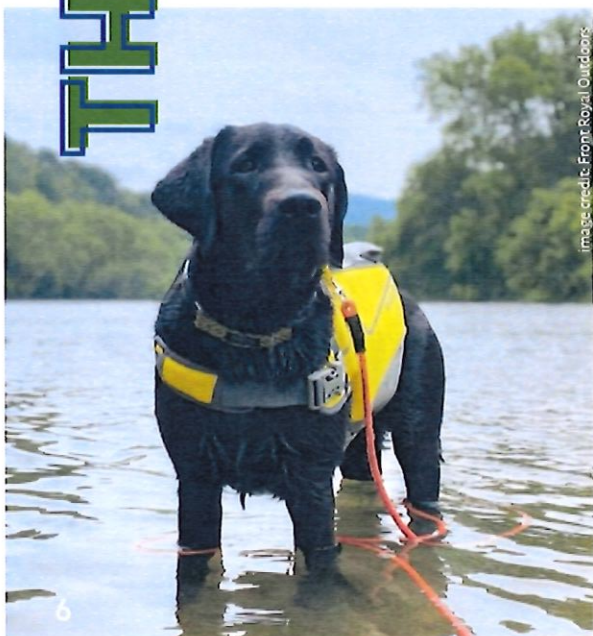
SKYLAND STABLES
Skyland Upper Loop, Luray
(877) 847-1919



WATERSPORTS & FISHING

DOWN RIVER CANOE COMPANY
884 Indian Hollow Road, Bentonville
(540) 635-5526

FRONT ROYAL OUTDOORS
8567 Stonewall Jackson Hwy
(540) 635-5440



GOLF COURSES

BLUE RIDGE SHADOWS GOLF CLUB
456 Shadows Drive
(540) 631-9661

FRONT ROYAL GOLF CLUB
902 Country Club Road
(540) 636-9061

SHENANDOAH VALLEY GOLF CLUB
134 Golf Club Circle
(540) 636-4653

SLY FOX GOLF CLUB
65 Jacksons Chase Drive, Middletown
(540) 635-7814

DISC GOLF - ROCKLAND PARK
250 Rockland Park Court
(540) 635-1021

FORE



ENDURANCE & ADVENTURE RACING

ADVENTURE ENABLERS
520A E. 6th Street
(703) 266-9995



TRAILS



BIRD & WILDLIFE TRAIL

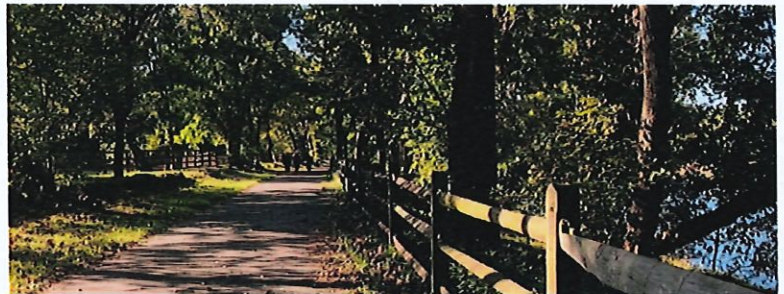
VIRGINIA BIRD & WILDLIFE TRAILS
VirginiaWildlife.gov/BirdTrail

ROYAL SHENANDOAH GREENWAY TRAIL
Over 4 miles of trails winding through Town and down to the riverfront. Stop in to the Visitor Center for a trail map.



Warren Memorial Hospital

ANDREAE FAMILY WELLNESS & RECREATION TRAIL
Stop in to the Visitor Center for a Trail Map.



LOCAL PARKS

BURRELL BROOKS JR. COMMUNITY PARK
450 E. Criser Road

CHIMNEY FIELD PARK
410 W. 12th Street

DR. SEIDE MEMORIAL BOTANICAL GARDENS
200 E. 8th Street

EASTHAM PARK
860 Luray Avenue

FLORENCE SMITH MEMORIAL PARK
333 Front Street

GERTRUDE E. MILLER COMMUNITY PARK
905 Stadium Drive

LIONS PARK
903 Hometown Way

PETER LEHEW PARK
410 W. 13th Street

ROCKLAND PARK
250 Rockland Park Court

WARREN COUNTY SKATE PARK
101 Kerfoot Avenue



WARREN COUNTY DOG PARK
860 Luray Avenue



image credit: WHS

MUSEUMS & HISTORICAL SITES

WARREN HERITAGE SOCIETY
101 Chester Street
(540) 636-1446

BALTHIS HOUSE
BELLE BOYD COTTAGE
BLACKSMITH SHOP
COUNTRY STORE MUSEUM
IVY LODGE
OUTDOOR KITCHEN
SWING HOUSE
WARREN COUNTY ARCHIVES

WARREN RIFLES CONFEDERATE MUSEUM
95 Chester Street
(540) 636-6982



image credit: WHS



SELF-GUIDED TOURS



BATTLE OF FRONT ROYAL DRIVING TOUR
Follow General Jackson's campaign through the Valley in the pivotal battle of brother against brother. Pick up the guide at the Visitor Center.



CIVIL WAR TRAILS
With nearly a dozen Civil War Trail markers, be sure and stop in to the Visitor Center for a map and brochure!



HISTORIC WALKING TOUR
Check out over 30 historical sites in downtown Front Royal with our Walking Tour brochure at the Visitor Center.

MURALS & LOCAL ART

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LIFE IN THE BLUE RIDGE - 200 E. MAIN ST
CLOUDS ON CLOUD - CLOUD ST
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C&C FROZEN TREATS - 409 E. MAIN ST
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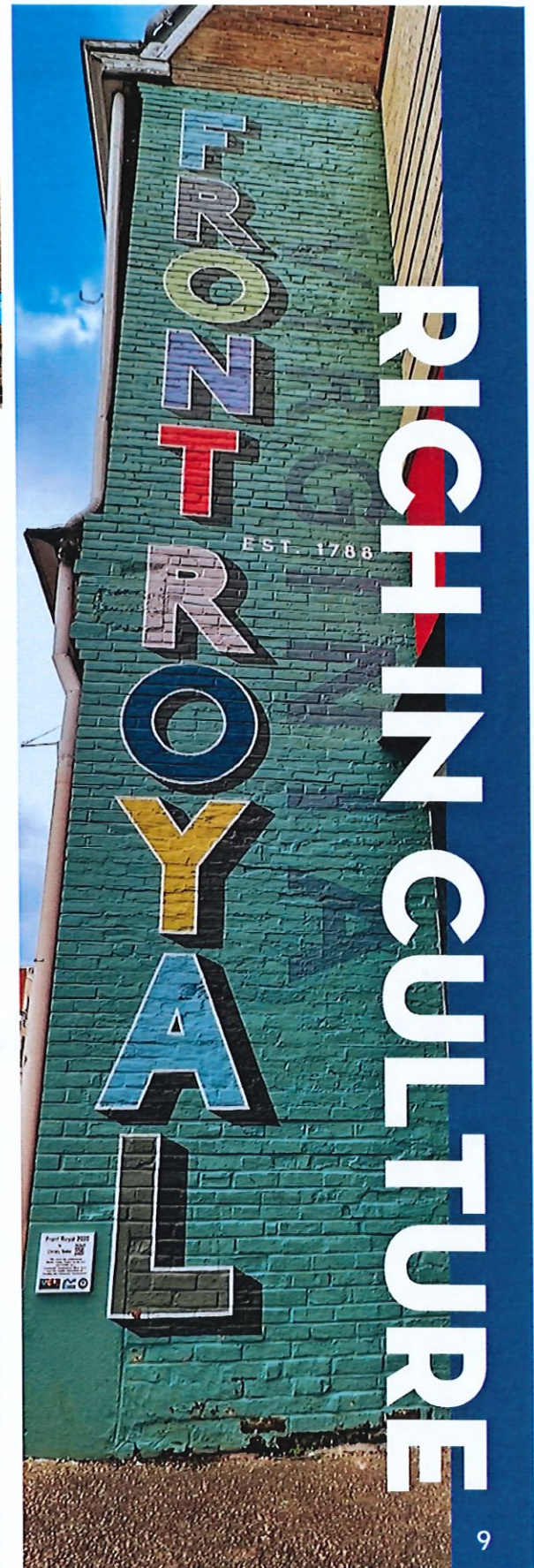
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5030 Front Royal Pike, White Post
(540) 869-2129

THE STUDIO
105 E. Main Street
(540) 683-9688

ON CUE BILLIARDS
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LOCAL WATERING HOLES



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(540) 635-2191

MOUNTAIN HOME B&B
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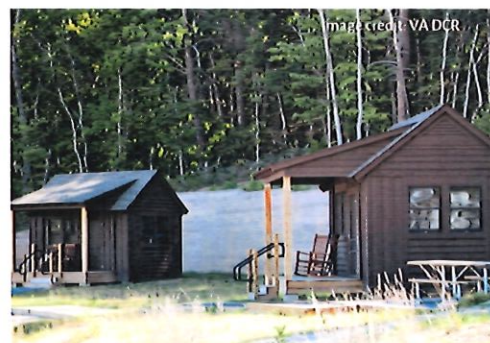
PARKSIDE INN
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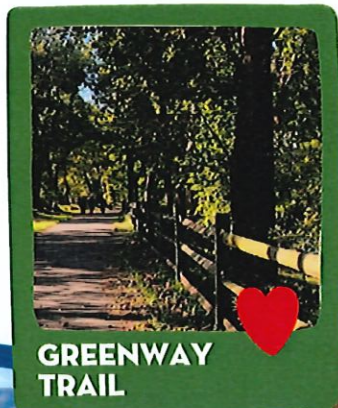
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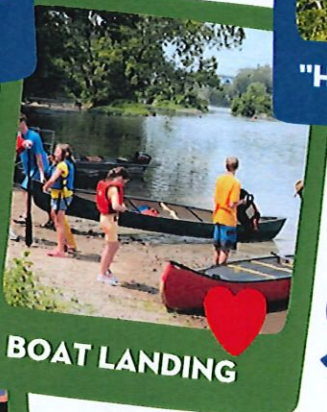
LOVE SIGNS



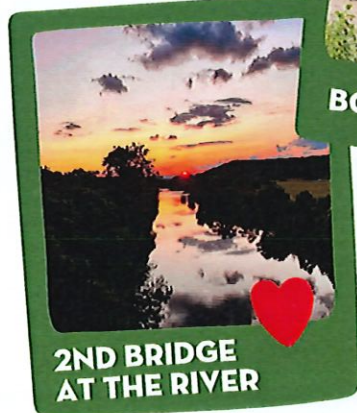
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THE BELL



BOAT LANDING

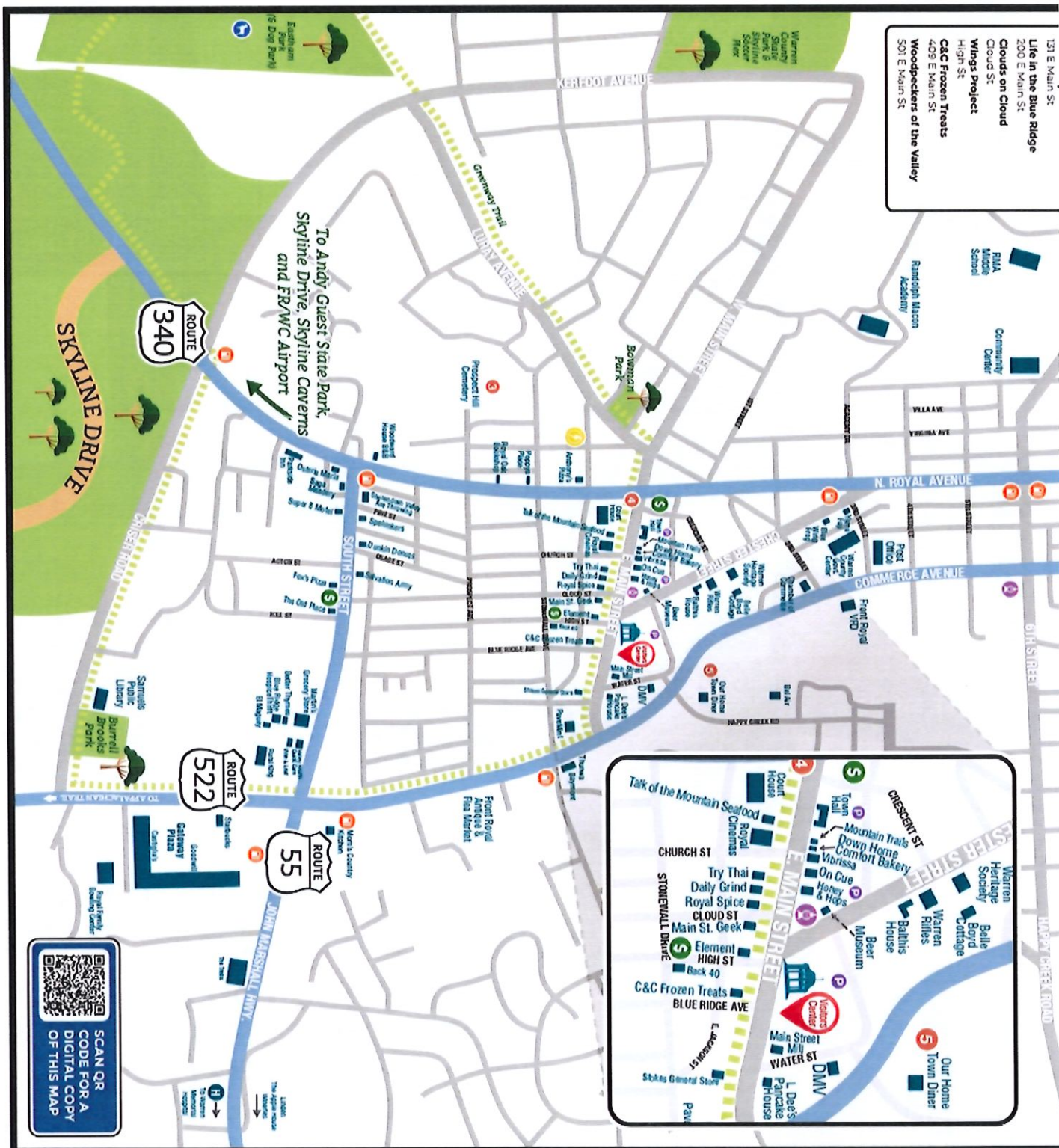


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VISITORS GUIDE

FRONT ROYAL, VIRGINIA

SETTLE IN • VENTURE OUT

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Chapter 78FIRE PREVENTION**Sections:****78-1 OPEN BURNING****78-2 BLASTING****78-3 ADOPTION OF STANDARDS; CONDITIONS****78-4 WHEN AND WHERE COPIES AVAILABLE****78-5 MODIFICATIONS****78-6 APPEALS****78-7 NEW MATERIALS, PROCESSES OR OCCUPANTS****78-8 VIOLATIONS AND PENALTIES****78-9 RECOGNITION**

Adopted by the Town Council of the Town of Front Royal 4-23-73(Chapter 10 of the 1965 Code). Other Amendments noted where applicable.

78-1 OPEN BURNING

A. It shall be unlawful for any owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris or other flammable material upon such land unless he previously shall have taken all reasonable care and precaution, by having cut and piled the same or carefully cleared around the same, to prevent the spread of such fire to lands other than those owned or leased by him. It shall also be unlawful for any employee of any such owner or lessee of land to set fire to or to procure another to set fire to any woods, brush, logs, leaves, grass, debris or other flammable material upon such land unless he shall have taken similar precautions to prevent the spread of such fire to any other land.

B. During the period beginning March 1 and ending May 15 of each year, even though the precautions required by the foregoing subsection shall have been taken, it shall be unlawful for any person to set fire to or to procure another to set fire to any brush, leaves, grass, debris or field containing dry grass or other flammable material capable of spreading fire, located in the Town, except between the hours of 4:00 p.m. and 12:00 midnight. The provisions of this subsection shall not apply to fires set on rights-of-way of railroad companies by their duly authorized employees.

C. Any person violating any provision of this section shall, upon conviction, be fined not less than ten dollars (\$10.) nor more than one hundred dollars (\$100.) for each separate offense.

78-2 BLASTING

It shall be unlawful for any person to permit any blast to be discharged, either by himself or his agents or employees, without having the blast so confined or protected as to prevent the escape of rock or earth.

78-3 ADOPTION OF STANDARDS; CONDITIONS

There is hereby adopted as the Fire Prevention Code of the town, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the "Fire Prevention Code," recommended by the National Board of Fire Underwriters, being particularly the 1960 Edition thereof and the whole thereof, and such Fire Prevention Code is hereby adopted and incorporated as fully as if set out at length herein; and, from the date on which the Code of the Town of Front Royal, Virginia, shall take effect, the provisions thereof shall be controlling within the limits of the town, provided that:

A. Whenever the word "municipality" is used in the Fire Prevention Code hereby adopted, it shall mean the Town of Front Royal.

B. Wherever the term "Chief of the Fire Department" is used in the Fire Prevention Code hereby adopted, it shall mean the Building Inspector.

C. Wherever the term "Corporate Counsel" is used in the Fire Prevention Code hereby adopted, it shall be held to mean the Town Attorney.

D. The limits referred to in Section 12.6b of the Fire Prevention Code hereby adopted, in which storage of explosives and blasting agents is prohibited, shall be as provided by the Council.

E. The limits referred to in Section 16.22a of the Fire Prevention Code hereby adopted, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as the fire limits of the town.

F. The limits referred to in Section 16.51 of the Fire Prevention Code hereby adopted, in which new bulk plants for flammable liquids are prohibited, shall be as provided by the council.

G. The limits referred to in Section 21.6a of the Fire Prevention Code hereby adopted, in which bulk storage of liquid petroleum gas is restricted, shall be as provided by council.

H. In the event of conflict between the provisions of the Fire Prevention Code hereby adopted and the provisions of any other ordinance of the town, the more stringent provisions shall prevail.

78-4 WHEN AND WHERE COPIES AVAILABLE

Copies of the Fire Prevention Code adopted by Section 78-3 may be obtained at the office of the Building Inspector in the town during regular business hours.

78-5 MODIFICATIONS

The Building Inspector shall have power to modify any of the provisions of the Fire Prevention Code adopted by Section 78-3 upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter

of such Fire Prevention Code, provided that the spirit of such Fire Prevention Code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, and the decision of the Building Inspector thereon, shall be entered upon the records of the Fire Department, and a signed copy shall be furnished to the applicant.

78-6 APPEALS

Whenever the Building Inspector shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Prevention Code adopted by Section 78-3 do not apply or that the true intent and meaning of such Fire Prevention Code have been misconstrued or wrongly interpreted, the person aggrieved may appeal from the decision of the Building Inspector to the Town Council within thirty (30) days from the date of the decision from which the appeal is taken.

78-7 NEW MATERIALS, PROCESSES OR OCCUPANCIES

The Town Manager, the Chief of the Fire Department and the Building Inspector shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Fire Prevention Code, adopted by Section 78-3. The Building Inspector shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

78-8 VIOLATIONS AND PENALTIES

A. Any person who shall violate any of the provisions of the Fire Prevention Code adopted by Section 78-3 or fail to comply therewith or who shall violate or fail to comply with any order made thereunder or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder and from which no appeal has been taken or who shall fail to comply with such an order as affirmed or modified by the Town Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.) or by imprisonment for not more than twelve (12) months, or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and, when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

78-9 RECOGNITION

The Front Royal Volunteer Fire Department, Incorporated, and its rescue squad are hereby recognized as an integral part of the official safety program of the Town.

Chapter 106**NOISE****Sections:****106-1 THROUGH 106-4 (RESERVED)****106-5 DECLARATION OF FINDINGS AND POLICY****106-6 DEFINITIONS****106-7 ADMINISTRATION AND ENFORCEMENT****106-8 PROHIBITED NOISE****106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES****106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACE OF PUBLIC ENTERTAINMENT OR ASSEMBLY****106-11 USE OF LOUDSPEAKERS FOR A DVERTISING PURPOSES****106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM****106-13 RESPONSIBILITY OF THE PROPERTY OWNER****106-14 EXCEPTIONS FROM CHAPTER****106-15 BUILDING, UTILITY, ROAD CONSTRUCTION AND EXCAVATION OPERATIONS****106-16 TESTING OF METERING DEVICES****106-17 PENALTIES****106-18 SEVARABILITY**

Adopted by the Town Council of the Town of Front Royal 3-11-85. 106-1 through 106-4 were repealed by Ordinance No. 12-04 on 10-11-04. Amendments noted where applicable.

106-1 THROUGH 106-4 (RESERVED)

(Ord. No. 12-04 Repealed 10-11-04-Effective Upon Passage)

106-5 DECLARATION OF FINDINGS AND POLICY

The Town Council hereby finds and declares that excessive sound is a serious hazard to the public health, welfare, peace, safety, and the quality of life; that a substantial body of science and technology exists by which excessive sound may be substantially abated; that the people have a right to and should be ensured an environment free from excessive sound that may jeopardize the public health, welfare, peace, and safety or degrade the quality of life; and that it is the policy of the Town of Front Royal to prevent such excessive sound.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-6 DEFINITIONS

For the purposes of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this subsection.

A. **A-WEIGHTED SOUND LEVEL.** The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(a) or dBA.

B. **DAYTIME** The local time of day between the hours of 7:00 A.M. and 10:00 P.M.

C. **DECIBEL (dB).** A unit for measuring the volume of a sound equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals (twenty micronewtons per square meter).

D. **dBA** shall mean the sound pressure level as measured on a sound meter set to slow response to the A-weighted scale to approximate the frequency response of the human auditory system.

E. **EMERGENCY WORK** shall mean work made necessary to restore property to a safe condition following a public calamity, or work required to protect persons or property from immediate exposure to danger, including work performed by public service companies when emergency inspection, repair of facilities or restoration of services is required for the immediate health, safety or welfare of the community.

F. **NIGHTTIME.** The local time between the hours of 10:00 P.M. and 7:00 A.M.

G. **NOISE** shall mean any sound which may cause or tend to cause an adverse psychological or physiological effect on human beings.

H. **NOISE SOURCE** shall mean any equipment, motor vehicle, motorcycle or facility, fixed or movable, capable of emitting sound beyond the property boundary of the property on which the equipment is used, but not including motor vehicles or motorcycles operated on public rights-of-way.

I. **SOUND.** An oscillation in pressure, particle displacement, particle velocity or other physical parameter in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound including duration, intensity, and frequency.

J. **SOUND LEVEL.** The weighted sound pressure level obtained by the use of an approved sound level meter and the A-frequency weighting network, as specified in American National Standards Institute specifications for sound level meters.

K. **SOUND LEVEL METER** shall mean an instrument to measure sound pressure levels which shall meet or exceed performance standards for a "type two" meter as specified by the American National Standards Institute.

L. **SOUND PRESSURE** shall mean the instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-7 ADMINISTRATION AND ENFORCEMENT

The noise control program established by this section shall be enforced and administered by the Chief of Police with the assistance of other Town departments as required.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-8 PROHIBITED NOISE

A. Generally. It shall be unlawful for any person to create any unreasonably loud, disturbing and unnecessary noise. Noise of such character, intensity and duration as to be detrimental to the life or health of any person or unreasonably to disturb or annoy the quiet, comfort or repose of any person is hereby prohibited.

B. Specific Acts as Noise Disturbances.

The following acts are declared to be noise disturbances in violation of this Chapter, provided that the acts so specified shall not be deemed to be an exclusive enumeration of those acts which may constitute a noise disturbance under Section 106-8(A):

1. Operating or causing to be operated any equipment used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys, drainage or public utility systems or parts thereof, and appurtenances thereto in the outdoors between the hours of 9:00 p.m. and 7:00 a.m. the following day, except as provided in Section 106-15.
2. Repairing, rebuilding or modifying any motor vehicle or other mechanical device in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.
3. The collection of trash or refuse in residential use districts between the hours of 9:00 p.m. and 7:00 a.m. the following day.
4. Loading or unloading trucks in the outdoors within one hundred (100) yards of a residence between the hours of 9:00 p.m. and 7:00 a.m. the following day; provided that this subsection shall not apply to any business that has been in operation at its current location since prior to January 1, 1980.

(Ord. No. 01-06 amended 1-23-06-Effective Upon Passage)

5. Sounding the horn or warning device of a vehicle, except when necessary as a warning during the operation of the vehicle. Sounding of such horn or other device more than once every two (2) minutes in any one town block and with a duration of more than five (5) seconds for any single emission shall be *prima facie* evidence of violation of this section.
6. Operating or permitting the use or operation of any radio receiving set, musical instrument, television, phonograph or any other device for the production of sound, between the hours of

10:00 p.m. and 8:00 a.m. the following day, in such a manner as to be plainly audible across property boundaries or through partitions common to two (2) residences within a building

7. Operating or permitting the operation of any radio, tape player, compact disc player or other device for the production of sound on a public right-of-way or in a public place in such a way that the sound is plainly audible at a distance of fifty (50) feet from such device, whether or not the device is situated within a motor vehicle.

8. Owning, keeping, possessing or harboring any animal which frequently or habitually howls, barks, meows, squawks or makes such other noise as is plainly audible across property boundaries or through partitions common to two (2) residences within a building.

9. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other noises.

10. The discharge of the exhaust of any internal combustion engine into the open air except through a device which will effectively prohibit loud and explosive noises.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-9 MAXIMUM PERMISSIBLE SOUND LEVELS FROM NOISE SOURCES

It shall be unlawful for any person to operate, or permit to be operated, any noise source in such a manner that the noise source emits a sound pressure level which exceeds the limits set forth below when measured on property other than that on which the noise source is located. The category of applicable sound pressure limits shall be determined by the zoning district classification of the property on which the noise is produced. Property which has been specifically determined by the Planning Commission to be within an area designated on the Comprehensive Plan for industrial use shall be deemed to fall into the industrial classification for the purposes of this ordinance, even if the property has not yet been re-zoned.

(Ord. 01-06 Amended 1-23-06-Effective Upon Passage)

Land Use Designation Where Noise is Measured.	Maximum Allowed Noise in Daytime (in dBA)	Maximum Allowed Noise in Nighttime (in dBA)
Agricultural & Residential Zones, A-1,R-1,R1-A,R-2,R-3	60	50
Commercial Zones C-1, C-2, C-3	70	65
Industrial Zones 1-1,1-2	80	80

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-10 OPERATOR OF SOUND-PRODUCING DEVICES IN PLACES OF PUBLIC ENTERTAINMENT OR ASSEMBLY.

It shall be unlawful for any person to operate, or permit to be operated, any loudspeaker or other device for the production of sound in any place of public entertainment or other place of public assembly which produces sound measure levels of ninety (90) dBA of greater at any point that is normally occupied by a person, unless conspicuous and legible signs are located outside such place, near the entrance, stating "WARNING, EXPOSURE TO SOUND ENVIRONMENT WITHIN MAY CAUSE HEARING IMPAIRMENT."

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-11 USE OF LOUDSPEAKERS FOR ADVERTISING PURPOSES

It shall be unlawful for any person to operate for commercial advertising purposes any loudspeaker or other like device or mechanism used to emit sound of any kind, which loudspeaker or other like device or mechanism is attached to or installed in any vehicle, when the vehicle is being driven, drawn, or parked along or upon the streets of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-12 PROHIBITED NOISE FROM MOTOR VEHICLE SOUND SYSTEM

No person within the Town limits shall operate or permit the use or operation of any radio, tape player, compact disc player, or any other device which produces, reproduces, or amplifies sound in a motor vehicle, in such a manner that the sound can be heard more than fifty (50) feet from the motor vehicle.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-13 RESPONSIBILITY OF THE PROPERTY OWNER

It shall be unlawful for a property owner knowingly to allow the creation of noise prohibited by this Chapter, within the boundaries of his or her property.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-14 EXCEPTIONS FROM CHAPTER

The provisions of this Chapter shall not apply to the following activities:

1. The emission of sound for the purpose of alerting persons to the existence of an emergency or to the emission of sound in the performance of emergency work;
2. Noise caused by or arising out of activities related to repair, maintenance, replacement or alteration of public utility systems or parts thereof, public drainage systems or parts thereof, or streets and highways or parts thereof, and appurtenances thereto, where such activity is

reasonably necessary to further a public safety interest and/or to minimize disruption in the provision of public services, e.g., water, sewer and electric service; or

3. Parades, fireworks displays, and other organized public activities authorized by permit issued by an official of the Town.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-15 BUILDING, UTILITY, ROADCONSTRUCTION AND EXCAVATION OPERATIONS.

A. The erection, including excavation, demolition, alteration or repair of any building in a residential or business district, the performance of any work on a public utility, the performance of any work relating to road construction, and any excavation work on January 1st (New Year's Day), the last Monday in May (Memorial Day), July 4th (Independence Day), the first Monday in September (Labor Day), the fourth Thursday in November (Thanksgiving Day), and December 25th (Christmas Day), or other than between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, is prohibited, except in cases of necessity in the interest, public health, safety and welfare, and then only with a permit from the Town Manager or his designee. This prohibition does not apply to Town employees or to contractors performing work in compliance with the terms and requirements of a Town contract.

B. When one of the regular holidays mentioned in Subsection (a) of this section falls on a Saturday, the preceding Friday shall be declared the holiday. When one of the regular holidays falls on a Sunday, the following Monday shall be declared the holiday.

C. Construction. Notwithstanding any other provision in this Chapter, between the hours of 7:00 a.m. and 8:00 p.m. Monday through Friday, construction, alteration or repair activities that are authorized by a valid Town permit shall be allowed if they meet at least one of the following noise limitations:

1. No individual piece of equipment shall produce a noise level exceeding 85 dB(A) at a distance of twenty-five (25) feet. If the device is housed within a structure on property, the measurement shall be made outside the structure at a distance as close to twenty-five (25) feet from the equipment as possible.

2. The noise level at any point outside of the property planes of the project shall not exceed 90 dBA.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

16-16 TESTING OF METERING DEVICES

In order to implement and enforce this section effectively, the Chief of Police shall, within a reasonable time after the effective date of same, develop and promulgate standards and procedures for testing and validating sound level meters used in enforcement of this section.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-17 PENALTIES

- A. Any person who violates any provision of this Chapter shall be deemed to be guilty of a Class III misdemeanor.
- B. Each violation and/or day of violation of any provision of this section shall constitute a separate offense.
- C. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)

106-18 SEVERABILITY

If any provision of this Chapter should be determined by a court of competent jurisdiction to be invalid, such determination shall not affect the validity of the remaining provisions of this Chapter.

(Ord. No. 12-04 Added 10-11-04-Effective Upon Passage)



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 07B

Agenda Item: PUBLIC HEARING - Special Use Permit to Construct Multi-Family Apartments on E. Criser Road – Surber Development & Consulting LLC

Summary: Council is requested to consider a Special Use Permit (SUP) application submitted by Surber Development and Consulting LLC for multi-family apartments containing (90) units in two separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off E. Criser Road. The property is identified by Tax Map 20A18-5-5A1. The property has a split zoning with the majority of the parcel being C-1, Community Business District and a small portion being R-3, Residential District with a portion of the parcel located in the floodplain. The Planning Commission has forwarded a recommendation for approval to Council with the following condition: The portion of the lot which is zoned R-3 is to be used exclusively for ingress and egress and approved signage.

Budget/Funding: N/A

Meetings: Work Session held November 12, 2024

Proposed Motion: I move that Council approve a Special Use Permit (SUP) application submitted by Surber Development and Consulting LLC for multi-family apartments containing (90) units in two separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off E. Criser Road (Tax Map 20A18-5-5A1) with the condition that the portion of the lot which is zoned R-3 be used exclusively for ingress and egress and approved signage.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Veitenthal* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

2400524 – A Special Use Permit Application submitted by Surber Development and Consulting LLC for Multi-Family Apartments containing ninety (90) units in two (2) separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off of E. Criser Road, identified by Tax Map 20A18-5-5A1. The property is zoned C-1, Community Business District.

Town of Front Royal, Virginia

Planning Commission Monthly Meeting Agenda

☐ Consent Action ☐ Administrative Action ☒ Public Hearing ☐ Discussion

Agenda Item: Special Use Permit – #2400524

MEETING DATE: October 16, 2024

SUMMARY: A Special Use Permit Application submitted by Surber Development and Consulting LLC for Multi-Family Apartments containing ninety (90) units in two (2) separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off of E. Criser Road, identified by Tax Map 20A18-5-5A1. The property has split zoning with the majority of the parcel being C-1, Community Business District and a small portion being R-3, Residential District.

STAFF RECOMMENDATION:

Staff recommends approval. The application presents a scenario that constitutes one of the highest and best uses possible. The main considerations for the Planning Commission are whether the proposed use is suitable within this district. Apartments are the only type of large-scale residential use permitted in the commercial districts, but only with approval from Town Council. Given this sites proximity to trails, walkability, services and potential employment this is the ideal site for high density residential uses.

DRAFT MOTION: "I move that the Planning Commission forward a recommendation of approval to Town Council for Special Use Permit #2400524 for multi-family apartments containing ninety (90) units in two (2) separate 3-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off of E. Criser Road, identified by Tax Map 20A18-5-5A1 conditioned upon the following:

1. The portion of the lot which is zoned R-3 is only to be used for ingress and egress according to 175-113.E.1.

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ Seconded _____

Neel _____ Marrazzo _____ Marshner _____ Gillispie _____ Brooks _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied ☐ Other



**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting
October 16, 2024**

APPLICATION #:

Special Use Permit Application #2400524

APPLICANT:

Surber Development and Consulting LLC

APPLICATION SUMMARY:

A Special Use Permit Application submitted by Surber Development and Consulting LLC for Multi-Family Apartments containing ninety (90) units in two (2) separate three-story apartments houses with a maximum height of forty-five feet (45') on a vacant parcel off of E. Criser Road, identified by Tax Map 20A18-5-5A1. The property has split zoning with the majority of the parcel being C-1, Community Business District and a small portion being R-3, Residential District with a portion of the parcel located in the floodplain.

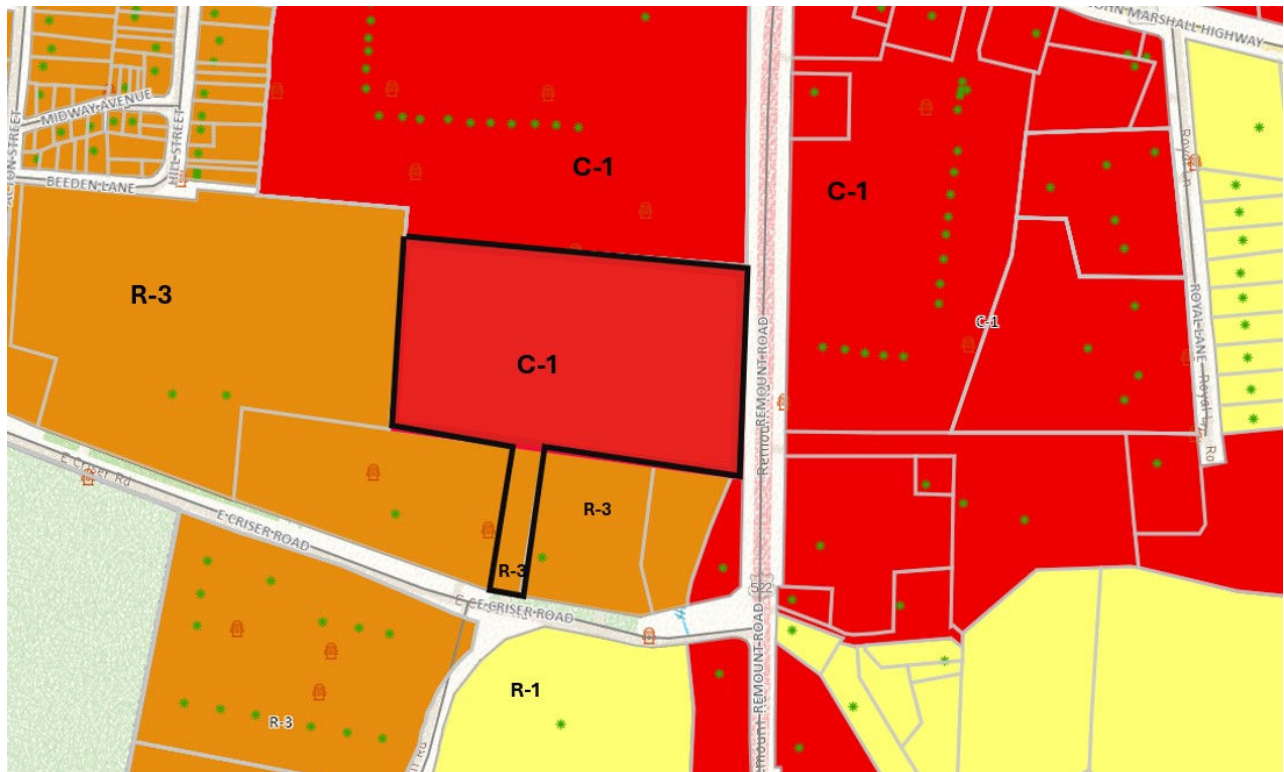
GENERAL INFORMATION:

Site Addresses	E. Criser Road
Property Owner(s)	Boisseau Family LC
Zoning District	C-1, Community Business District / R-3, Residential District
Historic District	No
Tax Identification	Tax Map #20A18-5-5A1

Aerial Map (Warren County GIS) – E. Criser Road (tax map 20A18-5-5A1)



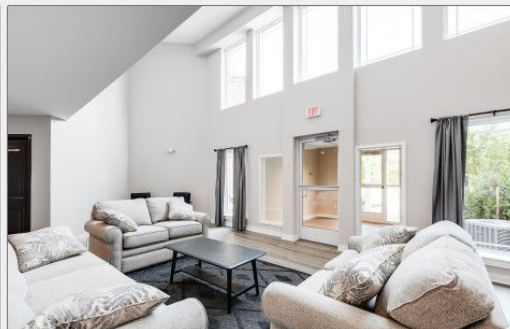
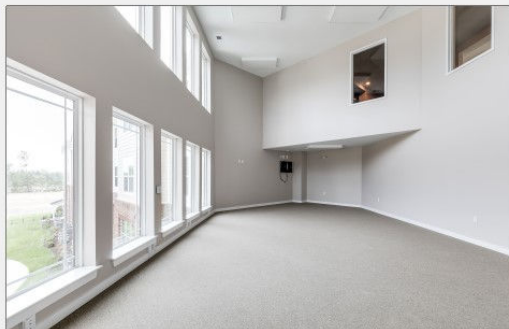
Town Zoning Map (Warren County GIS) – E. Criser Road (tax map 20A18-5-5A1)



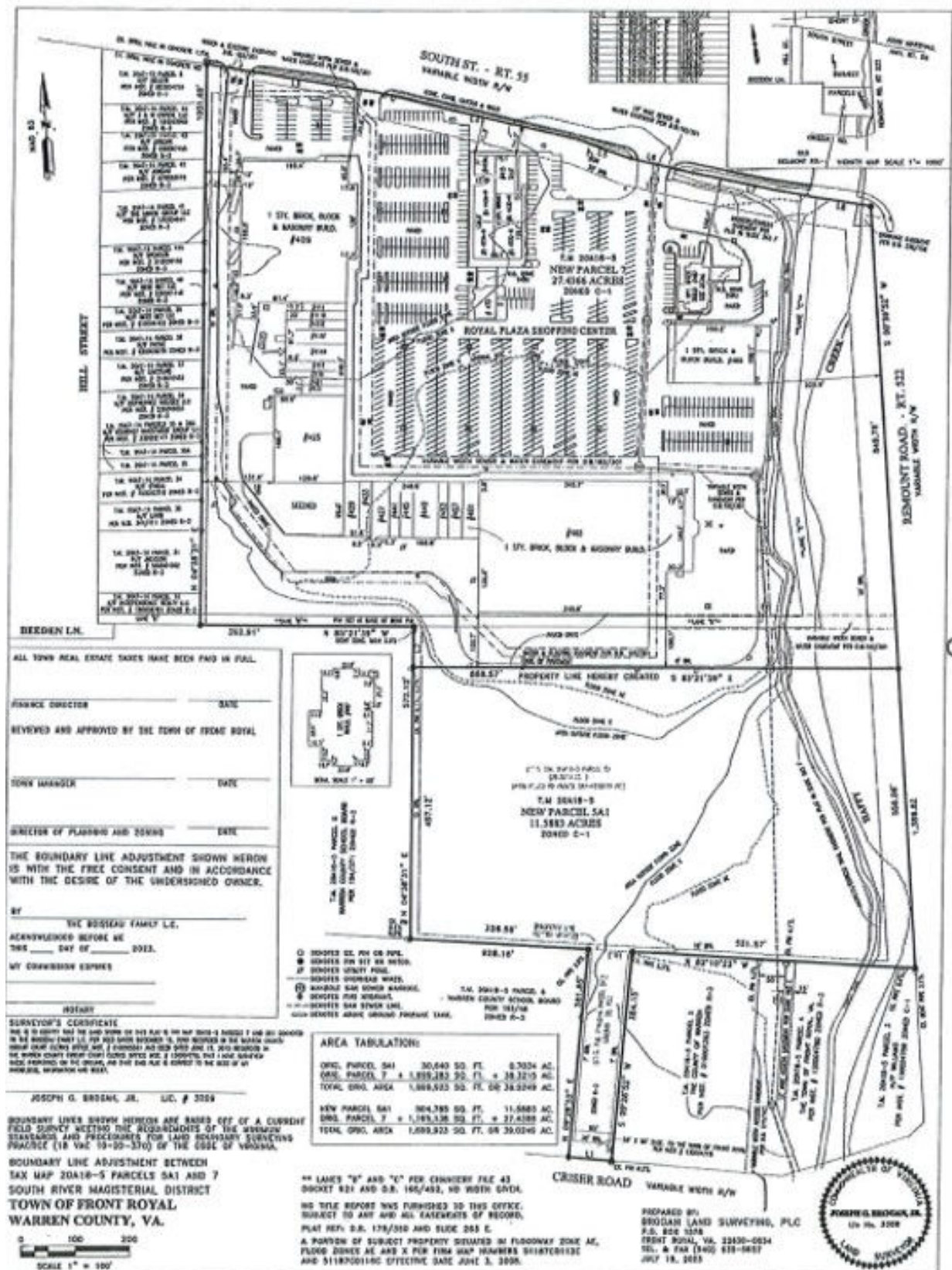
Town Floodplain Map (Warren County GIS) – E. Criser Road (tax map 20A18-5-5A1)



Conceptual plan



Survey Plat



**INFORMATION ON
THE APPLICATION:**

The main considerations for this Special Use Permit is the appropriateness of the use on this piece of property.

- **Housing**

- The provision of apartments is lacking in Front Royal, while almost half of the housing stock in Front Royal is rental, the large majority of housing units in Town are single family.
- Diversity in types of housing helps contribute to affordability. Young people and/or families or seniors looking to downsize may not be able to afford or finance a single-family home or multifamily unit.

- **Walkability**

- This site is accessible to trails along Happy Creek providing recreation and direct access to a shopping center.
- There is a trolley stop at the Martins which provides alternative transportation options for residents.

- **Services/Employment**

- The proximity to the shopping center provides access to potential employers, shopping, health care, and transportation to additional employers.

**RELEVANT CODE
SECTION:**

Chapter 175-39.B “The following uses are permitted within the C-1 District only by approval of a Special Use Permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District.”

RESIDENTIAL

Apartments or dwelling units, with four (4) or more units or when located on the ground floor, subject to provisions of Section 175-113.

RECOMMENDATION:	Staff recommends approval, the application presents a scenario that constitutes one of the highest and best uses possible. The main considerations for the Planning Commission is whether the proposed use is suitable within this district. Apartments are the only type of large-scale residential use permitted in the commercial districts, but only with approval from Town Council. Given this sites proximity to trails, walkability, services and potential employment this is the ideal site for high density residential uses.
------------------------	--

ATTACHMENTS: Application and associated documents from the Applicant.



TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 22630



SUP 2400524

SPECIAL USE PERMIT REQUEST

APPLICANT

NAME Surber Development and Consulting LLC PHONE [REDACTED]

ADDRESS [REDACTED]

E-MAIL [REDACTED]

PROPERTY DESCRIPTION

PROPERTY ADDRESS 0 E. Criser Road, Front Royal Virginia 22630

TAX MAP 20A SECTION 185 BLOCK LOT 5A1

SUBDIVISION NAME ACREAGE 11.58 Ac.

REQUEST

ZONING DISTRICT C-1 (Community Business District)

PROPOSED USE OF PROPERTY Multi-Family Apartments

SPECIFIC SPECIAL USE PERMIT REQUEST Request for up to 90 Apartments
in two separate three (3) story buildings with a maximum building height of
approximately 45 feet with associated infrastructure improvements.

ATTACHMENTS --The following *must* be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application
3. Application Fee of \$400.00 (Checks payable to the Town of Front Royal)
4. Additional information as required by the Department of Planning & Zoning.

CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature [Signature] Date 9/5/24

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

Receipt # 1504 Date Paid 9/6/24

September 6, 2024

Lauren Kopishke
Planning Director
Town of Front Royal, Virginia
Town Hall
102 East Main Street
Front Royal, Virginia 22630

**Re: Consent to Special Use Permit Application –
Surber Development & Consulting, LLC**

Dear Ms. Kopishke:

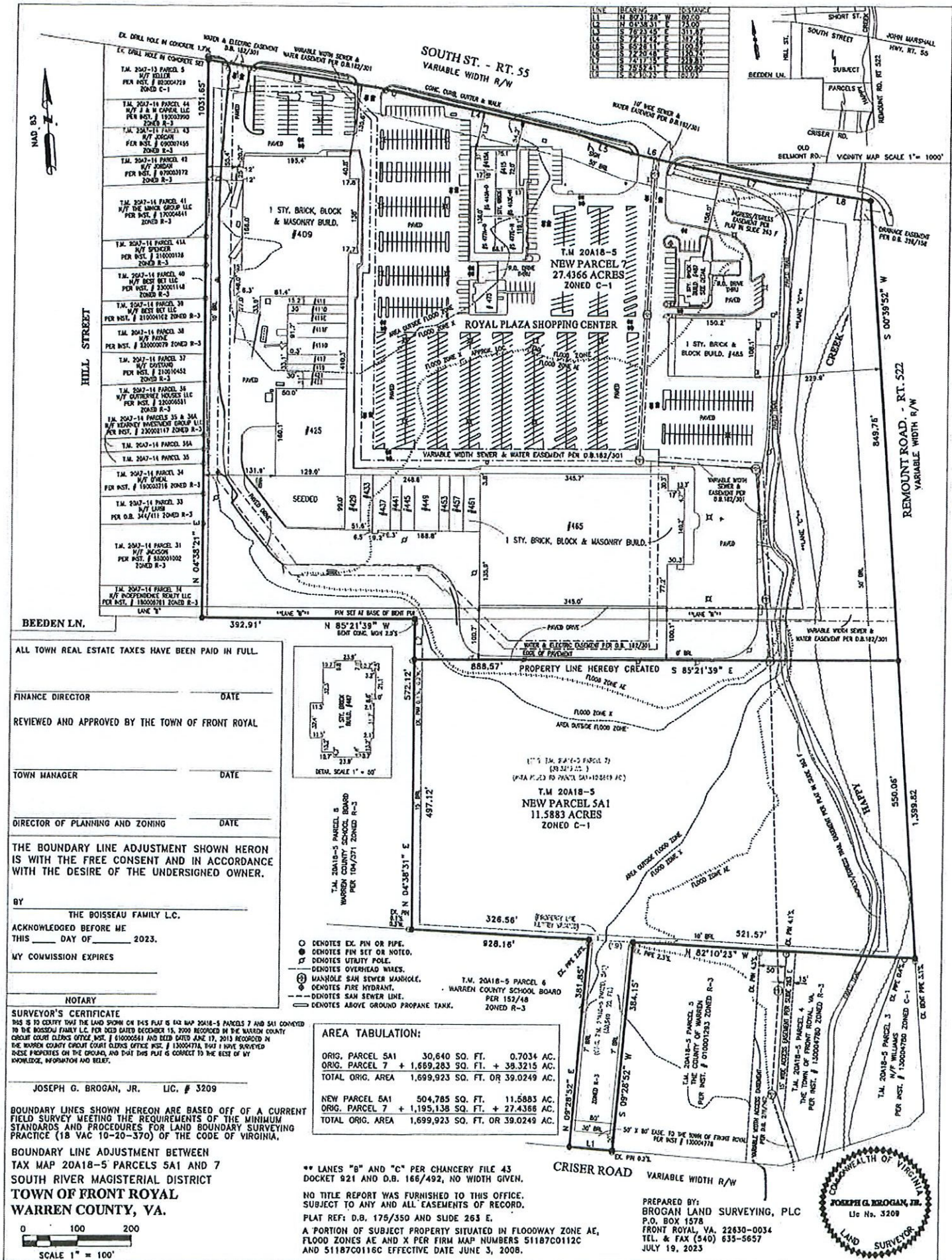
I am the manager of The Boisseau Family, L.C. III (the "LLC"), which is the owner of certain property located off of Criser Road in the Town of Front Royal commonly known as Tax Map No. 20A18-5 (the "Property"). The LLC has entered into a contract with Surber Development & Consulting, LLC ("Surber") for the sale and purchase of the Property.

It is my understanding that Surber is submitting an application with your department for a special use permit to allow the development of multi-family apartments on the Property. I am writing to inform you that the LLC as the landowner consents to the submission of the special use permit application. Please contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'RWB III', with a stylized flourish at the end.

Richard W. Boisseau, III
Manager, The Boisseau Family, L.C. III



ALL TOWN REAL ESTATE TAXES HAVE BEEN PAID IN FULL.

FINANCE DIRECTOR _____ DATE _____

REVIEWED AND APPROVED BY THE TOWN OF FRONT ROYAL _____

TOWN MANAGER _____ DATE _____

DIRECTOR OF PLANNING AND ZONING _____ DATE _____

THE BOUNDARY LINE ADJUSTMENT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER.

BY _____

THE BOISSEAU FAMILY L.C.

ACKNOWLEDGED BEFORE ME _____

THIS _____ DAY OF _____, 2023.

MY COMMISSION EXPIRES _____

NOTARY _____

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE LAND SHOWN ON THIS PLAN IS 600 MAP 20A18-5 PARCELS 7 AND 5A1 CONVEYED TO THE BOISSEAU FAMILY L.C. FOR DEED DATED DECEMBER 15, 2009 RECORDED IN THE WARREN COUNTY COURTHOUSE CLERK'S OFFICE, INST. # 0100005841 AND DEED DATED JUNE 17, 2013 RECORDED IN THE WARREN COUNTY COURTHOUSE CLERK'S OFFICE, INST. # 1300047718. THAT I HAVE SURVEYED THESE PROPERTIES ON THE GROUND AND THAT THIS PLAN IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

JOSEPH G. BROGAN, JR. LIC. # 3209

BOUNDARY LINES SHOWN HEREON ARE BASED OFF OF A CURRENT FIELD SURVEY MEETING THE REQUIREMENTS OF THE MINIMUM STANDARDS AND PROCEDURES FOR LAND BOUNDARY SURVEYING PRACTICE (18 VAC 10-20-370) OF THE CODE OF VIRGINIA.

BOUNDARY LINE ADJUSTMENT BETWEEN TAX MAP 20A18-5 PARCELS 5A1 AND 7 SOUTH RIVER MAGISTERIAL DISTRICT TOWN OF FRONT ROYAL WARREN COUNTY, VA.

SCALE 1" = 100'

AREA TABULATION:	
ORIG. PARCEL 5A1	30,640 SQ. FT. 0.7034 AC.
ORIG. PARCEL 7	1,669,283 SQ. FT. + 38.3215 AC.
TOTAL ORIG. AREA	1,699,923 SQ. FT. OR 39.0249 AC.
NEW PARCEL 5A1	504,785 SQ. FT. 11.5883 AC.
ORIG. PARCEL 7	1,195,138 SQ. FT. + 27.4366 AC.
TOTAL ORIG. AREA	1,699,923 SQ. FT. OR 39.0249 AC.

** LANES "B" AND "C" PER CHANCERY FILE 43 DOCKET 921 AND D.B. 166/492, NO WIDTH GIVEN.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE. SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PLAT REF: D.B. 175/350 AND SUDE 263 E.

A PORTION OF SUBJECT PROPERTY SITUATED IN FLOODWAY ZONE AE, FLOOD ZONES AE AND X PER FIRM MAP NUMBERS 51187C0112C AND 51187C0116C EFFECTIVE DATE JUNE 3, 2008.

PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
JULY 19, 2023





OWNER: BISSAVALI FAMILY LLC II (TM)
1731 LEBLANCHE RD
LACROSSE, WISCONSIN 53003
PHONE: 735 2201
EMAIL: _____

ENGINEER: KENNETH BERNARD JOHNSON WILLIAMS, INC.
100 NORTH PEARSON ROAD, SUITE 1, 202
WISCONSIN 53003-2524
CONTACT: JOHNATHAN OGDEN, P.E.
PHONE: (262) 200-1934 (FAX) (262) 200-7326
EMAIL: JODG@BJSWGROUP.COM

SITE ADDRESS: E1, CREECH ROAD
FRONT ROYAL, VIRGINIA 22930

EXISTING USE: VACANT

MAP REFERENCE: TAP MAP 2008/11
HYDROLOGICAL MAP: CD 007005
CITY OF ROYAL: 11-00000000000000000000
CITYING MATTERS: HAMPT COUNTY, FORMER SHENANDOAH COUNTY

PARCEL ZONING: C-1 (COMMUNITY BUILDER DISTRICT)
MAP REQUIRED FOR ACQUISITION OF COMMERCIAL TRAFFIC USE, TOTAL
NUMBER OF ACRES AND BUILDING HEIGHT

DISTRICT: COUNCIL DISTRICT 3

PARCEL AREA: 11.58 ACRES

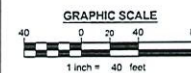
BUILDING INFO: NO. OF APARTMENT BUILDINGS: 2
NO. OF APARTMENT UNITS: 40

BUILDING HEIGHT: TWO - 40' FT BLDGS MAX, THREE - 23' (STOREY 40' TO 50')

PARKING: PARKING REQUIRED: 100 SPACES (3 SPACES PER UNIT)
PARKING PROVIDED: 100 SPACES

MIN. LOT SIZE:	REQD = 184,000 S.F. (4.2 AC) (3 UNITS) = 19,000 S.F./UNIT + (77 UNITS) = 2,000 S.F./UNIT 150 AC
MIN. LOT WIDTH:	REQD = 120 FEET @ BACKSET LINE 4605 FEET @ SOUTHERN BACKSET LINE
MIN. YARD:	FRONT: 40 FEET REAR = 30 FEET SIDE = 30 FEET
PARKING SETBACK:	FRONT: 40 FEET REAR = 40 FEET SIDE = 30 FEET
USABLE OPEN SPACE:	REQD = 30 FEET PROVD = 30 FEET
PERKING OPEN SPACE:	REQD = 0.25 S.F. PER S.F. FLOOR AREA 61,356 + 24,875 = 86,231 S.F. PROVD = 33,575 S.F. (PLAY AREA, TRAIL, OPEN SPACE)

1. THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY. THE FEASIBILITY OF THIS LAYOUT HAS NOT YET BEEN FULLY DETERMINED.
2. PLANNING AND PROPERTY INFORMATION ARE COMPILED FROM EXISTING DESIGN PLANS, AS-BUILT PLANS, GIS DATA, AND OBSERVATIONS FROM A SITE VISIT.
3. A GENERAL REVIEW OF ZONING REQUIREMENTS WAS DONE IN PREPARING THIS CONCEPT. HOWEVER, THE CONCEPT DOES NOT BENEFIT FROM FORMAL METRICS AND CONFORMANCE WITH THE CITY OF CHICAGO'S ZONING ORDINANCES HAVING JURISDICTION WHICH MAY UNCOVER ADDITIONAL CONSTRAINTS.
4. SITE AND DESIGN RELATED CONSTRAINTS INCLUDING BUT NOT LIMITED TO GRADING, STORM WATER MANAGEMENT, FLOOD, SANITARY SEWER, STORM SEWER, DUTY UTILITIES, ENVIRONMENTAL FEATURES, AND ACCESS TO ADJACENT PROPERTIES WERE NOT FULLY CONSIDERED WITH THIS CONCEPTUAL LEVEL LAYOUT.



PR. BUILDINGS
PR. PAVEMENT
(PARKING) TRAVELWAYS
PR. CONCRETE
SIDEWALK
OPEN SPACE AREAS

EAST CRISER ROAD
CONCEPTUAL LAYOUT #2
TOWN OF FRONT ROYAL, VIRGINIA.
DATE: SEPTEMBER 6, 2024 SCALE: 1" = 1'

September 5, 2024

Town of Front Royal
Attn: Lauren Kopishke
Planning Director/Zoning Administrator
102 E Main Street
Front Royal, VA 22630

Dear Ms. Kopishke,

Please accept this letter as an introduction to Surber Development and Construction LLC and our proposed development in Front Royal.

Surber Development has been active in real estate development, construction and ownership throughout Virginia since 2012. During that time, the company has completed 18 multifamily developments, with five currently under construction and four in pre-development that will begin construction in the Fall of 2024 or Spring of 2025. Prior to starting Surber Development, I have been active in real estate development in Virginia since 2003.

I believe success starts with the curb appeal of sites. If properties are not well maintained so that they look better than the competition, competitive advantage is lost. In my opinion, looking "as good" is not enough. I demand that sites have a manicured appearance.

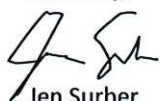
In addition to the standards I have set for the appearance of properties, management is a key component to success. Excel Property Management is the management company for all of Surber Development's properties. At the time of its organization in 1994, EPM's principals and owners possessed over 100 years of property management and business management experience. Currently EPM has management contracts on over 100 operational properties, totaling over 5,000 units. EPM's experience is varied, including consulting performing HUD REAC inspections, LIHTC file audits, training sessions, accounting services and assisting owners in starting their own management companies. EPM has worked for profit-motivated, non-profit, the Federal Deposit Insurance Corporation (FDIC), among others.

While providing attractive and well-managed properties are top priorities, affordability and obtainability is also a top priority. Every unit in the proposed development would be obtainable for individuals and families earning between 30% and 80% of the Area Median Income, providing a wide array of mixed incomes at the property. Tenants in our properties are school teachers, fire fighters, police officers, LPNs and EMTs, among many other occupations. They are hard-working individuals and families who deserve a high-quality, safe and affordable place to live.

We take pride in what we do and it is reflected in our success in this business.

If you have any questions or concerns, I am always available to discuss them. I can be reached on my cell phone at [REDACTED] or by email at [REDACTED]

Sincerely,



Jen Surber
Managing Mem

SUMMARY

All units in the proposed development will be Universally Designed and at least five will be fully 504 accessible and actively marketed to individuals with disabilities. Special 504/Universal Design features include, but are not limited to:

- Carpet that meets HUD specs UM 44d Type II Class I with texture E. 24 ounces per square yard minimum weight
- Ceramic tile to be installed in roll in showers
- Grab bars in all units and public restrooms by toilets with proper mounting
- Bathroom mirrors mounted 40" from finished floor to base of mirror
- Kitchen cabinets in units and community room kitchen shall have 34" high counter heights and 9" toe kicks. Doors and drawers shall have 4" greppable handles
- Side by side refrigerators with separate doors for refrigerator and freezer compartments
- Ranges shall be 30" wide and have front controls
- ADA accessible route to each dumpster area
- Wall hung sinks mounted 34" from floor to top leading rim of sink
- Switches to be located at 48" AFF and receptacles at 18" AFF

The development will employ green building techniques and will achieve the National Green Building Standard of silver. Special Energy Star features will include, but are not limited to:

- Energy Star rated solid vinyl windows
- Only low VOC paints used on external and interior surfaces
- Energy Star rated frost-free refrigerators
- Energy Star rated range hoods
- Energy Star rated dishwashers
- Energy Star rated, Water Sense labeled, low-flow faucets, shower heads and toilets
- Energy Star rated water heaters
- Energy Star rated interior and exterior lighting

Exterior façade will be approximately 50% brick and approximately 50% fiber-cement board, Hardi Plank or other comparable material. No vinyl siding.

There will be a community room with on-site leasing, an elevator per building and community laundry facilities with washer/dryer hook ups provided in every unit. Tenants will have access to broadband services and high-speed internet. Each tenant will be provided with free, individual Wi-fi access and free Wi-fi access will be provided in all common areas for resident usage.



BELLEVUE GARDENS

RICHMOND, VA

APPLICABLE CODES

INTERNATIONAL BUILDING CODE (IBC) 2018 EDITION
 VIRGINIA CONSTRUCTION CODE (VCC) 2018 EDITION
 UNIFORM FEDERAL ACCESSIBILITY STANDARDS (ACCESSIBLE APARTMENTS)
 AND A 11.1-2009 EDITION (PUBLIC ACCESS AREAS)

BUILDING SQUARE FOOTAGE TABULATIONS

UNIT TYPES:
 (2) ONE BEDROOM APARTMENTS
 NET RENTABLE SQUARE FOOTAGE: 1,020 SF BY APARTMENT x 2 = **2,040 SF TOTAL**
 GROSS SQUARE FOOTAGE: 1,074 SF BY APARTMENT x 2 = **2,148 SF TOTAL**
 (37) TWO BEDROOM APARTMENTS
 NET RENTABLE SQUARE FOOTAGE: 1,248 SF BY APARTMENT x 37 = **46,176 SF TOTAL**
 GROSS SQUARE FOOTAGE: 1,300 SF BY APARTMENT x 37 = **48,090 SF TOTAL**
 (3) THREE BEDROOM APARTMENTS
 NET RENTABLE SQUARE FOOTAGE: 1,500 SF BY APARTMENT x 3 = **4,500 SF TOTAL**
 GROSS SQUARE FOOTAGE: 1,550 SF BY APARTMENT x 3 = **4,650 SF TOTAL**
TOTAL NET RENTABLE SQ. FT. (104 APTS) 50,216 SF
TOTAL GROSS SQ. FT. BUILDINGS ONE AND TWO (104 APTS) - COMMON/COMMUNITY AREAS: 110,616 SF

RATED CONSTRUCTION

Two Hour-Rated Wall Construction (Fire Wall):
 Wall Construction: 11. Design No. U22
 Doors in Wall: 11. Design No. U22
One Hour-Rated Wall Partitions (Firewall Separations, Corridor Walls, Not Enclosed):
 Wall Construction: 11. Design No. U22
Two Hour-Rated 8" CMU Wall Construction (Firewall Separations):
 Wall Construction: 11. Design No. U22
One Hour-Rated Floor/Ceiling Assembly (Firewall Separations):
 Floor/Ceiling Assembly: 11. Design No. U22
One Hour-Rated Roof/Ceiling Assembly (Firewall Separations):
 Roof/Ceiling Assembly: 11. Design No. U22

UNIVERSAL DESIGN NOTICES

1. THE BELLEVUE GARDENS PROJECT HAS A TOTAL TWENTY-SEVEN (27) UNIVERSAL DESIGN (UD) UNITS, 20 OF WHICH ARE UNIVERSAL DESIGN (UD) UNITS. THE FOLLOWING ARE THE UD UNITS AND THEIR ASSOCIATED ROOMS:

1. UD UNIT 101: 101-102, 101-103, 101-104, 101-105, 101-106, 101-107, 101-108, 101-109, 101-110, 101-111, 101-112, 101-113, 101-114, 101-115, 101-116, 101-117, 101-118, 101-119, 101-120, 101-121, 101-122, 101-123, 101-124, 101-125, 101-126, 101-127, 101-128, 101-129, 101-130, 101-131, 101-132, 101-133, 101-134, 101-135, 101-136, 101-137, 101-138, 101-139, 101-140, 101-141, 101-142, 101-143, 101-144, 101-145, 101-146, 101-147, 101-148, 101-149, 101-150, 101-151, 101-152, 101-153, 101-154, 101-155, 101-156, 101-157, 101-158, 101-159, 101-160, 101-161, 101-162, 101-163, 101-164, 101-165, 101-166, 101-167, 101-168, 101-169, 101-170, 101-171, 101-172, 101-173, 101-174, 101-175, 101-176, 101-177, 101-178, 101-179, 101-180, 101-181, 101-182, 101-183, 101-184, 101-185, 101-186, 101-187, 101-188, 101-189, 101-190, 101-191, 101-192, 101-193, 101-194, 101-195, 101-196, 101-197, 101-198, 101-199, 101-200, 101-201, 101-202, 101-203, 101-204, 101-205, 101-206, 101-207, 101-208, 101-209, 101-210, 101-211, 101-212, 101-213, 101-214, 101-215, 101-216, 101-217, 101-218, 101-219, 101-220, 101-221, 101-222, 101-223, 101-224, 101-225, 101-226, 101-227, 101-228, 101-229, 101-230, 101-231, 101-232, 101-233, 101-234, 101-235, 101-236, 101-237, 101-238, 101-239, 101-240, 101-241, 101-242, 101-243, 101-244, 101-245, 101-246, 101-247, 101-248, 101-249, 101-250, 101-251, 101-252, 101-253, 101-254, 101-255, 101-256, 101-257, 101-258, 101-259, 101-260, 101-261, 101-262, 101-263, 101-264, 101-265, 101-266, 101-267, 101-268, 101-269, 101-270, 101-271, 101-272, 101-273, 101-274, 101-275, 101-276, 101-277, 101-278, 101-279, 101-280, 101-281, 101-282, 101-283, 101-284, 101-285, 101-286, 101-287, 101-288, 101-289, 101-290, 101-291, 101-292, 101-293, 101-294, 101-295, 101-296, 101-297, 101-298, 101-299, 101-300, 101-301, 101-302, 101-303, 101-304, 101-305, 101-306, 101-307, 101-308, 101-309, 101-310, 101-311, 101-312, 101-313, 101-314, 101-315, 101-316, 101-317, 101-318, 101-319, 101-320, 101-321, 101-322, 101-323, 101-324, 101-325, 101-326, 101-327, 101-328, 101-329, 101-330, 101-331, 101-332, 101-333, 101-334, 101-335, 101-336, 101-337, 101-338, 101-339, 101-340, 101-341, 101-342, 101-343, 101-344, 101-345, 101-346, 101-347, 101-348, 101-349, 101-350, 101-351, 101-352, 101-353, 101-354, 101-355, 101-356, 101-357, 101-358, 101-359, 101-360, 101-361, 101-362, 101-363, 101-364, 101-365, 101-366, 101-367, 101-368, 101-369, 101-370, 101-371, 101-372, 101-373, 101-374, 101-375, 101-376, 101-377, 101-378, 101-379, 101-380, 101-381, 101-382, 101-383, 101-384, 101-385, 101-386, 101-387, 101-388, 101-389, 101-390, 101-391, 101-392, 101-393, 101-394, 101-395, 101-396, 101-397, 101-398, 101-399, 101-400, 101-401, 101-402, 101-403, 101-404, 101-405, 101-406, 101-407, 101-408, 101-409, 101-410, 101-411, 101-412, 101-413, 101-414, 101-415, 101-416, 101-417, 101-418, 101-419, 101-420, 101-421, 101-422, 101-423, 101-424, 101-425, 101-426, 101-427, 101-428, 101-429, 101-430, 101-431, 101-432, 101-433, 101-434, 101-435, 101-436, 101-437, 101-438, 101-439, 101-440, 101-441, 101-442, 101-443, 101-444, 101-445, 101-446, 101-447, 101-448, 101-449, 101-450, 101-451, 101-452, 101-453, 101-454, 101-455, 101-456, 101-457, 101-458, 101-459, 101-460, 101-461, 101-462, 101-463, 101-464, 101-465, 101-466, 101-467, 101-468, 101-469, 101-470, 101-471, 101-472, 101-473, 101-474, 101-475, 101-476, 101-477, 101-478, 101-479, 101-480, 101-481, 101-482, 101-483, 101-484, 101-485, 101-486, 101-487, 101-488, 101-489, 101-490, 101-491, 101-492, 101-493, 101-494, 101-495, 101-496, 101-497, 101-498, 101-499, 101-500, 101-501, 101-502, 101-503, 101-504, 101-505, 101-506, 101-507, 101-508, 101-509, 101-510, 101-511, 101-512, 101-513, 101-514, 101-515, 101-516, 101-517, 101-518, 101-519, 101-520, 101-521, 101-522, 101-523, 101-524, 101-525, 101-526, 101-527, 101-528, 101-529, 101-530, 101-531, 101-532, 101-533, 101-534, 101-535, 101-536, 101-537, 101-538, 101-539, 101-540, 101-541, 101-542, 101-543, 101-544, 101-545, 101-546, 101-547, 101-548, 101-549, 101-550, 101-551, 101-552, 101-553, 101-554, 101-555, 101-556, 101-557, 101-558, 101-559, 101-560, 101-561, 101-562, 101-563, 101-564, 101-565, 101-566, 101-567, 101-568, 101-569, 101-570, 101-571, 101-572, 101-573, 101-574, 101-575, 101-576, 101-577, 101-578, 101-579, 101-580, 101-581, 101-582, 101-583, 101-584, 101-585, 101-586, 101-587, 101-588, 101-589, 101-590, 101-591, 101-592, 101-593, 101-594, 101-595, 101-596, 101-597, 101-598, 101-599, 101-600, 101-601, 101-602, 101-603, 101-604, 101-605, 101-606, 101-607, 101-608, 101-609, 101-610, 101-611, 101-612, 101-613, 101-614, 101-615, 101-616, 101-617, 101-618, 101-619, 101-620, 101-621, 101-622, 101-623, 101-624, 101-625, 101-626, 101-627, 101-628, 101-629, 101-630, 101-631, 101-632, 101-633, 101-634, 101-635, 101-636, 101-637, 101-638, 101-639, 101-640, 101-641, 101-642, 101-643, 101-644, 101-645, 101-646, 101-647, 101-648, 101-649, 101-650, 101-651, 101-652, 101-653, 101-654, 101-655, 101-656, 101-657, 101-658, 101-659, 101-660, 101-661, 101-662, 101-663, 101-664, 101-665, 101-666, 101-667, 101-668, 101-669, 101-670, 101-671, 101-672, 101-673, 101-674, 101-675, 101-676, 101-677, 101-678, 101-679, 101-680, 101-681, 101-682, 101-683, 101-684, 101-685, 101-686, 101-687, 101-688, 101-689, 101-690, 101-691, 101-692, 101-693, 101-694, 101-695, 101-696, 101-697, 101-698, 101-699, 101-700, 101-701, 101-702, 101-703, 101-704, 101-705, 101-706, 101-707, 101-708, 101-709, 101-710, 101-711, 101-712, 101-713, 101-714, 101-715, 101-716, 101-717, 101-718, 101-719, 101-720, 101-721, 101-722, 101-723, 101-724, 101-725, 101-726, 101-727, 101-728, 101-729, 101-730, 101-731, 101-732, 101-733, 101-734, 101-735, 101-736, 101-737, 101-738, 101-739, 101-740, 101-741, 101-742, 101-743, 101-744, 101-745, 101-746, 101-747, 101-748, 101-749, 101-750, 101-751, 101-752, 101-753, 101-754, 101-755, 101-756, 101-757, 101-758, 101-759, 101-760, 101-761, 101-762, 101-763, 101-764, 101-765, 101-766, 101-767, 101-768, 101-769, 101-770, 101-771, 101-772, 101-773, 101-774, 101-775, 101-776, 101-777, 101-778, 101-779, 101-780, 101-781, 101-782, 101-783, 101-784, 101-785, 101-786, 101-787, 101-788, 101-789, 101-790, 101-791, 101-792, 101-793, 101-794, 101-795, 101-796, 101-797, 101-798, 101-799, 101-800, 101-801, 101-802, 101-803, 101-804, 101-805, 101-806, 101-807, 101-808, 101-809, 101-810, 101-811, 101-812, 101-813, 101-814, 101-815, 101-816, 101-817, 101-818, 101-819, 101-820, 101-821, 101-822, 101-823, 101-824, 101-825, 101-826, 101-827, 101-828, 101-829, 101-830, 101-831, 101-832, 101-833, 101-834, 101-835, 101-836, 101-837, 101-838, 101-839, 101-840, 101-841, 101-842, 101-843, 101-844, 101-845, 101-846, 101-847, 101-848, 101-849, 101-850, 101-851, 101-852, 101-853, 101-854, 101-855, 101-856, 101-857, 101-858, 101-859, 101-860, 101-861, 101-862, 101-863, 101-864, 101-865, 101-866, 101-867, 101-868, 101-869, 101-870, 101-871, 101-872, 101-873, 101-874, 101-875, 101-876, 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101-988, 101-989, 101-990, 101-991, 101-992, 101-993, 101-994, 101-995, 101-996, 101-997, 101-998, 101-999, 101-1000, 101-1001, 101-1002, 101-1003, 101-1004, 101-1005, 101-1006, 101-1007, 101-1008, 101-1009, 101-1010, 101-1011, 101-1012, 101-1013, 101-1014, 101-1015, 101-1016, 101-1017, 101-1018, 101-1019, 101-1020, 101-1021, 101-1022, 101-1023, 101-1024, 101-1025, 101-1026, 101-1027, 101-1028, 101-1029, 101-1030, 101-1031, 101-1032, 101-1033, 101-1034, 101-1035, 101-1036, 101-1037, 101-1038, 101-1039, 101-1040, 101-1041, 101-1042, 101-1043, 101-1044, 101-1045, 101-1046, 101-1047, 101-1048, 101-1049, 101-1050, 101-1051, 101-1052, 101-1053, 101-1054, 101-1055, 101-1056, 101-1057, 101-1058, 101-1059, 101-1060, 101-1061, 101-1062, 101-1063, 101-1064, 101-1065, 101-1066, 101-1067, 101-1068, 101-1069, 101-1070, 101-1071, 101-1072, 101-1073, 101-1074, 101-1075, 101-1076, 101-1077, 101-1078, 101-1079, 101-1080, 101-1081, 101-1082, 101-1083, 101-1084, 101-1085, 101-1086, 101-1087, 101-1088, 101-1089, 101-1090, 101-1091, 101-1092, 101-1093, 101-1094, 101-1095, 101-1096, 101-1097, 101-1098, 101-1099, 101-1100, 101-1101, 101-1102, 101-1103, 101-1104, 101-1105, 101-1106, 101-1107, 101-1108, 101-1109, 101-1110, 101-1111, 101-1112, 101-1113, 101-1114, 101-1115, 101-1116, 101-1117, 101-1118, 101-1119, 101-1120, 101-1121, 101-1122, 101-1123, 101-1124, 101-1125, 101-1126, 101-1127, 101-1128, 101-1129, 101-1130, 101-1131, 101-1132, 101-1133, 101-1134, 101-1135, 101-1136, 101-1137, 101-1138, 101-1139, 101-1140, 101-1141, 101-1142, 101-1143, 101-1144, 101-1145, 101-1146, 101-1147, 101-1148, 101-1149, 101-1150, 101-1151, 101-1152, 101-1153, 101-1154, 101-1155, 101-1156, 101-1157, 101-1158, 101-1159, 101-1160, 101-1161, 101-1162, 101-1163, 101-1164, 101-1165, 101-1166, 101-1167, 101-1168, 101-1169, 101-1170, 101-1171, 101-1172, 101-1173, 101-1174, 101-1175, 101-1176, 101-1177, 101-1178, 101-1179, 101-1180, 101-1181, 101-1182, 101-1183, 101-1184, 101-1185, 101-1186, 101-1187, 101-1188, 101-1189, 101-1190, 101-1191, 101-1192, 101-1193, 101-1194, 101-1195, 101-1196, 101-1197, 101-1198, 101-1199, 101-1200, 101-1201, 101-1202, 101-1203, 101-1204, 101-1205, 101-1206, 101-1207, 101-1208, 101-1209, 101-1210, 101-1211, 101-1212, 101-1213, 101-1214, 101-1215, 101-1216, 101-1217, 101-1218, 101-1219, 101-1220, 101-1221, 101-1222, 101-1223, 101-1224, 101-1225, 101-1226, 101-1227, 101-1228, 101-1229, 101-1230, 101-1231, 101-1232, 101-1233, 101-1234, 101-1235, 101-1236, 101-1237, 101-1238, 101-1239, 101-1240, 101-1241, 101-1242, 101-1243, 101-1244, 101-1245, 101-1246, 101-1247, 101-1248, 101-1249, 101-1250, 101-1251, 101-1252, 101-1253, 101-1254, 101-1255, 101-1256, 101-1257, 101-1258, 101-1259, 101-1260, 101-1261, 101-1262, 101-1263, 101-1264, 101-1265, 101-1266, 101-1267, 101-1268, 101-1269, 101-1270, 101-1271, 101-1272, 101-1273, 101-1274, 101-1275, 101-1276, 101-1277, 101-1278, 101-1279, 101-1280, 101-1281, 101-1282, 101-1283, 101-1284, 101-1285, 101-1286, 101-1287, 101-1288, 101-1289, 101-1290, 101-1291, 101-1292, 101-1293, 101-1294, 101-1295, 101-1296, 101-1297, 101-129

















November 7, 2024

Lauren E. Kopishke
Director of Planning & Zoning - Town of Front Royal
102 E. Main Street, PO Box 1560
Front Royal, Virginia 22630

Reference: E. Criser Road Apartments - Special Use Permit
Project No: 31496-001

Dear Ms. Kopishke:

Pursuant to the meeting which took place on October 29, 2024 between yourself, Ms. Jen Surber, Mr. John Ware, and I, KBJW evaluated the conceptual entrance location along Criser Road with respect the existing traffic along Criser Road and the traffic generated by the proposed 90 unit apartment development. To evaluate the entrance requirements, KBJW obtained the most recent available (2023) VDOT daily traffic data for Criser Road, and the latest (11th) edition of the Institute of Transportation Engineers (ITE) Trip Generation Application to determine the trips generated by the multifamily development.

Based on the published VDOT Traffic Volumes, Criser Road has 5,300 Average Daily Trips with a 66.8% Directional Factor meaning that approximately 3,474 (66.8%) vehicle trips occur during the peak hour in the higher volume direction of travel during the peak hour . A summary of the entire VDOT published traffic data is included as Attachment "A".

ITE Trip Generation data for the subject multifamily site indicates that an additional 409 Vehicles per day will be generated from the site during the weekdays with the peak hour occurring during the evening between 4 pm and 6pm generating 44 vehicle trips (27 entry\17 exit), the morning weekday peak hour between the hours of 7 am and 9 am is 35 vehicle trips (9 entry\26 exit). A summary of all of the trip generation for this site is included as Attachment "B"

The existing traffic data and trip generation data was input into VDOT's Subdivision and Commercial Entrance Worksheet for Two-Lane Highways to determine if right and left turn lanes are warranted for the subject development. Based on the noted criteria and traffic data, no left turn lane is warranted for the development, a right turn lane is required consisting of a 100 ft. taper and 100 ft. deceleration lane with minimum 25' return radii. The final entrance design will at a minimum accommodate the required geometry. A copy of the completed worksheet is included as Attachment "C".

We hope you will find this information acceptable for the approval of the Special Use Permit for the subject site. Should you have any questions or require any additional information please do not hesitate to contact us.

Sincerely yours,

Jonathan M. Cosby, PE
Senior Project Manager
Koontz Bryant Johnson Williams, Inc.

Cc: (Jen Surber, Surber Development & Consulting





ATTACHMENT "A"

Virginia Department of Transportation Traffic Operations Division 2023 Annual Average Daily Traffic Volume Estimates By Section of Route Warren Maintenance Area																									
Link ID	RNS Route Name	Route Label	Route Alias	Physical Jurisdiction		Maintenance Jurisdiction		Start Label	End Label	Link Length	AADT	AADT Quality	Percent 2 and 4 Tire Vehicles	Percent buses	Percent Single Unit Trucks 2 Axle	Percent Single Unit Trucks 3+ Axle	Percent Combination Trucks 1 Trailer	Percent Combination Trucks 2+ Trailer	Vehicle Classification Quality	K Factor	K Factor Quality	Direction Factor	AAWDT	AAWDT Quality	Data Date
632011	S-VA112PR CRISER RD	Criser Rd	Criser Rd	112	Town of Front Royal	112	Town of Front Royal	South Royal Ave	Chester Gap Rd	0.70	5200	F	96%	3%	1%	0%	0%	0%	F	0.0976	F	0.6684	5600	F	2023



ATTACHMENT "B"

ITE TRIP GENERATION - 11th EDITION - SUMMARY TABLE														
LAND USE GROUP	LAND USE CODE	Dwelling Units	WEEKDAY											
			DAY			PEAK HOUR - AM			PEAK HOUR - PM					
			VEHICLES			VEHICLES			PEAK HOUR - PM					
			TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT			
			409	204	205	35	9	26	44	27	17			
Residential (Multifamily Housing, Mid-Rise)	221	90	WEEKEND											
			SATURDAY			SATURDAY PEAK			SUNDAY			SUNDAY PEAK HOUR		
			VEHICLES			VEHICLES			VEHICLES			VEHICLES		
			TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT
			433	216	217	36	18	18	351	175	176	43	24	19



ATTACHMENT "C"

SUBDIVISION & COMMERCIAL ENTRANCE WORKSHEET FOR TWO-LANE HIGHWAYS	
 ENTRANCE LOCATION: 330 E. Criser Rd. Front Royal, Virginia	
ENTER / SELECT THESE FOUR KNOWN CRITERIA	
HIGHWAY POSTED SPEED (MPH) 	25
HIGHWAY TRAFFIC VOLUME (VPD)	5,200 ¹¹
HIGHWAY FUNCTIONAL CLASSIFICATION	PRIMARY COLLECTOR ²
TRAFFIC GENERATED BY SITE (VPD)	433 ⁴
Click Here for Traffic Engineering Data	
* See "Min. St'ds. of Entrs. to State Highways" for additional Entrance requirements ** See Road Design Manual, Figure C-1-1.20 or Illustration in Site Access Guidelines Manual	
LEFT TURN LANE **	
MIN. STORAGE (L1) = NONE	
MIN. TAPER (T2) = NONE	
LANE SHIFT TRANSITION TO LTL**	
TAPER (T1) LENGTH = NONE	
TAPER (T1) LENGTH = NONE	
REMARKS (Optional):	
<i>Highway Traffic Volumes based on VDOT 2023 AADT Estimates. Site Traffic Data based on ITE Trip Generation - 11th Edition.</i>	
 For UNPOSTED SECONDARY ROADS , <u>Average Running Speed</u> may be entered, by approval	
SITE ACCESS GUIDELINES CATEGORY = C	
MIN. ENTR. RADIUS = 25'	
MIN. CONN. RADIUS = 50'	
MIN. INT. SIGHT DIST. = 335' (Design Speed = Posted Speed plus 5 MPH)	
RIGHT TURN LANE*	
MIN. TAPER = 100'	
MIN. DECEL = 100'	
FULL FRONTAGE DEVELOP. REQ'D.? NO	
NOTES:	
1. Data <u>MUST</u> be entered in <u>ALL FOUR</u> "KNOWN CRITERIA" Cells ("Boxes")	
2. Use "Tab" Key to move to next Cell	
3. Select Printer Icon to Print	

TECHNICAL MEMORANDUM

To: Jen Surber

From: Aedan Klaverkamp

Sasha Ksanznak-Redmon, PE

Kevin Sitzman, PE

Date: November 25, 2024

Subject: East Criser Road – Turn Lane Warrant Analysis Memorandum

Front Royal, Virginia

Surber Development and Consulting

This memorandum presents a turn lane warrant analysis for the proposed development on the parcel situated behind 330 E Criser Road, located east of Old Belmont Road and west of Remount Road in Front Royal, Virginia. The existing vacant parcel is proposed to be improved with two (2) multifamily residential buildings, consisting of 90 dwelling units, and a surface parking lot. Vehicular access to the site will be provided via a full access driveway along E Criser Road.

Following the procedures described in the VDOT Road Design Manual, Appendix F, this turn lane warrant analysis concludes that neither a left turn lane nor a right turn lane or taper is required at the proposed intersection of E Criser Rd and the proposed site driveway. Details of the turn lane warrant analysis are provided in the sections that follow.

Turn Lane Warrant Analysis

Existing Traffic Volumes

To determine the peak hour turning movement traffic volumes, the 2023 AADT, K factor, and direction factor were gathered from VDOT’s database and used to calculate the directional design-hour volume on E Criser Road. The 2023 AADT was multiplied by the K factor and direction factor to attain the directional design-hour volume. The peak hour off-peak direction volume was found by multiplying the AADT by the K factor, then by multiplying by the result of one (1) minus the direction factor. It was assumed that the peak direction in the AM peak hour would be in the westbound direction and the PM peak hour in the eastbound direction.

Trip Generation

To calculate the trips generated by the proposed development, ITE Trip Generation, 11th Edition was used to determine the total trips going into and out of the subject study site during the AM and PM peak hours. The proposed use of the site is a multifamily, mid-rise residential complex (Land Use Code 221) consisting of 90 dwelling units. The projected trip generation for the proposed development is depicted in Table 1.

Table 1: Projected Site Trip Generation

Land Use	Size	----- Week day -----						
		AM Peak Hour			PM Peak Hour			Daily
		In	Out	Total	In	Out	Total	Total
Multifamily Housing (Mid-Rise)	90.0 DU	6	22	28	22	13	35	383

As illustrated in the table above, the site would be expected to generate approximately 28 new total trips during the AM peak hour, 35 new total trips during the PM peak hour, and 383 new total daily trips on a typical weekday.

Analysis

A turn lane warrant analysis was conducted at the proposed site access using the estimated trip generation for the proposed site and existing volumes on E Criser Road, as detailed in the previous sections.

The left turn lane warrant analysis considers road characteristics such as the number of lanes and roadway design speed to determine the need for a left turn lane. Additionally, four variables key variables are considered, which are the advancing volume, opposing volume, number of left turns, and left turn percentage. For the AM peak hour, those numbers were calculated as follows:

- Advancing Volume: 343 vehicles
- Opposing Volume: 168 vehicles
- Left Turns: 4 vehicles
- Left Turn Percent: 1.2%

The directional factor for the roadway was provided from VDOT as 67%. The site generated trips were assigned in accordance with this split. In the AM, 67% of inbound trips were assigned as left turns into the site.

Given these conditions, it was determined that the proposed intersection would not meet the left turn lane warrant during the AM peak hour, meaning a left turn lane would not be necessary for the provided data and according to the described assumptions. This process was repeated for the PM peak hour, where it was found that the left turn lane was not warranted, either. Copies of the warrants are provided in Figure 1.

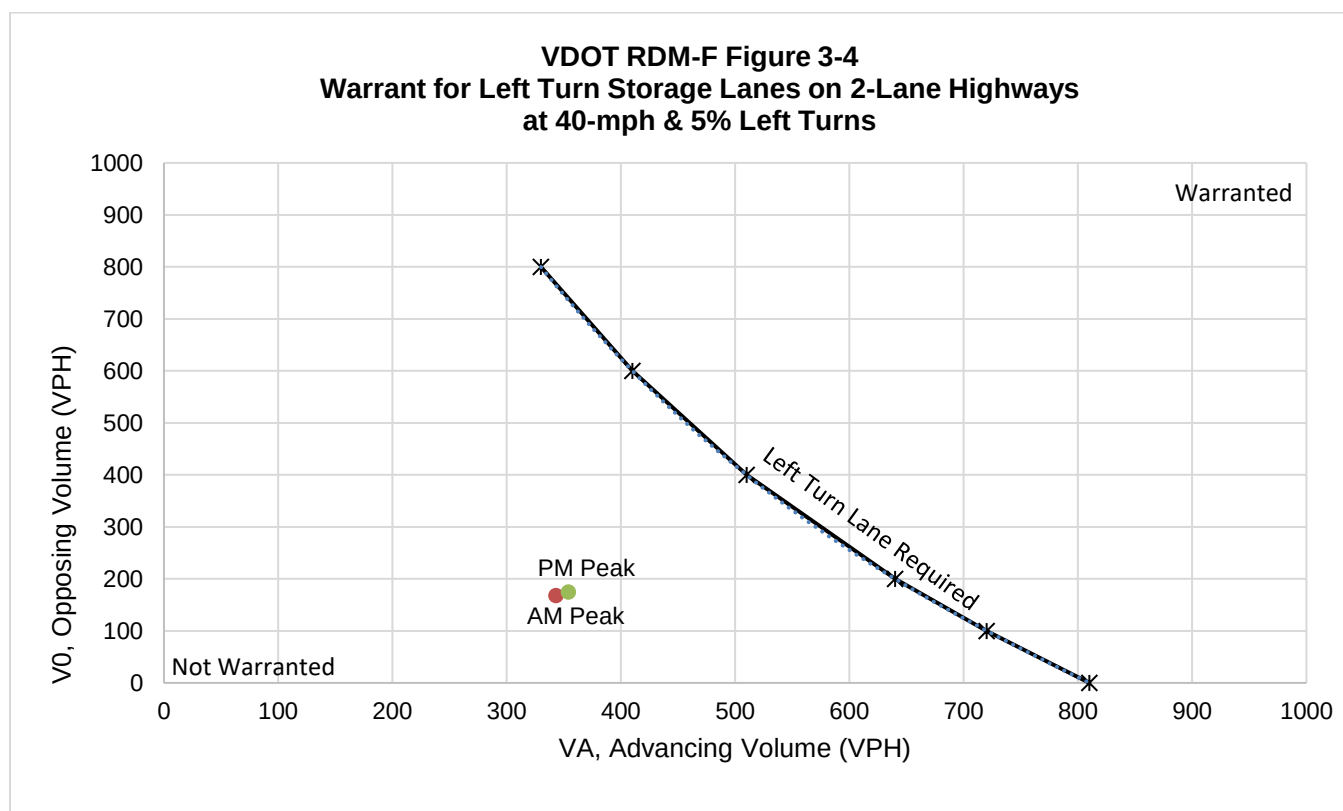


Figure 1: Left Turn Lane Warrant for Proposed Intersection – AM and PM Peak Hour

Similar to the left turn lane warrant analysis, the right turn lane warrant analysis considers the approach volume and number of right turns to determine if a right turn taper or right turn lane is required. Using the same conditions described for the left turn lane warrant analysis, it was determined that neither the AM or PM peak hours triggered a warrant for a right turn taper or right turn lane. Copies of the warrants are provided in Figure 2.

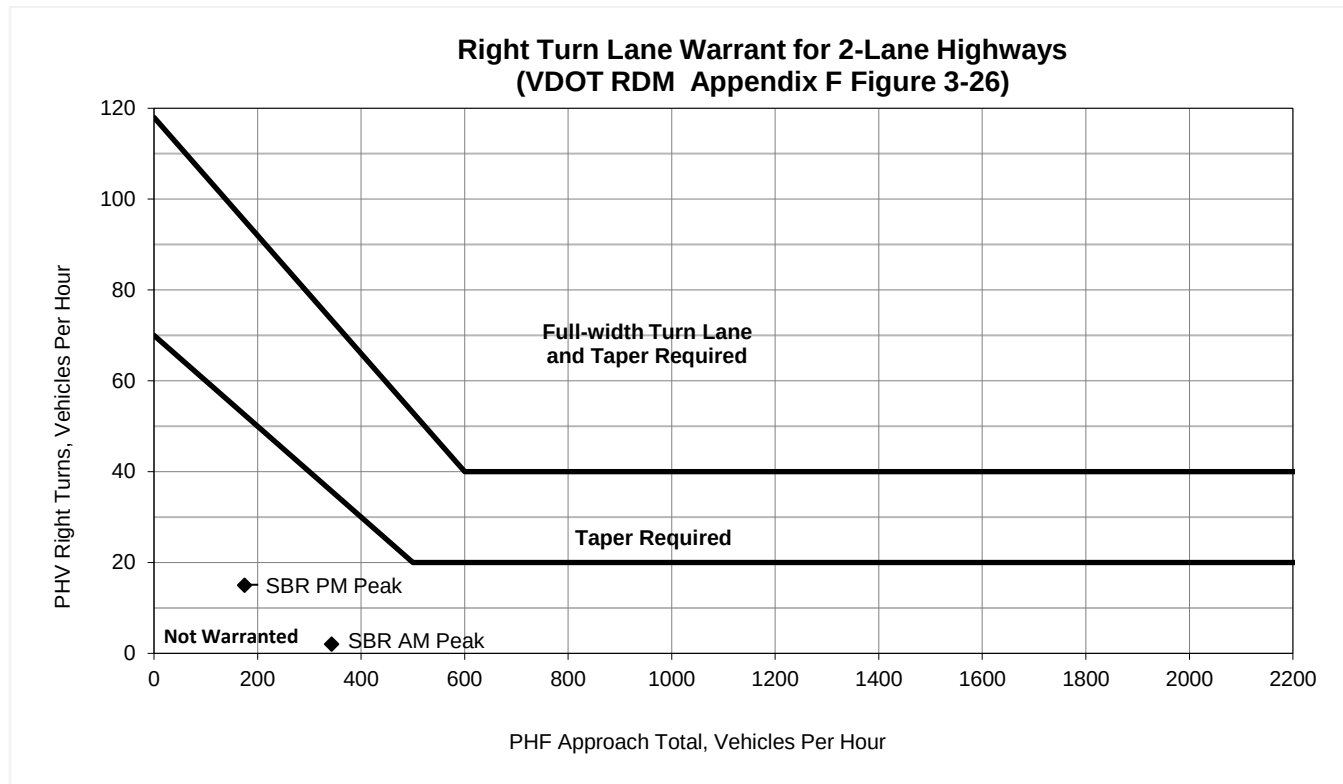


Figure 2: Right Turn Lane Warrant for Proposed Intersection – AM and PM Peak Hour

Conclusion

Following the procedures described in the VDOT Road Design Manual, Appendix F, as detailed above, this turn lane warrant analysis concludes that neither a left turn lane nor a right turn lane or taper is required at the proposed intersection of E Criser Rd and the proposed site driveway.

2400524

- A request for a Special Use Permit for Multi-Family Apartments on a vacant parcel off of E. Criser Road, identified by Tax Map #20A18-5-5A1.
- The property is zoned C-1, Community Business District and is located between 330 and 450 E. Criser Road.
- The property also has frontage on Remount Road, US Route 522.

Town Code Ch 175-39.B “The following uses are permitted within the C-1 District only by approval of a Special Use Permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District.”

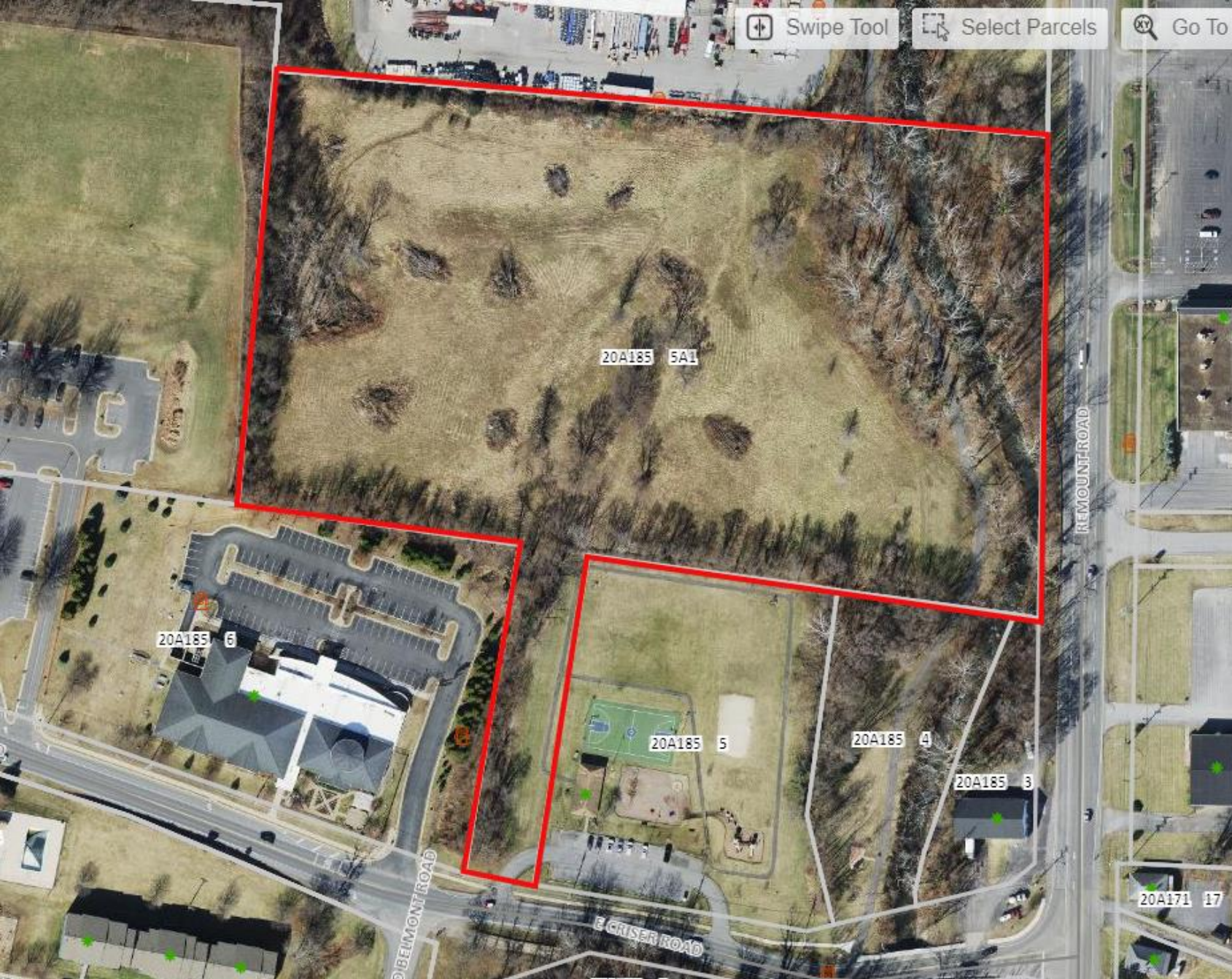
RESIDENTIAL

Apartments or dwelling units, with four (4) or more units or when located on the ground floor, subject to provisions of Section 175-113.

Comprehensive Plan Compliance

Objective/Strategy	Implementation Date	Responsible Party
Affordable Housing: A wide range of housing options contributes to Front Royal’s vision as a lifelong community where people of all ages and stages in life can meet their housing needs. The options should include a wide range of housing types from single-family homes to apartments above downtown stores.		
Monitor the mix of available housing types in Town to ensure that the stock remains varied and diverse for different housing needs.	Year one, ongoing	TC, PC, P&Z staff
Encourage energy efficient rental housing development.	Year one, ongoing	TC, PC, P&Z staff
Encourage construction of more affordable apartments.	Year one, ongoing	TC, PC, P&Z staff
Promote new housing types that are attractive to seniors, making it possible for them to age in place rather than leaving Front Royal.	Year one, ongoing	TC, PC, P&Z staff





- **Ninety (90) apartments**
- **Two (2) separate three (3) story structures**
 - **maximum height of forty-five feet (45')**
- **18 - Two Bedroom**
- **27 -Three Bedroom**
 - **each unit will have Two Full Baths**
- **Five (5) Fully ADA Accessible units per building**



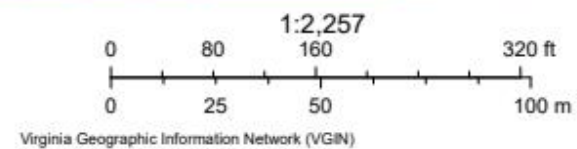


- **Low –Income Housing Tax Credit (LIHTC) for workforce housing**
 - **US department of Housing and Urban Development (HUD) estimates Fair Market Rents (FMR) area**
- **LEED building certification**
 - **materials used**
 - **waste management**
 - **energy savings**
 - **water efficiency**
 - **indoor air quality**
 - **site location**





October 2, 2024



Traffic Analysis

ITE Trip Generation data for the subject multifamily site indicates that an additional 409 Vehicles per day will be generated from the site during the weekdays with the peak hour occurring during the evening between 4 pm and 6pm generating 44 vehicle trips (27 entry\17 exit), the morning weekday peak hour between the hours of 7 am and 9 am is 35 vehicle trips (9 entry\26 exit). A summary of all of the trip generation for this site is included as Attachment "B"

The existing traffic data and trip generation data was input into VDOT's Subdivision and Commercial Entrance Worksheet for Two-Lane Highways to determine if right and left turn lanes are warranted for the subject development. Based on the noted criteria and traffic data, no left turn lane is warranted for the development, a right turn lane is required consisting of a 100 ft. taper and 100 ft. deceleration lane with minimum 25' return radii. The final entrance design will at a minimum accommodate the required geometry. A copy of the completed worksheet is included as Attachment "C".

ATTACHMENT "B"

ITE TRIP GENERATION - 11th EDITION - SUMMARY TABLE														
LAND USE GROUP	LAND USE CODE	Dwelling Units	WEEKDAY											
			DAY			PEAK HOUR - AM			PEAK HOUR - PM					
			VEHICLES			VEHICLES			PEAK HOUR - PM					
			TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT			
Residential (Multifamily Housing, Mid-Rise)	221	90	409	204	205	35	9	26	44	27	17			
			WEEKEND											
			SATURDAY			SATURDAY PEAK			SUNDAY			SUNDAY PEAK HOUR		
			VEHICLES			VEHICLES			VEHICLES			VEHICLES		
			TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT
			433	216	217	36	18	18	351	175	176	43	24	19

Attachment C

ENTER / SELECT THESE FOUR KNOWN CRITERIA

HIGHWAY POSTED SPEED (MPH) $\uparrow$ **25**

HIGHWAY TRAFFIC VOLUME (VPD) **5,200** 11

HIGHWAY FUNCTIONAL CLASSIFICATION

PRIMARY COLLECTOR 2

TRAFFIC GENERATED BY SITE (VPD) **433** 4

SITE ACCESS GUIDELINES
CATEGORY = C

MIN. ENTR. RADIUS = 25'

MIN. CONN. RADIUS = 50'

MIN. INT. SIGHT DIST. = 335'

(Design Speed = Posted Speed plus 5 MPH)

RIGHT TURN LANE*

MIN. TAPER = 100'

MIN. DECEL = 100'

[Click Here for Traffic Engineering Data](#)

* See "Min. St'ds. of Entrs. to State Highways"
for additional Entrance requirements

** See Road Design Manual, Figure C-1-1.20 or
Illustration in Site Access Guidelines Manual

LEFT TURN LANE **

MIN. STORAGE (L1) = NONE

MIN. TAPER (T2) = NONE

LANE SHIFT TRANSITION TO LTL **

IF ALL WIDENING IS ON ONE SIDE OF CL:

TAPER (T1) LENGTH = NONE

IF WIDENING IS EQUAL ON BOTH SIDES OF CL:

TAPER (T1) LENGTH = NONE



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 07C

Agenda Item: PUBLIC HEARING – An Ordinance Amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services and Approval of Utility Disconnection Policy and Procedures.

Summary: Council is requested to consider an ordinance amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services for additional requirements placed on disconnection of utilities by localities of the Commonwealth of Virginia pursuant to Pursuant to §15.2-2121.1, §15.2-2121.2 and §15.2-2121.3; and to approve a **Utility Disconnection Policy and Procedures**.

The Code of Virginia was amended and effective July 1, 2024. The Town has not disconnected utilities due to non-payment since June 2024. In order for the Town to resume disconnections of utility services due to non-payment; the Town Code will need to be revised, and the Town will need to implement new policies. Upon adoption of the ordinance amendment and approval of the **Utility Disconnection Policy and Procedure**, the policy and procedures will be posted on the Town's website in English and Spanish.

Budget/Funding: N/A

Meetings: Work Session held November 12 2024

Proposed Motion: I move that Council adopt an ordinance amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services for additional requirements placed on disconnection of utilities by localities of the Commonwealth of Virginia pursuant to Pursuant to §15.2-2121.1, §15.2-2121.2 and §15.2-2121.3; and to approve a Utility Disconnection Policy and Procedures, as presented.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Veienthal _____ Rappaport _____ DeDomenico-Payne _____ Wood _____

AN ORDINANCE AMENDMENT TO FRONT ROYAL TOWN CODE §134-71 FOR ADDITIONAL REQUIREMENTS PLACED ON DISCONNECTION OF UTILITIES

WHEREAS, The Code of Virginia was amended and effective July 1, 2024, additional requirements were placed on disconnection of utilities by localities of the Commonwealth of Virginia. These requirements are specified in the Code of Virginia sections 15.2-2121.1, 15.2-2121.2, and 15.2-2121.3.; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Front Royal Town Code §134-71, hereby be amended or repealed as follows:

134-71 UTILITY ACCOUNTS DEPOSITS, PAYMENTS AND TERMINATION OF SERVICE

A. Deposit:

1. a. *Residential Service Location Amount*: For an existing residential service location, the deposit required for Town utility services after September 9, 2019 shall be an amount equal to the highest monthly bill for that location during the preceding twelve (12) months or two hundred fifty dollars (\$250.00), whichever is greater.
- b. *Commercial Service Location*: For an existing commercial service location, the deposit required for Town utility services shall be an amount equal to twice the average monthly bill for that location during the preceding twelve (12) months or five hundred dollars (\$500.00), whichever is greater.
- c. *Newly Established Location*: To calculate the amount of the deposit for newly established residential or commercial service locations, the Front Royal Department of Finance shall establish the deposit at an amount equal to the customer's anticipated monthly usage of water and electric service, as may be the case.
- d. *Reinstatement of Deposit*: If, at any time, the customer's deposit is waived or returned, as set forth below, but the customer's service subsequently is terminated for nonpayment or the customer has made four (4) late payments during any twelve-month period, a deposit, in an amount as set forth above, shall be required.
2. *Service Location Deposit Waiver*: Notwithstanding the foregoing, no service location deposit shall be required when an acceptable credit history is furnished by the customer from a previous utility provider. Acceptable credit history is defined as a customer who can demonstrate that during the previous twelve (12) months his bills were paid with no more than four (4) late payments on a monthly billing system or no more than two (2) late payments on a bimonthly system.
3. *Payment of Deposit*: Payment of the deposit is due upon execution of the service work order. In lieu of the foregoing, when the required deposit for a residential service location

exceeds five hundred dollars (\$500.00) or a commercial service location exceeds one thousand dollars (\$1,000.00), the deposit may be paid in two (2) equal installments with one-half due when the work order is signed and pay the remaining one-half along with the payment for the first month's service.

4. *Interest and Refunds:* Deposits shall be held in an interest-bearing account.

- a. Service location deposits plus interest shall be refunded either: (1) upon termination of the service account in an amount equal to the deposit and accrued interest minus any amount deducted to satisfy customer arrearages or other debts owing to the Town; or (2) upon the customer's request after a period of twelve (12) months of service during which there were no more than four (4) delinquent payments. Upon request of a refund, the Director of Finance shall first ensure that customer does not have any debts owing to the Town. If the customer is indebted to the Town, the Director of Finance will apply any refund toward satisfaction of these debts prior to the refund of any money to the customer.

B. *Payments:*

1. *Due Date—Fines and Charges:* All payments for water, sewer, electric, and garbage collection services shall be due within twenty (20) days of the date of billing. Accounts, for which full payment is not received within twenty (20) days, are delinquent. A late charge of two percent (2%) of the delinquent bill immediately shall be charged to the delinquent account. If the account remains delinquent for ~~ten (10)~~ **forty-five (45) days** after the original notice, an additional **administration** service charge of ~~ten dollars (\$10.00)~~ **forty-five dollars (\$45.00)** shall be charged. ~~Finally a service charge will be required to reconnect service that has been discontinued due to non payment. If the reconnection occurs during normal business hours, the reconnection fee shall be twenty dollars (\$20.00) for first reconnection fee; thirty dollars (\$30.00) for second reconnection fee; forty dollars (\$40.00) for third reconnection fee; fifty dollars (\$50.00) for reconnection fee for all other times.~~
2. *Allocation of Payments:* During a delinquency in the payment for any service (electric, water, sewerage, or garbage collection) any subsequent payment received for services will be applied first against the most delinquent account which is not subject to a defense of any applicable statute of limitations.
3. *Budget Billing:* Notwithstanding the foregoing, the Director of Finance, in his discretion, may enter into agreements with customers for alternative billing and payment schedules with persons on fixed or limited incomes.
4. The Town of Front Royal may take all lawful action to collect all debts owed to the municipality which have become overdue.

C. *Termination of Services:*

1. *Notice:* The Director of Finance shall ~~notify the customer in writing of all delinquencies, imminent service termination, and right to contest as set forth below. Notice also shall be posted on the door of the premises with the delinquent account.~~ deliver notice of nonpayment of bills or fees by using at least one of the following methods: (i) mail, (ii) email, (iii) text message, (iv) phone call, or (v) door hanger.
 2. *Protest:* The customer may contest the bill by contacting the Director of Finance for the Town of Front Royal who will immediately schedule a hearing on the customer's claim that his account is not delinquent. If the matter is not successfully contested by the customer and the arrearages remain ten (10) days after the date of the aforementioned hearing, service shall be disconnected. Notwithstanding the foregoing, no services shall be disconnected prior to a requested hearing.
 3. *Disconnection of service:* ~~If the matter is not successfully contested by the customer and arrearages remain ten (10) days after the date of the aforementioned notices, services shall be disconnected prior to a requested hearing.~~ Disconnection of utility service shall be performed in accordance with the Town of Front Royal Utility Disconnection Policy and Procedures for disconnection of utility service which can be found on the Town's website at www.frontroyalva.com/149/Finance.
 4. *Persons in Poor Health:* Customer may seek an additional thirty (30) days before water and electric services are disconnected if the Director of the Warren County Health Department certifies in writing to the Town of Front Royal Director of Finance that the customer has a serious medical condition or the customer resides with a family member with a serious medical condition. Upon providing certification the service termination may be delayed twice within a twelve-month period, but may not be consecutive, certification shall be valid for period of three hundred sixty-five (365) days.
 5. *Conditions for Reconnection of Service:* Once disconnected, services shall not be restored to that customer until the outstanding balance (service fee(s), penalty, and reconnection fee(s)) for that service location is paid in full, unless the Director of Finance has approved other arrangements for payment in full.
- D. *Returned Payment Policy:* If a payment is returned to the Town for any reason, the Director of Finance shall notify, in the same manner as provided above, the customer. If payment, in full, plus a thirty-five-dollar (\$35.00) service charge is not received by the close of business three (3) days after the date on the notice, all utility services to the customer's service location shall be disconnected. If the customer presents the Town with more than two (2) bad checks during any twelve-month payment, payment by check will no longer be accepted.
- E. System Development Charges shall be paid upon application.

(Ord. of 2-23-98; Ord. of 1-28-13; Ord. of 9-9-19; Ord. of 1-13-20; Ord. of 6-8-20)

This ordinance shall become effective _____.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on December 9, 2024 upon the following recorded vote:

R. Wayne Sealock	☐ Yes ☐ No	H. Bruce Rappaport	☐ Yes ☐ No
Joshua L. Ingram	☐ Yes ☐ No	Melissa DeDomenico-Payne	☐ Yes ☐ No
Amber F. Veienthal	☐ Yes ☐ No	Glenn E. Wood	☐ Yes ☐ No

A public hearing on the above was held on December 9, 2024 having been advertised in the Northern Virginia Daily on November 25 and December 2, 2024

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____

Town of Front Royal, Virginia

Utility Disconnection Policy and Procedures

Purpose:

To establish a standard policy for disconnection of water/sewer accounts due to the nonpayment or inadequate payment for services that adheres to Code of Virginia § 15.2-2121.1, § 15.2-2121.2, and § 15.2-2121.3.

Policy:

I. Applicability

- a. This policy only applies for those circumstances when electric, water, and/or sewer service is to be disconnected (turned off) due to nonpayment or delinquency of payment on a customer's water/sewer account.
- b. This policy does not apply when the accountholder requests disconnection of electric, water, or sewer service.
- c. This policy does not apply to returned payments.
- d. The Town of Front Royal reserves the right to discontinue Electric or Water Service to a Customer, at any time without notice, upon the occurrence of any one or more of the following events:
 1. Whenever in the Town's opinion, the Town, has reasonable cause to believe that the Customer is receiving Electric or Water Service without paying therefor, or that the Town's meter, wires, lines, or other apparatus have in any manner been tampered with, or damaged in such a way as to prevent the meter from recording the amount of Electric or Water Service delivered.
 2. Whenever, in the Town's opinion, the condition of the Customer's wiring, equipment, or appliances is either unsafe or unsuitable for receiving Electric or Water Service, or when the Customer's use of Electric or Water Service interferes with or may be detrimental to the Town's facilities or to the provision of Electric or Water Service by the Town to any other Customer.
 3. Whenever, in the Town's opinion, failure to promptly repair leaks in or upon premises supplied with water. Water service may be discontinued until necessary repairs are made.
 4. Whenever in the opinion of the Town, it is necessary to prevent fraud upon the Town.
 5. Whenever the Customer has denied a Town representative access to the Town's meter, wires or other apparatus installed on the Customer's premises.
 6. Whenever requested by any public authority having jurisdiction.
 7. Emergency repairs or alterations
 8. Unavoidable shortages or interruptions in the Town's source of supply.

II. Disconnection of Service for Nonpayment

- a. Any utility account forty-five (45) days in arrears, is subject to utility service disconnection due to nonpayment.
- b. Residential electric service will not be disconnected due to nonpayment when the temperature forecasted by the National Weather Service for zip code 22630 is at or above 92 degrees Fahrenheit or the minimum temperature is at or below 32 degrees Fahrenheit within the 24-hours following the scheduled disconnection date. Disconnection for residential accounts will be delayed until conditions are favorable
- c. Residential water service will not be disconnected due to nonpayment when the temperature forecasted by the National Weather Service for zip code 22630 is at or above 92 degrees Fahrenheit within the 24-hours following the scheduled disconnection date. Disconnection for residential accounts will be delayed until conditions are favorable.
- d. Utility service disconnections will be performed during normal working hours for the Town of Front Royal Department of Finance. Customers will not be disconnected due to nonpayment on Fridays, weekends, state holidays, or the day immediately preceding a state holiday. If the disconnection date due to nonpayment falls on a Friday, during the weekend, a state holiday, or the day immediately before a state holiday, the disconnection of a customer's service will be postponed until the next business day

III. Notification

- a. Customers are mailed a standard monthly Town of Front Royal utility bill; utility bill states that any previous balance due is due immediately.
- b. Any outstanding balance from previous billing cycles will be included on upcoming bills until fully paid.
- c. A delinquent shut-off notice will be mailed to customer at least ten days prior to disconnection of services. Notice will include the date of anticipated disconnection of utilities due to nonpayment and delinquent balances greater than 45 days as of the anticipated date of disconnection of utilities.
- d. Before disconnection of utility service due to nonpayment, the Town of Front Royal will have mailed:
 1. Standard monthly utility bill
 2. Standard utility for preceding month stating previous balance due immediately
 3. Shut-off notice
- e. Failure of customer to remit payment based upon mutually agreed upon payment agreement will result in disconnection of utility service and shall not require additional notification to be sent by the Town.

IV. Reinstatement of Services

- a. Customers may have their services reconnected by making payment of the total amount in arrears to the Town of Front Royal. This includes fees for service and penalties.
- b. Same day restoration of service is possible if payment has been received and the Town of Front Royal office is contacted before 4:00 pm. Payments received after 4:00 pm on the date of utility disconnections may be scheduled for reconnection the following day.

V. Utility payment assistance

- a. After each missed payment by a residential utility customer, the Town will make contact with the customer via mailing of shut off notice as stated in section V d. Shut off notice will offer options on back of notice for bill payment assistance and arranging a payment plan, .

- 1. Failure of customer to adhere to terms of mutually agreed upon payment arrangement will void payment arrangement agreement, requiring entire arrearage amount to be paid to avoid disconnection of utility service and no further payment arrangements will be agreed upon by the Town until entire arrearage amount has been paid.

- b. Warren County Social Services may have access to resources to assist eligible customers with payment of household utility bills. Contact Warren County Social Services at 540-635-3430 for more information.

EL PUEBLO DE FRONT ROYAL, VIRGINIA
NORMAS Y PROCEDIMIENTOS DE DESCONEXIÓN DE SERVICIOS PÚBLICOS.

Objetivo:

Establecer una norma estándar para la desconexión de cuentas de agua y alcantarillado debido a la falta de pago o pago inadecuado para servicios que se adhieren al código de Virginia § 15.2-2121.1, § 15.2-2121.2 y § 15.2-2121.3.

Norma:

I. Aplicabilidad

- a. Esta norma solo se aplica a las circunstancias en las que los servicios de electricidad, agua y/o alcantarillado sean desconectados (suspendidos) debido a la falta de pago o el pago atrasado en una cuenta de agua y alcantarillado del cliente.
- b. Esta norma no se aplica cuando el titular de la cuenta solicita la desconexión de los servicios de electricidad, agua o alcantarillado.
- c. Esta norma no se aplica si el pago fue devuelto (por insuficiencia de fondos).
- d. El Pueblo de Front Royal se reserva el derecho de suspender los servicios de electricidad o agua a un cliente, en cualquier momento y sin previo aviso, en caso de ocurrir uno o más de los siguientes eventos:
 1. Cuando, en opinión del Pueblo, exista una causa razonable para creer que el cliente está recibiendo servicios de electricidad o agua sin pagarlos, o que los medidores, cables, líneas u otros equipos del Pueblo hayan sido manipulados o dañados de manera que impidan que el medidor registre correctamente el consumo de electricidad o agua suministrada.
 2. Cuando, en opinión del Pueblo, las condiciones del cableado, equipo o electrodomésticos del cliente sean inseguros o inadecuados para recibir servicios de electricidad o agua, o cuando el uso que el cliente haga de estos servicios interfiera o pueda ser perjudicial para las instalaciones del Pueblo o para el suministro de electricidad o agua a otros clientes.
 3. Cuando, en opinión del Pueblo, no se reparen de manera inmediata las fugas de agua en las instalaciones abastecidas. El servicio de agua puede ser suspendido hasta que se realicen las reparaciones necesarias.
 4. Cuando, en opinión del Pueblo, sea necesario para prevenir fraudes contra el Pueblo.
 5. Cuando el cliente se niegue a que un representante del Pueblo tenga acceso al medidor, cableado, u otros equipos instalados en la propiedad del cliente.
 6. Cuando sea solicitado por alguna autoridad pública con jurisdicción.
 7. Reparaciones de emergencia o modificaciones necesarias.

8. Escasez o interrupciones inevitables en la fuente de suministro del Pueblo.

II. Desconexión Del Servicio Por Falta De Pago

- a. Cualquier cuenta de servicios de utilidad con un atraso de cuarenta y cinco (45) días está sujeta a la desconexión de servicios por falta de pago.
- b. El servicio eléctrico residencial no será desconectado por falta de pago cuando la temperatura pronosticada por el Servicio de clima Nacional para el código postal 22630 sea igual o superior a 92 grados Fahrenheit, o cuando la temperatura mínima sea igual o inferior a 32 grados Fahrenheit dentro de las 24 horas posteriores a la fecha programada de desconexión. Las desconexiones serán atrasadas hasta que las condiciones sean favorables.
- c. El servicio de agua residencial no será desconectado por falta de pago cuando la temperatura pronosticada por el Servicio de clima Nacional para el código postal 22630 sea igual o superior a 92 grados Fahrenheit dentro de las 24 horas posteriores a la fecha programada de desconexión. La desconexión de cuentas residenciales se retrasará hasta que las condiciones sean favorables.
- d. Las desconexiones de los servicios de utilidad se realizarán durante el horario laboral normal del Departamento de Finanzas del Pueblo de Front Royal. Los servicios del cliente no serán desconectados por falta de pago los viernes, fines de semana, días feriados estatales, ni el día inmediatamente anterior a un día feriado estatal. Si la fecha de desconexión por falta de pago cae un viernes, durante un fin de semana, en un día feriado estatal, o el día anterior a un día feriado estatal, la desconexión del servicio será pospuesta hasta el siguiente día hábil.

III. Notificación

- a. A los clientes se les enviara por correo la factura mensual estándar de servicios de utilidad del Pueblo de Front Royal; esta factura indica que cualquier saldo pendiente debe pagarse de inmediato.
- b. Cualquier saldo pendiente de la factura anterior se incluirá en las facturas siguientes hasta que se pague en su totalidad.
- c. Un aviso de desconexión por falta de pago será enviado por correo al cliente al menos diez (10) días antes de la desconexión de los servicios. El aviso incluirá la fecha de desconexión de utilidades anticipada por no pago y por balances atrasados mas de 45 días
- d. Antes de desconectar los servicios de utilidades por falta de pago, el Pueblo de Front Royal habrá enviado por correo:
 1. Una factura mensual estándar de servicios de utilidades.
 2. Una factura estándar del mes anterior indicando que cualquier saldo pendiente debe pagarse de inmediato.
 3. Un aviso de desconexión de utilidades.

- e. La falta del cliente en cumplir con un acuerdo de pago mutuamente establecido resultará en la desconexión de los servicios públicos y no requerirá que el Pueblo envíe un aviso adicional.

IV. Reinstalación De Servicios

- a. Los clientes pueden restablecer sus servicios pagando la totalidad del saldo atrasado al Pueblo de Front Royal. Esto incluye tarifas por servicios y penalidades.
- b. La restauración de servicios el mismo día es posible si el pago se recibe y se contacta a la oficina del Pueblo de Front Royal antes de las 4:00 p.m. Los pagos recibidos después de las 4:00 p.m. en el día de desconexión pueden ser programados para la reconexión al día siguiente.

V. Asistencia Para El Pago De servicios Públicos

- a. Después de cada pago incumplido por parte de un cliente residencial, el Pueblo enviará un aviso de desconexión por correo, como se indica en la sección V.d. El aviso de desconexión incluirá opciones en la parte posterior para asistencia con pagos y la posibilidad de organizar un plan de pago.
 - 1. El incumplimiento del cliente con los términos de un acuerdo de plan de pago anulará dicho acuerdo, requiriendo que todo el saldo pendiente sea pagado para evitar la desconexión de servicios. No se establecerán nuevos planes de pago hasta que se haya liquidado la totalidad del saldo pendiente.
- b. Los Servicios Sociales del Condado de Warren pueden contar con recursos para asistir a clientes elegibles en el pago de las facturas de servicios del hogar. Comuníquese con los Servicios Sociales del Condado de Warren al 540-635-3430 para obtener más información.

Adopted by Town Council _____

CODE OF VIRGINIA REFERENCES

§ 15.2-2121.1. Definitions.

As used in this article, "utility" means a public utility that is owned or operated by a locality of the Commonwealth.

§ 15.2-2121.2. Disconnection suspension for utilities.

A. 1. No electric utility shall disconnect from service any residential customer for the nonpayment of bills or fees (i) when the forecasted temperature low is at or below 32 degrees Fahrenheit within the 24 hours following the scheduled disconnection or (ii) when the forecasted temperature is at or above 92 degrees Fahrenheit within the 24 hours following the scheduled disconnection.

2. No gas utility shall disconnect from service any residential customer for nonpayment of bills or fees when the forecasted temperature low is at or below 32 degrees Fahrenheit within the 24 hours following the scheduled disconnection.

3. No water or wastewater utility shall disconnect from service any residential customer when the forecasted temperature is at or above 92 degrees Fahrenheit within the 24 hours following the scheduled disconnection.

4. To ascertain the projected temperature as provided in this subsection, each utility shall refer to the forecasted local temperature provided by the National Weather Service where the customer to be disconnected is located.

B. No utilities shall disconnect from service any residential customer for nonpayment of bills or fees on Fridays, weekends, state holidays, or the day immediately preceding a state holiday.

C. Nothing in this section shall be construed to limit utilities from voluntarily suspending scheduled disconnections during other extreme weather events, emergency conditions, or circumstances in which a utility determines such suspension is necessary to protect the health and safety of its customers and the reliability of utility service in the Commonwealth. Further, nothing in this section shall be construed to prohibit (i) a disconnection required by the conditions of subdivision A 8 of § [56-247.1](#), (ii) emergency disconnections for health and safety purposes, or (iii) the occurrence of an automatic service suspension associated with prepaid utility service. Any fees or expenses incurred by a utility in complying with the requirements of this section shall be recovered by the utility.

§ 15.2-2121.3. Notice procedures for nonpayment; disconnecting utility service.

A. Each utility subject to the provisions of this article shall provide to each of its residential customers a copy of its disconnection for nonpayment policy (i) at any time a new residential account is established, (ii) when any disconnection for nonpayment of bills or fees is scheduled by including a copy of the policy with such notice, or (iii) by publishing the disconnection policy on the utility's website. Each such utility shall provide all required notices in English and Spanish. Such required notices shall include information regarding payment plans and state, federal, or utility energy assistance programs.

B. Each utility subject to the provisions of this article shall deliver notice of nonpayment of bills or fees to its residential customers prior to disconnection by using at least one of the following methods: (i) mail, (ii) email, (iii) text message, (iv) phone call, or (v) door hanger.

C. Utility disconnections due to the nonpayment of bills or fees are prohibited for residential customers until the customer's account is 45 days in arrears. After each missed payment, the utility shall provide notice pursuant to subsection B and make contact with the customer and offer bill payment assistance, arrange a payment plan, or provide information to the customer for other bill payment assistance or energy savings programs.

D. No electric or gas utility shall require a deposit of more than 25 percent of the arrearage amount for service, exclusive of nonpayment fees, penalties, or interest, in order to restore service to any residential customer where such utility received funding from the Department of Social Services for such customer through the Home Energy Assistance Program pursuant to § [63.2-805](#) within the last 12 months. A customer is eligible for this provision once every three years.



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 07D

Agenda Item: PUBLIC HEARING – An Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for Five Years

Summary: Council is requested to consider an ordinance amendment to extend for a period of five (5) years a Franchise Agreement for Public Passenger Bus Service (Trolley) with Virginia Regional Transit (VRT) to occupy and use the streets, roads, avenues , alley and other public places of the Town.

Budget/Funding: 1205-47012 Tourism – Bus System

Meetings: Work Sessin held December 2, 2024

Proposed Motion: I move that Council adopt an ordinance amendment to extend for a period of five (5) years a Franchise Agreement for Public Passenger Bus Service (Trolley) with Virginia Regional Transit (VRT) to occupy and use the streets, roads, avenues , alley and other public places of the Town, as presented.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Veitenthal* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

**AN ORDINANCE AMENDMENT TO EXTEND FOR A PERIOD OF FIVE (5) YEARS A
FRANCHISE AGREEMENT FOR PUBLIC PASSENGER BUS SERVICE [TROLLEY]
WITH THE VIRGINIA REGIONAL TRANSIT (VRT)**

WHEREAS, A Franchise Agreement was first adopted in 2004 to grant use of the streets, roads, avenues, alleys and other public places of the Town of Front Royal for the operation of public passenger bus transportation services to the people of Front Royal utilizing Federal Surface Transportation Efficiency Act (FTA 5311 Rural Transit Program); and,

WHEREAS, the Franchise Agreement having been renewed and extended every five (5) years since 2004, VRT now requests an additional five (5) year extension; and,

NOW THEREFORE, BE IT ADOPTED, by the Town Council of the Town of Front Royal that the Public Passenger Bus Service Franchise Agreement be extended as follows:

PUBLIC PASSENGER BUS SERVICE

FRANCHISE GRANTED

The Virginia Regional Transit, hereinafter known as "VRT", its lessees, successors and assigns, for the term and subject to the conditions and limitations hereinafter stated, is hereby granted a Franchise to occupy and use the streets, roads, avenues, alleys and other public places of the Town of Front Royal, Virginia, and to designate, maintain and use adjacent sidewalks for the operation of public passenger bus transportation services to the people of Front Royal utilizing the FTA 5311 Rural Transit Program (Section 5311 of the Federal Surface Transportation Efficiency Act).

PURPOSE OF THE FRANCHISE

The purpose of the Franchise is to permit VRT the right and privilege of operating a public passenger bus transportation service consisting of one or more passenger buses or mini-buses, wheelchair lift equipped and ADA compliant, driven by VRT-employed drivers with commercial driver's licenses, within the Town of Front Royal, and such portions of Warren County as the Town, the County, and VRT shall mutually agree, subject to the conditions and agreements as hereafter set forth.

TERM OF FRANCHISE

The term of the Franchise shall be ~~for a period~~ extended of five (5) years from the effective date of this Ordinance Amendment.

BUSES

For the purpose of providing public passenger bus service, VRT is authorized to operate buses capable of seating a minimum of thirteen (13) and a maximum of thirty-five (35) passengers along one or more routes to be determined by the Town following route surveys made by VRT. The buses shall be equipped with wheelchair lifts and shall be compliant with the Americans with Disabilities Act. The buses may bear such decorations, logos or insignias as shall be prescribed by Town Council. VRT shall perform such routine and appropriate maintenance of its bus(es) as shall be necessary to ensure uninterrupted, safe and effective service of this Franchise. VRT shall further employ drivers who have been appropriately trained and licensed for the operation of public passenger-buses, who have been familiar with the Town of Front Royal and the route(s) established

therein, who have been submitted to a criminal background investigation, initial drug screening, and who are subject to periodic random drug testing pursuant to Federal regulations.

REPAIRS

VRT shall promptly repair or replace any sidewalk, street, or other property of the Town which may be damaged or displaced by VRT in the operation of its public bus system. In the event that VRT fails or refuses to repair any damage to the property of the Town of Front Royal upon ten (10) days written notice to VRT, the Town may then undertake to repair or replace any damaged or displaced Town property, and the expense of such repairs or replacement shall be paid to the Town by VRT, and may be recovered in any manner prescribed by law, including application of the performance bond imposed hereunder.

INDEMNIFICATION

VRT agrees and bonds itself, by the acceptance of this Ordinance, to indemnify, keep and hold the Town of Front Royal free and harmless from liability on account of injury to persons or property growing out of the negligence of VRT, or its employees, or agents in the operation of its public bus service. Nothing herein, however, shall be construed to render VRT liable for the negligence of the Town of Front Royal, its agents or employees, or the negligence of other persons or entities.

MAINTENANCE

The rights and privileges set forth herein are granted to VRT upon the expressed condition and understanding that VRT will maintain its vehicles located within the Town of Front Royal in good and safe repair and order at all times during the terms of this Franchise Agreement.

INSPECTIONS

The Town of Front Royal, its employees or agents, shall have the right at any time to make inspections, upon reasonable notice, of VRT's buses or any part thereof.

ANNUAL PAYMENT AND OPERATION

VRT's operation under this Franchise Agreement shall be subject to an annual payment to the Town of Front Royal of ONE DOLLAR (\$1.00). The cost of operation of the Franchise shall be borne as follows:

A. Beginning on or about (November 25, ~~2019~~ **2024** and ending November 25, ~~2024~~ **2029**), sixty-eight percent (68%) of the hourly costs of the operation, as invoiced from VRT to the Town, shall be paid to VRT by Federal and State contributions under the FTA 5311 Program. Thirty-two percent (32%) of the hourly costs shall be paid to the VRT by the Town of Front Royal from such general funds as may be required to total the thirty-two percent (32%) local match.

B. VRT shall apply for capital asset grant assistance from the Virginia Department of Rail and Public Transportation to purchase an appropriate vehicle or vehicles for revenue service. The Town shall contribute the local match amount required to draw down such funding which traditionally has been and presently is 4%. The Town will be made aware of any such requirements or changes to the local match percentage prior to vehicle purchase commitment.

C. VRT shall replace revenue vehicles used under this Franchise in accordance with the Federal Transit Administration Useful Life Criteria as described in FTA Circular 5010.1D; and as

approved through VRT's capital replacement grant requests through the Commonwealth of Virginia Department of Rail and Public Transportation.

D. In the event that VRT fails to receive funds for the cost operation of the Franchise in accordance with the payment schedule set forth above, and then VRT shall have the right to terminate the operation of the Franchise upon thirty (30) days prior written notice to the Town.

PASSENGER FARES

VRT drivers shall collect from each passenger a fare to be set and determined by the Town Council by resolution. In setting fares, the Town Council may establish separate rates for adults, senior citizens, persons with physical disabilities, students and children. Town Council may provide for the advance purchase of tickets or tokens to be used for the payment of fares by passengers.

SCHEDULES

VRT's bus(es) shall operate on such schedules(s) as shall be established and adopted by the Town Manager or his designee, pursuant to route surveys completed by VRT or by demand or both. Buses shall not operate on the following holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day and Christmas Day.

ROUTES AND STOPS

VRT's bus(es) shall operate on such route(s) and regularly make such scheduled stops at locations established by the Town Manager or his designee, pursuant to route surveys completed by VRT or by demand or both. VRT shall be responsible for the marking of regular bus stops by appropriate signage containing route name or number and schedule for stop, as shall be appropriate.

COMPLIANCE WITH LAWS

VRT and its drivers shall comply with all state and local traffic, registration, licensing and inspection laws, including, but not limited to, Sections 46.2-107, 46.2-694 and 46.2-695 of the Code of Virginia (1950), as amended.

INSURANCE

VRT, as a condition of Franchise approval, shall obtain and maintain throughout the term of the Franchise a General Liability insurance policy in the amount of not less than TEN MILLION DOLLARS (\$10,000,000.00) from an insurance provider approved to do business within the Commonwealth of Virginia, and shall name the Town of Front Royal as an additional insured party.

BOND

VRT, as a condition of Franchise approval, shall execute a bond in the amount of ONE THOUSAND DOLLARS (\$1,000.00) with security acceptable to the Town of Front Royal to ensure VRT's satisfactory performance of its obligation under this Franchise.

GOVERNING LAW

In any controversy or dispute concerning the terms of the Franchise, the laws of the State of Virginia shall apply.

SEVERABILITY

In the event that any section, subsection, sentence, clause, phrase or a portion of the Franchise Ordinance is for any reasons held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and will be severed from all other portions without affecting the validity of the remainder.

EQUAL OPPORTUNITY REQUIRED

VRT shall not refuse to hire, or employ, nor bar, nor discharge from employment, nor discriminate against any person, because of sex, race, creed, religion, age or national origin.

SUCCESSORS OR ASSIGNEES

The rights, privileges and obligations hereby granted to VRT may not be assigned without express written consent of the Town Council.

All rights and privileges hereby granted to VRT may be exercised by any successor or assignee of VRT but said successor or assignee shall be subject to the provisions, obligations, stipulations and requirements hereby prescribed. The Town reserves the right to increase the required performance bond imposed hereunder for any successor or assignee.

FRANCHISE RIGHTS

The Town of Front Royal grants to VRT an exclusive Franchise for the operation of a public passenger bus service and for no other purpose.

REMEDIES

A. The sole remedy for any violation of this Franchise shall be limited to the following. Upon the occurrence of any uncured default in the obligations of the Franchise, Town shall have the right:

1. To compel the Franchisee by mandamus or injunction to cure and correct any violation or default of the terms and obligations of the Franchise;
2. To suspend or revoke the Franchise. Upon such revocation, the Franchise shall be automatically deemed null and void and have no force or effect, and Franchisee shall remove its equipment from Town as and when requested by Town.

B. In the event that the Town believes that grounds for suspension or revocation exist or have existed the Town may notify the Franchisee in writing set forth the nature and facts of such non-compliance. If within thirty (30) days following such written notification that the Franchisee has not furnished reasonably satisfactory evidence that corrective action has been taken or is being actively and expeditiously pursued, or that the alleged violations did not occur, or that the alleged violations were beyond the Franchisee's control, the Town shall publish a notice setting forth the time, place, and general purpose of a public hearing to consider suspension or revocation of the Franchise notice of such hearing at least ten (10) days prior to such public hearing. The Franchisee and any interested person shall be entitled to be heard at such hearing. Upon a finding by the Town Council of uncorrected defaults in the terms and obligations under this Franchise, the Council shall have the option to suspend or revoke the Franchise.

This ordinance amendment shall be effective November 25, 2024.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Ordinance Amendment was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock	___ Yes ___ No	H. Bruce Rappaport	___ Yes ___ No
Joshua L. Ingram	___ Yes ___ No	Melissa DeDomenico-Payne	___ Yes ___ No
Amber F. Veitenthal	___ Yes ___ No	Glenn E. Wood	___ Yes ___ No

A public hearing on the above was held on _____ having been advertised in the Northern Virginia Daily on November 25 and December 2, 2024.

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024 Item# 07E

Agenda Item: PUBLIC HEARING - FY25 Budget Amendment & Budget Transfer for Outstanding Purchase Orders

Summary: Council is requested to approve a budget amendment to carry forward unpaid balances on purchase orders not completed as of June 30, 2024 and to carry funds forward to fiscal year 2025 and to consider reallocation of funds outlined in breakdown.

Budget/Funding: Funding will be offset from the appropriate fund balance reserves for each fund indicated, the revenue for these projects have been connected in previous budget cycle.

FY25 Budget Amendment

General Fund	\$ 1,466,240.47
Special Projects	\$ 1,834,694.51
Asset Forfeiture	\$ 16,938.00
Electric Fund	\$ 2,394,364.15
Sewer Fund	\$ 5,496,641.09
Water Fund	\$ 6,986,866.45
Solid Waste Fund	\$ 40,050.00
Street Fund	\$ 4,745,485.11
TOTAL	\$22,981,279.78

FY25 Budget Transfer

9130-R47013	Special Project/Police Facility	<\$220,000.00>
9130-49004	Transfer to General Fund	+\$220,000.00
1000-3510115	General Fund Revenue -Transfer from Special Project Fund	+\$220,000.00
1203-R47009	Fleet Maintenance – Building & Structures	+\$220,000.00

Meetings: Work Session – November 12, 2024

Proposed Motion: I move that Council approve an amendment in the amount of \$22,981,279.78 to the FY2024-2025 Budget to carry forward unpaid balances on purchase orders not completed as of June 30, 2024 and to carry funds forward to fiscal year 2025 to complete unfinished projects; and a FY25 Budget Transfer from the Special Project Fund to General Fund in the amount of \$220,000.00 \$220,000.00 to allocate additional funds for paving of the Public Works Department and Fleet Maintenance Department located at 800 Crosby Road.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

# PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024		
Debt Service Fund								
29936	1800	R47518	FUNDS TO BE USED FOR LAND HAPPY CREEK ROAD	\$ 40,000.00	\$ -	\$ 40,000.00		
30968	1800	R47010	66,000LB LIFT	\$ 166,675.35	\$ (166,675.35)	\$ -		
30742	1800	R47010	FLEET MAINTENANCE BUILDING CONSTRUCTION	\$ 407,263.16	\$ (139,272.04)	\$ 267,991.12		
				\$ 613,938.51	\$ (305,947.39)	\$ 307,991.12		
Special Project Fund							Balance including reallocation	
28341	9130	R47013	POLICE DEPT DEBT SERVICE TO WCEDA	\$ 686,080.47	\$ -	\$ 686,080.47	\$ 466,080.47	Reallocating \$220,000 to paving of Public Works & Fleet Maintenance
29379	9130	R47982	W MAIN EXTENSION RETAINING POND	\$ 96,220.53	\$ -	\$ 96,220.53		
30760	9130	R47982	REPAYMENT OF WEST MAIN VDOT GRANT (YEAR 2 OF 3)	\$ 438,455.00	\$ -	\$ 438,455.00		
				\$ 1,220,756.00	\$ -	\$ 1,220,756.00		
Fleet Maintenance							Balance including reallocation	
29055	1203	R47009	FLEET MAINTENANCE BUILDING REMAINING EQUIPMENT & PAVING	\$ 220,649.09	\$ (15,295.16)	\$ 205,353.93	\$ 506,859.67	Includes \$81,505.74 highlighted in blue below under Town Attorney and \$220,000 highlighted in gray above under Special Project Fund
30742	1203	R47009	FLEET MAINTENANCE BUILDING CONSTRUCTION	\$ 13,487.55	\$ -	\$ 13,487.55		
30968	1203	R47009	66,000LB LIFT	\$ 1,459.65	\$ (1,459.65)	\$ -		
30976	1203	R47009	CABINETS & SHELVES FOR NEW BUILDING	\$ 4,032.72	\$ -	\$ 4,032.72		
30745	1203	R47005	REPLACE #542 2002 GMC 3500 (YEAR 2 OF 3)	\$ 45,000.00	\$ -	\$ 45,000.00		
				\$ 284,629.01	\$ (16,754.81)	\$ 267,874.20		
Information Technology								
30971	1204	R43002	SOFTWARE CONSULTANT NEW FINANCIAL & BILLING SYSTEM	\$ 86,734.28	\$ (25,488.00)	\$ 61,246.28		
30989	1204	R43005	E911 SUPPORT SERVICE AGREEMENT	\$ 9,247.89	\$ -	\$ 9,247.89		
30993	1204	R47007	SERVICES AT WCPSB 200 SKY	\$ 6,918.10	\$ (6,918.10)	\$ -		
29679	1204	R47051	E-SUMMONS POLICE PROJECT	\$ 54,109.59	\$ -	\$ 54,109.59		
				\$ 157,009.86	\$ (32,406.10)	\$ 124,603.76		
Tourism							Balance including reallocation	
30311	1205	R43002	CARRY OVER TOURISM FUNDS	\$ 145,081.59	\$ -	\$ 145,081.59	\$ 20,081.59	Transfer \$125,000 to other Tourism Projects
	1205	R43002	Banners for Main/Royal	\$ -	\$ -	\$ -	\$ 5,000.00	Transfer \$5,000 from PO#30311
	1205	R43002	Vehicle Branding Wrap	\$ -	\$ -	\$ -	\$ 3,000.00	Transfer \$3,000 from PO#30311
	1205	R43002	Influence Tour Project	\$ -	\$ -	\$ -	\$ 15,000.00	Transfer \$5,000 from PO#30311
	1205	R43002	Tourism Video/Commercial Project	\$ -	\$ -	\$ -	\$ 12,000.00	Transfer \$12,000 from PO#30311
	1205	R43009	Visitor Center Renovations	\$ -	\$ -	\$ -	\$ 85,000.00	Transfer \$85,000 from PO#30311
	1205	R43009	Visitor Center Outdoor Sign Replacement	\$ -	\$ -	\$ -	\$ 5,000.00	Transfer \$5,000 from PO#30311
30751	1205	R47017	TOURISM GRANT APPROVED BY COUNCIL 9/26/22 FOR DISCOVER FRONT ROYAL	\$ 19,976.19	\$ -	\$ 19,976.19		
				\$ 165,057.78	\$ -	\$ 165,057.78		
Town Attorney							Balance including reallocation	
29748	2201	R43002	LEGAL FEES SET ASIDE FOR EDA COURT CASE	\$ 108,139.00	\$ -	\$ 108,139.00	\$ -	Transfer \$50K to PO#30809 & Release \$58,139.00
30809	2201	R43002	DAMIANI & DAMIANI WCEDA LITIGATION	\$ 20,000.00	\$ -	\$ 20,000.00	\$ 70,000.00	Transfer \$50K from PO#29748 for total of \$70,000
29880	2201	R43002	AUDITING SERVICES TO SUPPORT WCEDA LITIGATION	\$ 26,155.00	\$ -	\$ 26,155.00	\$ -	Release \$26,155.00
30460	2201	R43002	VANDERPOOL, FROSTICK & NISHANIAN LEGAL COUNCIL	\$ 3,211.74	\$ -	\$ 3,211.74	\$ -	Release \$3,211.74
				\$ 157,505.74	\$ -	\$ 157,505.74	\$ 70,000.00	Total to Reallocate = \$87,505.74

Strike-through are purchase orders that have been paid in FY25 with zero remaining balance

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

Staff Recommends Allocating \$6,000 to Manager Training & Remaining \$81,505.74 to Fleet Maintenance Paving

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

# PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024
Police Dept						
30954	3102	R47005	3-POLICE INTERCEPTORS (ORDERED JAN 2024)	\$ 153,136.98	\$ (153,136.98)	\$ -
30985	3102	R47005	PROGARD; PRISONER TRANSPORTATION EQUIPMENT	\$ 13,741.80	\$ (13,741.80)	\$ -
				\$ 166,878.78	\$ (166,878.78)	\$ -
Asset Forfeiture						
30849	1610	R47001	FIREARMS PURCHASE & TRADE	\$ 16,938.00	\$ -	\$ 16,938.00
				\$ 16,938.00	\$ -	\$ 16,938.00
Buildings & Grounds						
31024	4302	R47009	TOWN HALL SECURITY UPGRAD	\$ 30,000.00	\$ -	\$ 30,000.00
				\$ 30,000.00	\$ -	\$ 30,000.00
Horticulture						
31005	4305	R43002	VEGETATION CONTROL	\$ 12,888.39	\$ -	\$ 12,888.39
30974	4305	R47001	PRO-SERIES 22 SELF-WATERING	\$ 9,946.00	\$ (9,946.00)	\$ -
30826	4305	R47005	(YEAR 2 OF 3) PURCHASE 1-TON DUMP TRUCK REPLACE#731 2008 FORD F250	\$ 50,000.00	\$ -	\$ 50,000.00
30870	4305	R47009	WOOD FRAME POLE BUILDING TO STORE HORTICULTURE EQUIP	\$ 19,500.00	\$ -	\$ 19,500.00
31036	4305	R47933	ACES TRAILHEAD PROJECT	\$ 8,200.00	\$ -	\$ 8,200.00
				\$ 100,534.39	\$ (9,946.00)	\$ 90,588.39
Planning & Zoning						
30405	8101	R43002	COMPREHENSIVE PLAN & SUBD	\$ 20,200.00	\$ -	\$ 20,200.00
30444	8101	R43002	STANDARDS & SPEC BOOK	\$ 19,284.91	\$ -	\$ 19,284.91
30802	8101	R43002	TRANSPORTATION PLAN	\$ 200,000.00	\$ -	\$ 200,000.00
30840	8101	R43005	GIS SERVICES	\$ 25,980.00	\$ -	\$ 25,980.00
				\$ 265,464.91	\$ -	\$ 265,464.91
Economic Development						
30537	8105	R45608	FREDA FUNDS	\$ 139,160.00	\$ -	\$ 139,160.00
				\$ 139,160.00	\$ -	\$ 139,160.00

Balance including
reallocation

\$ 39,484.91	Transfer \$19,284.91 from PO#30444
\$ -	Transfer to PO#30405 for subdivision ordinance re-write

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

# PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024	
30541	9401	R47001	LINE TRUCK SEED MONEY (REPLACE #364 - 2017 FORD F550)	\$ 36,000.00	\$ -	\$ 36,000.00	\$ 71,645.00 Transfer \$32,572.04 from PO#30542
30542	9401	R47005	REPLACEMENT OF BUCKET TRUCK#347	\$ 35,645.00	\$ (3,072.96)	\$ 32,572.04	\$ - Transfer \$32,572.04 to PO#30541
30818	9401	R43003	WORK ORDER SYSTEM IMPLME	\$ 7,253.60	\$ (7,253.60)	\$ -	
31020	9401	R43004	RIGHT OF WAY TREE MAINTENANCE	\$ 53,527.00	\$ (31,059.00)	\$ 22,468.00	
30816	9401	R45504	LINEMAN TRAINING	\$ 768.05	\$ -	\$ 768.05	
30040	9401	R47009	BIORETENTION POND	\$ 23,674.00	\$ -	\$ 23,674.00	
30779	9401	R47009	FACILITY GENERATOR	\$ 39,123.37	\$ (3,042.37)	\$ 36,081.00	
30670	9401	R47502	750 KVA 277/480 THREE-PHA	\$ 45,230.00	\$ (45,230.00)	\$ -	
30752	9401	R47502	1/0 15 KV LOADBREAK ELBOW	\$ 4,410.00	\$ (4,410.00)	\$ -	
30817	9401	R47502	SINGLE PHASE AND/OR THREE PHASE TRANSFORMER	\$ 10,089.63	\$ -	\$ 10,089.63	
30995	9401	R47502	15 KVA 7200/12470Y - 277	\$ 10,320.00	\$ -	\$ 10,320.00	
30996	9401	R47502	NEW 15 KVA 7200/12470 TRANSFORMER	\$ 18,540.00	\$ -	\$ 18,540.00	
31004	9401	R47502	SUBSTATION LEAD ACID 50 AMP BATTERY CHARGER	\$ 9,231.53	\$ (4,104.88)	\$ 5,126.65	
31007	9401	R47502	STL13-1C234 3 PHASE METER	\$ 7,046.75	\$ -	\$ 7,046.75	
31018	9401	R47502	EVOLVE POST TOP LIGHT	\$ 15,875.00	\$ (15,875.00)	\$ -	
31022	9401	R47502	HPS 228JU JUNCTION, HPS GL119 SPLICE, BRUN EQC26CG14	\$ 10,204.98	\$ (7,360.98)	\$ 2,844.00	
31059	9401	R47522	SINGLE PHASE PAD MOUNTED TRANSFORMER (SHENTEL PROJECT)	\$ 31,845.00	\$ (31,845.00)	\$ -	
31016	9401	R47522	4/0 URD WIRE	\$ 18,800.00	\$ (18,800.00)	\$ -	
31081	9401	R47522	25KVA SINGLE PHASE PAD MOUNT (SHENTEL PROJECT)	\$ 27,095.00	\$ -	\$ 27,095.00	
31001	9401	R47910	1500W UPS SYSTEM W/BATTER	\$ 14,088.54	\$ (14,088.54)	\$ -	
31043	9401	R47910	TRAFFIC SIGNAL CABINET SYSTEM	\$ 57,096.00	\$ -	\$ 57,096.00	
30788	9401	R47929	15.5 KV, 1200A OUTDOOR CIRCUIT BREAKERS	\$ 60,336.00	\$ (60,336.00)	\$ -	
30789	9401	R47929	SVR-1 7.62 KV, 250 KVA, 328A VOLTAGE REGULATORS	\$ 34,455.00	\$ (34,455.00)	\$ -	
31021	9401	R47929	HAPPY CREEK SUBSTATION EXPANSION (SEED MONEY)	\$ 293,524.00	\$ -	\$ 293,524.00	
30921	9401	R47937	MANASSAS TRANSFORMER	\$ 623,185.70	\$ -	\$ 623,185.70	
29428	9417	R47001	AMI PROJECT (SEED MONEY)	\$ 907,000.00	\$ -	\$ 907,000.00	
				\$ 2,394,364.15	\$ (280,933.33)	\$ 2,113,430.82	

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

# PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024
Waste Water Treatment Plant						
30641	9801	R43002	INFLUENT PUMP ENGINEERING	\$ 1,493.87	\$ (535.65)	\$ 958.22
30693	9801	R43002	SCADA MAINTENANCE CONTRAC	\$ 530.00	\$ (530.00)	\$
30730	9801	R43002	WWTP BIO DEVELOPMENT MODEL	\$ 3,138.34	\$ -	\$ 3,138.34
30871	9801	R43002	SCADA MAINTENANCE FOR WWTP (CURRENT SYSTEM)	\$ 5,365.00	\$ (901.25)	\$ 4,463.75
31041	9801	R45406	PT-1050	\$ 96.70	\$ (96.70)	\$
31042	9801	R45406	PT-1126 BDTOT-CATIONIC PO	\$ 16,716.74	\$ (16,716.74)	\$
30657	9801	R45407	VX136-Q WEAR PLATES-TC-PA	\$ 2,493.35	\$ (2,493.35)	\$
30811	9801	R45407	ATV630D37N4 ATV630 TYPE 1 (PART FOR WWTP)	\$ 5,564.39	\$ -	\$ 5,564.39
30555	9801	R47001	PULSAIR BUBBLING MIXING SYSTEM & SHED FOR COMPRESSOR	\$ 28,538.99	\$ -	\$ 28,538.99
30575	9801	R47001	ROTARY FAN PRESS CONTROL	\$ 10,000.00	\$ -	\$ 10,000.00
30831	9801	R47001	WWTP SCADA UPGRADE	\$ 168,116.00	\$ (76,875.00)	\$ 91,241.00
30872	9801	R47001	#2 CLARIFIER DRIVE AND INSTALLATION (SEED MONEY)	\$ 77,000.18	\$ -	\$ 77,000.18
28885	9801	R47009	RIVERTON PUMP STATION REHABILITATION (SEED MONEY)	\$ 450,409.95	\$ -	\$ 450,409.95
30744	9801	R47009	RIVERTON PUMP STATION ENGINEERING	\$ 85,862.24	\$ (39,990.80)	\$ 45,871.44
30803	9801	R47009	ROOF REPLACEMENT PROJECT	\$ 20,100.00	\$ -	\$ 20,100.00
30913	9801	R47009	INFLUENT PUMP UPGRADE	\$ 442,267.40	\$ (294,962.60)	\$ 147,304.80
				\$ 1,317,693.15	\$ (433,102.09)	\$ 884,591.06
Sewer Line Maintenance						
30929	9802	R47005	DEJANA 14' DURABOX MAX BODY	\$ 17,662.49	\$ -	\$ 17,662.49
31025	9802	R47005	FIRST DEBT SERVICE FOR FLUSH/VAC TRUCK	\$ 30,000.00	\$ -	\$ 30,000.00
30922	9802	R47998	ADDITIONAL SANITARY SEWER REHAB ENGINEERING	\$ 16,265.53	\$ -	\$ 16,265.53
29964	9802	R47998	I&I ENGINEERING	\$ 475,408.00	\$ -	\$ 475,408.00
30685	9802	R47998	2022 SANITARY SEWER REHABILITATION	\$ 1,734,741.32	\$ (519,757.35)	\$ 1,214,983.97
30773	9802	R47998	2022 MANHOLE REHABILITATION	\$ 539,208.24	\$ (108,347.50)	\$ 430,860.74
30801	9802	R47998	I&I ABATEMENT PROJECT (CONTINGENCY FUNDS)	\$ 540,501.04	\$ -	\$ 540,501.04
30952	9802	R47998	RESIDENT PROJECT CONTRACT ADMINISTRATION (SEWER REHABILITATION)	\$ 151,820.88	\$ (41,311.95)	\$ 110,508.93
30959	9802	R47998	2023 SANITARY SEWER REPLACEMENT PROJECT	\$ 673,340.44	\$ (530,826.03)	\$ 142,514.41
				\$ 4,178,947.94	\$ (1,200,242.83)	\$ 2,978,705.11

# PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024
Water Treatment Plant						
30480	9601	R43002	SCADA UPGRADE	\$ 13,500.00	\$ -	\$ 13,500.00
30616	9601	R43002	TASK ORDER #4-2022-4-H PU	\$ 970.00	\$ (970.00)	\$ -
30626	9601	R43002	BACKFLOW PREVENTION PROGR	\$ 12,140.99	\$ (5,033.45)	\$ 7,107.54
30830	9601	R43002	CLEARWELL DESIGN/REPAIRS	\$ 91,000.00	\$ -	\$ 91,000.00
30829	9601	R47001	SWITCH GEAR RAW WATER PUMP (YEAR 2 OF 5)	\$ 100,000.00	\$ -	\$ 100,000.00
31031	9601	R47001	ENVIRX TRAVELING SCREEN REPLACEMENT (YEAR 1 OF 2)	\$ 75,000.00	\$ -	\$ 75,000.00
31032	9601	R47001	REPAIR OF OLD RAW WATER BASIN (YEAR 1 OF 2)	\$ 75,000.00	\$ -	\$ 75,000.00
27546	9601	R47009	WATER PLANT RESERVOIR REP	\$ 123,495.08	\$ -	\$ 123,495.08
28327	9601	R47009	JAMESTOWN PUMP STATION	\$ 1,570.00	\$ (970.00)	\$ 600.00
30828	9601	R47009	4-H PUMP STATION ENGINEERING	\$ 150,000.00	\$ -	\$ 150,000.00
31030	9601	R47903	WTP SECURITY INSTALL OF CAMERAS	\$ 25,000.00	\$ -	\$ 25,000.00
				\$ 667,676.07	\$ (6,973.45)	\$ 660,702.62
Water Line Maintenance						
30918	9602	R43002	TOWN OF FRONT ROYAL LEAD SERVICE LINE PROGRAM	\$ 205,825.00	\$ (27,700.00)	\$ 178,125.00
30929	9602	R47005	DEJANA 14' DURABOX MAX BODY	\$ 17,662.48	\$ -	\$ 17,662.48
31027	9602	R47009	JAMESTOWN PRV VAULT	\$ 80,000.00	\$ -	\$ 80,000.00
29343	9602	R47513	REDUNDANT WATERLINE (CONTINGENCY FUNDS)	\$ 817,789.55	\$ -	\$ 817,789.55
30660	9602	R47513	REDUNDANT WATERLINE CONTRACT ADMINISTRATION	\$ 103,545.63	\$ (41,202.87)	\$ 62,342.76
30673	9602	R47513	REDUNDANT WATERLINE CONTRACT#1	\$ 3,749,946.07	\$ (622,309.73)	\$ 3,127,636.34
30674	9602	R47513	REDUNDANT WATERLINE CONTRACT#2	\$ 47,933.00	\$ -	\$ 47,933.00
30799	9602	R47513	ROYAL AVE WATERLINE UPGRADE	\$ 844,468.65	\$ -	\$ 844,468.65
31028	9602	R47513	WATERLINE UPGRADES FOR ROYAL AVE & 12TH ST	\$ 443,920.00	\$ -	\$ 443,920.00
30991	9602	R47530	MACH10 6" NEPTUNE WATER METERS	\$ 8,100.00	\$ -	\$ 8,100.00
				\$ 6,319,190.38	\$ (691,212.60)	\$ 5,627,977.78
Solid Waste						
30882	4203	R43002	SOLID WASTE COST-OF-SERVICE STUDY	\$ 8,050.00	\$ (8,050.00)	\$ -
31033	4203	R45407	TRASH LIDS & CANS	\$ 14,000.00	\$ (6,657.50)	\$ 7,342.50
31034	4203	R45407	SAPPHIRE BLUE PITCH CANS	\$ 8,000.00	\$ -	\$ 8,000.00
31035	4203	R45407	8 YARD DUMPSTERS	\$ 10,000.00	\$ -	\$ 10,000.00
				\$ 40,050.00	\$ (14,707.50)	\$ 25,342.50

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

#	PO	Dept#	Act #	Description	Balance as of June 30, 2024	FY25 Payments	Balance as of October 31, 2024
Highway Maintenance							
30336	4102	R45471		CHERRY STREET STORM DRAIN	\$ 29,885.52	\$ -	\$ 29,885.52
31037	4102	R45473		THERMOPLASTIC ERADICATION	\$ 8,000.00	\$ (8,000.00)	\$ -
31037	4102	R45474		THERMOPLASTIC ERADICATION	\$ 15,000.00	\$ (15,000.00)	\$ -
30336	4500	R45471		CHERRY STREET STORM DRAIN	\$ 144,998.32	\$ -	\$ 144,998.32
31037	4500	R45473		THERMOPLASTIC ERADICATION	\$ 21,875.00	\$ (21,875.00)	\$ -
31037	4500	R45474		THERMOPLASTIC ERADICATION	\$ 40,000.00	\$ (40,000.00)	\$ -
30805	4500	R47001		SNOW PLOWS YR 2 OF 4	\$ 40,000.00	\$ -	\$ 40,000.00
31023	4500	R47001		LAS 925 201SS ANTI ICING EQUIPMENT	\$ 25,219.00	\$ -	\$ 25,219.00
30699	4500	R47005		DUMP TRUCK ORDERED JAN 2023	\$ 91,025.00	\$ (91,025.00)	\$ -
31086	4500	R47005		YEAR 1 OF 2 FOR REPLACING #764 DUMP TRUCK	\$ 80,000.00	\$ -	\$ 80,000.00
31044	4500	R47909		CRISER RD SIDEWALK PROJECT ENGINEERING	\$ 535,000.00	\$ -	\$ 535,000.00
30772	4500	R47926		8TH STREET BRIDGE ENGINEERING	\$ 160,279.00	\$ (70,764.00)	\$ 89,515.00
30806	4500	R47926		8TH STREET BRIDGE REHABILITATION	\$ 1,262,435.00	\$ -	\$ 1,262,435.00
30822	4500	R47926		PROSPECT BRIDGE REHABILITATION	\$ 689,692.60	\$ -	\$ 689,692.60
29952	4500	R47927		SHEN AVE STREET LIGHTS	\$ 265,000.00	\$ -	\$ 265,000.00
31040	4500	R47927		PAVING OF ROADS	\$ 887,315.12	\$ (80,168.12)	\$ 807,147.00
31066	4500	R47927		CURB & GUTTER	\$ 443,235.55	\$ -	\$ 443,235.55
31066	4500	R47941		CURB & GUTTER	\$ 6,525.00	\$ -	\$ 6,525.00
					\$ 4,745,485.11	\$ (326,832.12)	\$ 4,418,652.99

Strike-through are purchase orders that have been paid in FY25 with zero remaining balance

CARRYOVER PURCHASE ORDERS FROM FY24 TO FY25

	<u>Balance as of</u>		<u>Balance as of</u>
	<u>June 30, 2024</u>	<u>FY25 Payments</u>	<u>October 31, 2024</u>
General Fund	\$ 1,466,240.47	\$ (225,985.69)	\$ 1,240,254.78
Special Projects/Debt Service	\$ 1,834,694.51	\$ (305,947.39)	\$ 1,528,747.12
Asset Forfeiture	\$ 16,938.00	\$ -	\$ 16,938.00
Street Fund	\$ 4,745,485.11	\$ (326,832.12)	\$ 4,418,652.99
TOTAL GOVERNMENTAL FUNDS	\$ 8,063,358.09	\$ (858,765.20)	\$ 7,204,592.89
Electric Fund	\$ 2,394,364.15	\$ (280,933.33)	\$ 2,113,430.82
Sewer Fund	\$ 5,496,641.09	\$ (1,633,344.92)	\$ 3,863,296.17
Water Fund	\$ 6,986,866.45	\$ (698,186.05)	\$ 6,288,680.40
Solid Waste Fund	\$ 40,050.00	\$ (14,707.50)	\$ 25,342.50
TOTAL OF ALL FUNDS	\$ 22,981,279.78	\$ (3,485,937.00)	\$ 19,495,342.78

Strike-through are purchase orders that have been paid in FY25 with zero remaining balance



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 10A

Agenda Item: Purchase and Replacement of Truck for Energy Services Department

Summary: Council is requested to consider the purchase a 2024 Ford F-150 four-wheel drive pickup truck to replace a 2005 Colorado pickup truck from Hall Automotive in the amount of \$48,091.00.

Budget/Funding: 9401-47005 Electric – Motor Vehicles \$48,091.00

Meetings: Work Session held December 2, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council purchase a 2024 Ford F-150 four-wheel drive pickup truck to replace a 2005 Colorado pickup truck from Hall Automotive in the amount of \$48,091.00.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Veitenthal _____ Rappaport _____ DeDomenico-Payne _____ Wood _____

MEMORANDUM

TO: BJ Wilson, Director of Financing

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase of a Pickup replacement for 363.

DATE: November 15, 2024

The Electric Department has in the budget for 2024 to replace 363 a 2005 Colorado PU with 81,077 miles on it. I recommend purchasing this Pickup from Hall Automotive Fleet Team with a quote on a replacement pickup for it. It is on Chesterfield County contract ADMN2000278.

Hall Automotive - Fleet Team

More Cars. Great People.

(a MileOne company)

3757 Bonney Road

Virginia Beach, VA 23452

Phone 757.498.2303 Fax 757.498.2310

Proposal

DATE:

11/15/2024

SALESPERSON	CONTACT	CUSTOMER	SHIPPED VIA	F.O.B. POINT	TERMS
Jake Clarke	Don	Town of Front Royal	Hall Automotive	Front Royal	Net, 30
DESCRIPTION			QUANTITY	UNIT PRICE	AMOUNT
<u>Chesterfield County ADMN2000278</u>					
2024 Ford F-150 Regular Cab 4x2			1	\$ 36,926.00	\$ 36,926.00
Options:					
> Upgrade to 4x4, Crew Cab, Short Bed			1	\$ 10,000.00	\$ 10,000.00
> 99P - 2.7L V6 EcoBoost			1	INCL	INCL
> 44G - 10-Speed Automatic Transmission			1	INCL	INCL
> YZ - Oxford White Exterior			1	INCL	INCL
> CS - Medium Dark Slate Cloth Interior			1	INCL	INCL

> 96W - Spray-In Bedliner	1	\$	595.00	\$	595.00
> 18B - Black Platform Running Boards	1	\$	250.00	\$	250.00
> 85H - Exterior Backup Alarm	1	\$	220.00	\$	220.00
> 924 - Fixed Rear Window with Defroster	1	\$	100.00	\$	100.00
> Delivery	1		INCL		INCL
Proposal Accepted by:		TOTAL		\$ 48,091.00	
Printed name:					
Date :					

Make all POs to HALL AUTOMOTIVE

If you have any questions, contact Jake Clarke, Fleet Sales, 757.498.2303, jake.clarke@hallauto.com

THANK YOU FOR YOUR BUSINESS!



REGULAR COUNCIL MEETING CONSENT AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 10B

Agenda Item: Purchase of Wood Media for Wastewater Treatment Plant

Summary: Council is requested to consider the purchase of 170 yards of wood media for the Autothermal Thermophilic Aerobic Digestion Digesters at the Wastewater Treatment Plant to eliminate odors from Thermal Process Systems in the amount of \$59,041.79.

Budget/Funding: 9801-47001 WWTP Machinery & Equipment \$59,041.79

Meetings: Work Session held December 2, 2024

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council purchase 170 yards of wood media for the Autothermal Thermophilic Aerobic Digestion Digesters at the Wastewater Treatment Plant to eliminate odors from Thermal Process Systems in the amount of \$59,041.79.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Veitenthal _____ Rappaport _____ DeDomenico-Payne _____ Wood _____



Town of Front Royal
Public Works

MEMORANDUM

TO: Michelle Campbell, Manager of Purchasing

CC: B.J. Wilson, Director of Finance

FROM: Robert B Boyer, Public Works Director

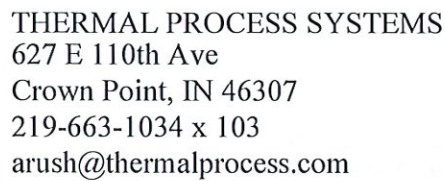
DATE: November 18, 2024

SUBJECT: Request to purchase Wood Media for ATAD Digesters

Public Works would like to request approval to purchase 170 yards of Wood Media for the Autothermal Thermophilic Aerobic Digestion Digesters at the wastewater treatment plant. The wood media eliminates the order from the wastewater treatment plant, the life expectancy for the media is six years which we have reached. We would like to proceed with purchasing the 170 yards of wood media from Thermal Process Systems at the total cost of \$59,041.79 out of budget code 9801-7001.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



Quotation

Date	Quote #
10/9/2024	P240707 A

Name / Address
Town of Front Royal Wastewater Plant Attn: Alisa Scott PO Box 1560 Front Royal, Virginia 22630

Ship To
Town of Front Royal WWTP Attn: Robbie Hodges 1100 Manassas Ave Front Royal, Virginia 22630

Thermal Process Systems is pleased to provide the following offering per your conversation with one of employees. Please contact us with any questions.
Thank you for your continued business!

Terms	Project
Net 30	84824P

Description	Cost	Qty	Lead time	Total
Wood Media by the Yard	170.14925	347	2-4 Weeks	59,041.79

All shipping charges will be added to your invoice, unless noted.
Work, installation, and materials not included, unless noted.
Quotation is valid for Thirty (30) days from quotation date.
Condition of Sale: See Thermal Process Systems "Terms and Conditions".

Total	\$59,041.79
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TPS accepts ACH Payments, please contact Brittney Fischer for the instructions, 219-663-1034 x 100 or bfischer@thermalprocess.com.
TPS accepts Credit Card Payments under \$5,000.00.

**THERMAL PROCESS SYSTEMS TERMS AND CONDITIONS
FOR PARTS PROPOSALS**

DEFINITIONS

TPS-Thermal Process Systems
Purchaser - Party issuing purchase order
Owner - Party ultimately owning equipment

Offering - Offer to sell by TPS
Purchase Order - Acceptance of order
Acknowledgment - Confirmation by TPS of terms of agreement

CONTROLLING PROVISIONS

The terms and conditions set forth herein constitute the entire agreement between the parties. The selling price is based on the terms and equipment in the TPS Offering. The TPS acknowledgment of purchase order confirms the offered price, terms and equipment. The acknowledgment does not recognize any other price, terms or equipment contained in the purchase order which conflict with the TPS offering, unless specifically noted in the acknowledgment or otherwise confirmed in writing.

1. **ACCEPTANCE** - Acceptance of purchase order is indicated only by the acknowledgment of purchase order. Commencement of performance by TPS does not constitute acceptance.

2. **OFFERING** - Unless otherwise stated by TPS the price contained herein is firm, subject to acceptance within 30 days. Typographical or clerical errors in quotations are subject to correction by TPS.

3. **TERMS OF PAYMENT** -All invoices will be dated day of shipment. Unless otherwise stated by TPS, payment terms are net 30 days from date of each invoice. Interest at the lawful maximum rate on sums past due and related collection fees will be added to the delinquent amount and paid by Purchaser. If at any time in the judgment of TPS the financial condition of the Purchaser does not justify continuance of production or shipment, TPS may require adequate assurance of performance.

4. **TAXES** - Prices on the products specified herein are exclusive of any city, state, federal and foreign excise taxes, duties and customs, including, but not necessarily limited to taxes on manufacture, sales, receipts, gross income, occupation, use, and similar taxes. If any are imposed they are to be paid by the Purchaser. Whenever applicable, Purchaser shall provide TPS with tax exemption documentation acceptable to the taxing authorities.

5. **SHIPMENT** - Unless otherwise stated, all prices are F.O.B. TPS shipping point. Method and route of shipment are at the discretion of TPS, unless purchaser supplies explicit instructions. Identification of the goods to the contract shall occur as each shipment is placed in the hands of the carrier.

Cost of unloading equipment and any demurrage charges on shipments to Purchaser are to be borne by Purchaser. In order to maintain scheduled shipment dates TPS reserves the right to ship equipment less certain "buy-out" items. These items, when available from the manufacturer, will be shipped to the job site for installation by Purchaser. The installation and fit up, if necessary, will be for the account of Purchaser.

6. **DELIVERIES** - Statements as to expected dates of shipment from factory represent the best judgment of TPS and are based upon prompt receipt of all necessary information, including but not limited to, the return of approved drawings.

7. **DELAYS** - TPS will not be liable for any delay in the performance of order or contracts or in the delivery or shipment of goods, or for any damages suffered by Purchaser by reason of such delay nor shall the order be subject to cancellation, when such delay is directly or indirectly caused by, or in any manner arises from, fires, floods, accidents, riots, acts of God, war, governmental interference or embargoes, strikes, labor difficulties, shortage of labor, fuel, power, materials or supplies, transportation delays, or any other cause or causes (whether or not similar in nature to any of these hereinbefore specified) beyond the control of TPS.

It is not feasible for TPS to hold equipment within its facilities beyond the scheduled completion date. If Purchaser cannot accept delivery on the scheduled delivery date, TPS will, if circumstances permit, arrange for storage of the equipment for a reasonably limited period of time provided that Purchaser remits full payment for the equipment plus Purchaser shall assume cost of storage risks incident to storage.

8. **GUARANTEE** - TPS warrants that the material and workmanship going into the TPS Product is of good quality and in conformity with the best commercial practice.

Unless otherwise stated parts found to be defective in material or workmanship under normal use and service within one (1) year after shipment will be repaired or replaced without charge F.O.B. original point of shipment, the responsibility of TPS being limited to the cost of the defective parts. Decomposition by chemical action and wear caused by the presence of abrasive materials shall not constitute defects. In no event shall TPS be liable for consequential or special damages, or for transportation, installation, adjustment, or other expenses which may arise in connection with such replacement or repair.

ORP and pH Probes will be covered under warranty for three (3) months after shipment. All pump replacement parts will be covered under warranty for six (6) months after shipment.

THIS WARRANTY IS EXPRESSLY MADE IN LIEU OF ANY AND ALL OTHER WARRANTIES EXPRESS OR IMPLIED INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS.

Equipment may be returned for credit or replacement only after written TPS authorization and shipping instructions.

9. PATENTS - TPS agrees to defend, at its own expense, any suit brought against Owner on a complaint that any product furnished on this order constitutes an infringement of a patent, provided that TPS is notified in writing of such suit within 10 days after service of process therein on Owner, and all papers therein are delivered to TPS and TPS is given the authority, information and assistance to defend against the suit. TPS agrees to pay all damages and costs awarded therein against Owner. The foregoing states the entire liability of TPS for patent infringement. Purchaser and/or Owner shall hold TPS harmless for any expense or loss resulting from infringement of patents or trademarks arising from compliance with Purchaser's and/or Owner's designs or specifications.

10. SERVICE - The price quoted is for machinery and equipment. Service, if included in the quotation is an obligation to the Owner and will be rendered only after full payment of purchase price by the Purchaser.

11. CANCELLATION - Cancellation or suspension of order will be accepted only upon terms which reimburse TPS for costs incurred plus normal mark-up, and must be agreed to in writing by an officer of TPS.

12. EQUIPMENT CHANGES - Changes in equipment design or specifications quoted by TPS will be made only with the consent of TPS and on terms acceptable to TPS.

13. CLAIMS - After TPS has delivered the equipment to the carrier, the carrier is responsible for its safe and complete delivery to the Purchaser or Owner. It is consignee's responsibility to inspect and accept these goods and promptly report to the carrier and TPS any shortages, damages or other problems that might arise that will unfavorably influence the installation and/or operation of this equipment. Any of these conditions must also be noted on the carriers receipt.

14. CODES - TPS equipment and accessories are all designed in good faith with the intent of complying with all applicable codes existing at time of quotation. TPS shall not be responsible for any failure to comply with such codes which results from non-conforming location, operation, use or maintenance of the equipment or from alteration of the equipment not authorized by TPS, or from any option or accessory to the equipment which was available to the Purchaser or Owner but omitted at his direction, or from any design or instructions furnished by Purchaser or by Owner. Any liability to TPS for violations of codes shall be limited to modifications or replacement of the equipment so that it complies with the codes. TPS shall not be liable for any fines, penalties, or consequential damages. The TPS price does not include the cost of inspection, permits or fees related to verifying compliance with codes, regulations, standards or specifications.

15. BACK CHARGES - Back charges will not be accepted by TPS unless an officer of TPS has approved them in advance in writing.

16. INDEMNIFICATION - Purchaser shall indemnify and hold TPS harmless from all damages, liability and expense (including reasonable attorney's fees) arising out of claims or law suits of third parties based on or involving the equipment or its use, handling or operation.

17. LIMITATION OF LIABILITY - TPS's liability, howsoever arising with respect to any of the obligations which it may have assumed by reason of its performance of the work, is specifically limited as provided herein, and in no event shall TPS, its employees, agents and/or subcontractors be liable for any special, indirect or consequential damages whatsoever, including without limitation, any delays or loss of time in putting the system into operation, or any delays or loss of time to other parts of OWNER'S plant, or loss of production, profits, products, chemicals, utilities, etc. Under no circumstances shall TPS's total liability for any cause including without limitation tort, performance guarantee, contract warranty (expressed or implied), strict liability or otherwise arising out of this Agreement, exceed the lesser of the actual loss, harm or damage or the original purchase price of the involved equipment or system sold by TPS to this purchaser.

18. ARBITRATION - Any controversy or claim arising out of or relating to this agreement or the performance or breach thereof that cannot be settled by the officers of each party shall be settled by arbitration in the city of Crown Point - Lake County, Indiana, in accordance with the then current rules and procedures of the American Arbitration Association.



SOLE SOURCE JUSTIFICATION FORM

Requesting Department: Public Works

Description of Commodities or Services: Wood Media for WWTP

On the lines below initial all entries that apply to this procurement.

_____ Original manufacturer's equipment or parts subject to specific patent or copyright
(Please attach supporting documentation)

_____ Equipment or parts not interchangeable with similar parts or equipment of
another manufacturer (Please attach supporting documentation)

_____ Original manufacturer's parts required to maintain equipment warranty
(Please attach copy of manufacturer's warranty)

_____ This is the only known equipment or part that meets the specialized needs of
this department or perform the intended function (Please attach explanation)

RBB _____ This is the only known vendor that can perform the repair, maintenance, or render
the service. (Please attach supporting documentation)

_____ Commodities or services are only available from this vendor because of legal
requirements. (Please attach explanation)

_____ None of the above apply (Please attach explanation)

Based on the above, I request that competitive purchasing procedures be waived and that
the commodities or services be procured as a sole source procurement. I have obtained a
price quote from this sole source vendor and the price has been determined to be fair and
reasonable based on:

Circle one: History Cost of similar commodities or services

Published prices

Negotiated cost

The Town of Front Royal Procedures for Purchasing and Procurement Manual provides
that written notification of a sole source purchase must be posted in a designated public
area, published in a newspaper of general circulation, or posted on the Town of Front Royal
web site.

Initiator: _____
Signature

Date: 12-2-2024

Verification by Department Head: Al H. Boye
Signature



THERMAL PROCESS SYSTEMS

Sole Sourced Letter

This letter is to provide notification that Thermal Process Systems Inc is a sole source provider of ThermoAer™ Digestion Process (ATAD), SNDR™ BiofiltAer™ Biofilter, TPR™ process, Ex-CalibAer™ and Thermo Systems® Active Solar Dryer™ products are manufactured, sold, and distributed exclusively by Thermal Process Systems Inc. No other company possesses the expertise, experience, and proprietary knowledge in these products. The following product(s) are included:

Wood Media for the BiofiltAer™ installed at the Town of Front Royal WV.

Thank you for your interest in our product(s).

If you have any questions please contact Brittney Fischer bfischer@thermalprocess.com or 219-663-1034 x100.

Thank you,

Brittney Fischer
Director of Finance and Accounting
Thermal Process Systems Inc
219-663-1034 x 100
bfischer@thermalprocess.com



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 11A

Agenda Item: Request for Water and Sewer in the Corridor for Industrial Use from Equus Development LP (Executive Land Holding IV, LLC) on Baugh Drive

Summary: Council has received a joint request from Warren County and Equus Development LP (Executive Land Holdings IV, LLC) for water and sewer service within the corridor area designated as industrial for development of a warehouse and distribution center. The property is located off Baugh Drive and identified on Tax Map 13, Section 1 as Parcel 2. The applicant estimates the facility will require 4,200 gallons of water per day.

Budget/Funding: 9601-3161703 – Water System Development Fees
9801-3161703 – Sewer System Development Fees

Meetings: Work Sessions held November 12th and December 2nd, 2024.

Proposed Motion: I move that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Equus Development LP (Executive Land Holdings IV, LLC) for water and sewer service off Baugh Drive (tax map 13, Section 1 as Parcel 2) for an industrial warehouse and distribution center and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Veitenthal _____ Rappaport _____ DeDomenico-Payne _____ Wood _____



COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
Email: edaley@warrencountyva.gov

Dr. Edwin C. Daley
County Administrator

MEMORANDUM

TO: Matt Wendling, Planning Director

FROM: Zach Henderson, Deputy Clerk of the Board

SUBJECT: Request for Town of Front Royal Public Sewer and Water for Interstate 66 Industrial Park - Equus Development LP

DATE: 10/02/2024

The Board of Supervisors, at its meeting on October 1st, 2024, approved the request for acceptance of the property identified on Tax Map 13, as parcel 2, into the Town of Front Royal Sewer and Water District, and that such request be forwarded to the Town Council.

CHAIR, Cheryl L. Cullers
South River District

VICE CHAIR, Jerome K. Butler
Happy Creek District

Vicky L. Cook
Fork District

John W. Stanmeyer
Shenandoah District

Dr. Richard A. Jamieson
North River District

Dr. Edwin C. Daley
County Administrator



County of Warren

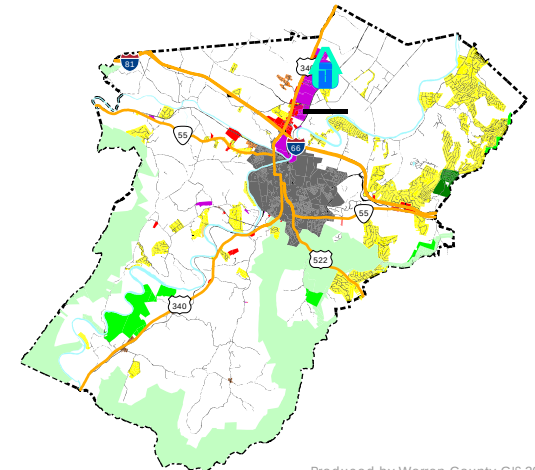
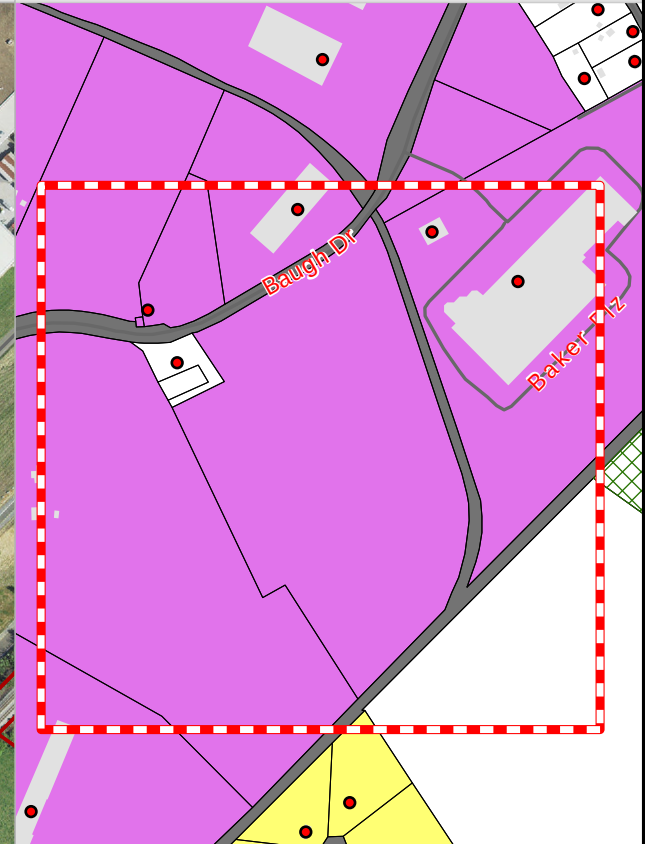
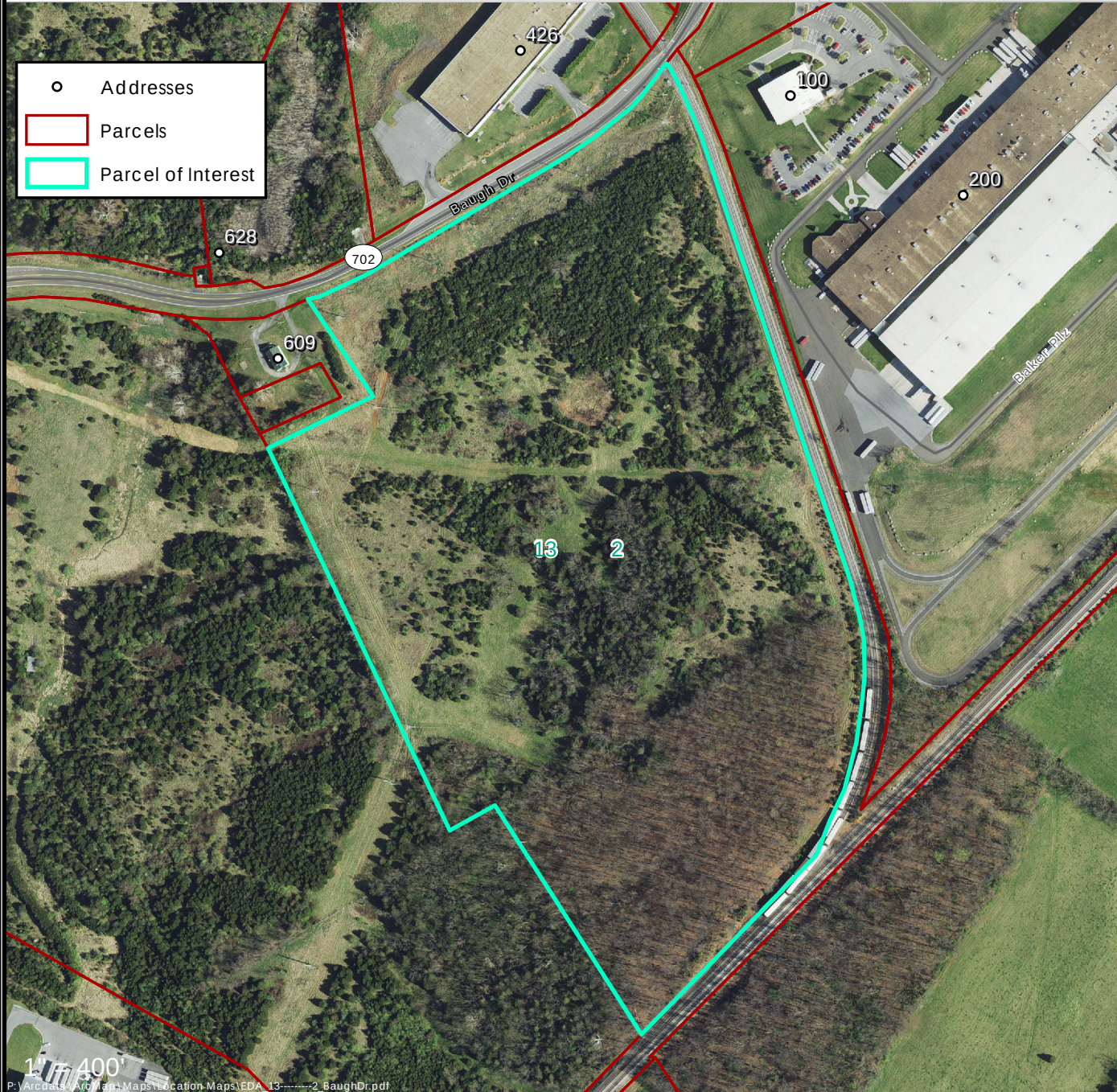
Public Sewer & Water Request - Site Plan



TM # 13-----2
0 Baugh Drive

EDA of Front Royal
Acreage: 53.5698

- Addresses
- ▭ Parcels
- ▭ Parcel of Interest





APPLICATION FOR OUT-OF-TOWN UTILITY CONNECTION

Town of Front Royal
Public Works
800 Crosby Rd – PO Box 1560
Front Royal VA 22630
(540) 635-7819 (O) • (540) 635-8973 (F)
www.frontroyalva.com

Application Date: September 20, 2024
Owner(s) / Applicant(s) Full Name: Executive Land Holdings IV, LLC
Mailing Address: 3843 West Chester Pike
City/State/Zip: Newtown Square, PA 19073
Daytime Phone: (215) 575-2436 Email: jknott@bppltd.com
Property Address/Lot #: TM 13-2

IF RESIDENTIAL:

Type of Unit: ☐ Single Family ☐ Townhouse ☐ Duplex/Multi Family

IF COMMERCIAL or INDUSTRIAL:

Type of Business: Industrial Warehouse
Number of Employees: 210 (assumed) Hours of Operation: 24-hour
Estimated Usage: 4200 gallons per day

ALL APPLICANTS:

Number of Toilets: 8 (+/-) Urinals: 8 (+/-) Sinks: 4 (+/-) Tubs/Showers: 0
Size of Meter (Must match water service size): (2) 2" meters
Fire Suppression Required: ☒ Yes / No Meter size 10" (estimated)

THIS SECTION TO BE COMPLETED BY WARREN COUNTY PLANNING DEPARTMENT

Application Approved by Board of Supervisors: _____ Date: _____
Application Approved by Building Department: _____ Date: _____
Application Approved by Planning Staff: _____ Date: _____
Director of Planning Signature: _____ Date: _____

TOWN APPROVAL PROCESS

- ✓ Approval of Connection by Town Council if applicable (Four Weeks)
- ✓ Review of Site Plans if applicable (Three Weeks per submittal)
- ✓ If Commercial-Completion of PILOT Agreement, if applicable-through Town Attorney's Office (Two Weeks)
- ✓ Payment of Applicable Fees through Finance Department (One Week)
- ✓ Developer provides and installs all equipment (pipes, valves, meters, etc.)

THIS SECTION TO BE COMPLETED BY PUBLIC WORKS

Water & Sewer Availability: _____

Utility Extension Required: _____

Utility Plans Reviewed & Approved: _____

PILOT Agreement Completed: _____

Confirmation from Director of Finance that Taxes have been paid in full: _____ Date: _____

Signature: _____

FEES:

Water Connection Fee _____

Water Additional Fee _____

Fire Suppression Fee _____

Sub Total (Water) _____

Sewer Connection Fee _____

Sewer Additional Fee _____

Sub Total (Sewer) _____

TOTAL _____

Public Works Director Signature: _____ Date: _____

134-71.1 PURCHASE OF WATER AND SEWER TAPS

- A water and sewer connection can be purchased from the Town of Front Royal only for a specific, designated building site or lot.
- Once an application to purchase a water and sewer connection has been received, the connection shall not be transferrable to another site.
- If the water and sewer connection is not installed within twelve (12) months from the date of purchase because the purchaser is not ready for actual installation, the purchase shall be voided and the purchase price alone shall be refunded without interest.
- Water and sewer connection fees shall be paid upon application. However, when a single developer in a single application requests the purchase of six (6) or more water and sewer taps for six (6) or more building units, the connection fee for each tap may be paid upon actual installation of each respective tap. (Ord. No. 2-86 Added Entire Section 2-10-86-Effective Upon Passage)

GENERAL INFORMATION

1. A site plan or plat depicting the utility connection locations to the Town water and sewer mains must be included with this application. Warren County may release building permit upon Town approval of site plans.
2. All owner information must be completed and Warren County approvals received prior to processing by the Town.
3. The tax map number can be found on your Zoning or Building permit. If you do not know this number, it can be obtained from the County Planning Department (540-636-3354).
4. Connection fee information can be obtained from the Town website www.frontroyalva.com or by contacting Public Works (540) 635-7819.
5. For tenant occupied structures, separate water meters must be provided for each unit.
6. Information about the Town's PILOT program and Out-of-Town Water & Sewage Service Agreement can be obtained from the Town website www.frontroyalva.com or by contacting the Town Attorney at (540) 635-8007. Warren County may release Occupancy Permit upon completion of PILOT Agreement.
7. Out-of-Town residential & industrial fees & rates are 200% in-Town rates.

September 20, 2024

Mr. Matt Wendling, CFM
County of Warren Planning & Zoning Dept.
220 N. Commerce Ave., Suite 400
Front Royal, VA 22630

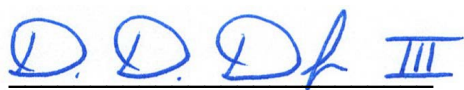
Dear Mr. Wendling:

This statement of justification is intended for the proposed development of a 53.57-acre parcel identified as TM 13-2, located on Baugh Drive in Warren County, VA. The proposed development will include the construction of two industrial warehousing facilities. The north building (Building #2) will be 175,150 sq. ft., whereas the southern building (Building #1) will be 341,120 sq. ft. Additional site improvements will include truck courts, vehicle parking, access improvements to Baugh Drive, landscaping, and stormwater management.

The subject parcel is currently zoned Industrial, and the proposed development is an allowed by-right use for the property. Therefore, we ask that this application be processed and reviewed by the appropriate agencies for permitting. If you have any questions, please don't hesitate to contact me. Thank you for your time and consideration regarding this matter.

Sincerely,

Dice Engineering, PLC



Dennie D. Dunlap III, P.E.
Principal



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: December 9, 2024

Item# 11B

Agenda Item: Request for Water and Sewer in the Corridor for Industrial Use from Toray Plastics Inc. (TC MidAtlantic Development V, Inc) on Toray Drive/Baugh Drive

Summary: Council has received a joint request from Warren County and Toray Plastics, Inc. (TC MidAtlantic Development V, Inc) for water and sewer service within the corridor area designated as industrial for development of a warehouse and distribution center. The property is located on Toray Drive/Baugh Drive and identified on Tax Map 12G, Section 1, Block 2 as Parcels 5A, 7A, and 8A. The applicant estimates that the facility will require 1,800 gallons of water per day.

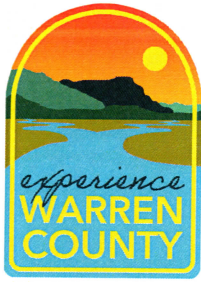
Budget/Funding: 9601-3161703 – Water System Development Fees
9801-3161703 – Sewer System Development Fees

Meetings: Work Sessions held November 12th and December 2nd, 2024

Proposed Motion: I move that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Toray Plastics, Inc. (TC MidAtlantic Development V, Inc) for water and sewer service off Toray Drive/Baugh Drive (tax map 12G, Section 1, Block 2 as Parcels 5A, 7A, and 8A) for an individual warehouse and distribution center and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Veitenthal _____ Rappaport _____ DeDomenico-Payne _____ Wood _____



COUNTY OF WARREN

County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630
Phone: (540) 636-4600
Email: edaley@warrencountyva.gov

Dr. Edwin C. Daley
County Administrator

MEMORANDUM

TO: Matt Wendling, Planning Director

FROM: Zach Henderson, Deputy Clerk of the Board

SUBJECT: Request for Town of Front Royal Sewer and Water for Toray Plastics, Inc.

DATE: 09/18/2024

The Board of Supervisors, at its meeting on September 17th, 2024, approved the request for acceptance of the properties identified on Tax Map 12G, Section 1, Block 2 as parcels 5A, 7A, and 8A into the Town of Front Royal Sewer and Water District as an Industrial zoned property to be forwarded to the Town Council.

CHAIR, Cheryl L. Cullers
South River District

VICE CHAIR, Jerome K. Butler
Happy Creek District

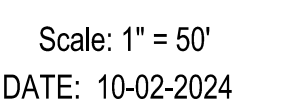
Vicky L. Cook
Fork District

John W. Stanmeyer
Shenandoah District

Dr. Richard A. Jamieson
North River District

Dr. Edwin C. Daley
County Administrator

POSSIBLE SANITARY LINE





APPLICATION FOR OUT-OF-TOWN UTILITY CONNECTION

Town of Front Royal
Public Works
800 Crosby Rd – PO Box 1560
Front Royal VA 22630
(540) 635-7819 (O) • (540) 635-8973 (F)
www.frontroyalva.com

Application Date: 10/2/2024
Owner(s) / Applicant(s) Full Name: TC MidAtlantic Development V, Inc.
Mailing Address: 888 16th Street, NW, Suite 555,
City/State/Zip: Washington, DC 20006
Daytime Phone: 301-873-0029 Email: TCross@Trammellcrow.com
Property Address/Lot #: Tax Parcels 12G-1-2-5A, Front Royal, VA

IF RESIDENTIAL:

Type of Unit: ☐ Single Family ☐ Townhouse ☐ Duplex/Multi Family

IF COMMERCIAL or INDUSTRIAL:

Type of Business: Warehouse
Number of Employees: _____ Hours of Operation: _____
Estimated Usage: 1,800 gallons per day

ALL APPLICANTS:

Number of Toilets: 16 Urinals: 4 Sinks: 18 Tubs/Showers: _____
Size of Meter (Must match water service size): 2"
Fire Suppression Required: Yes / No Meter size _____

THIS SECTION TO BE COMPLETED BY WARREN COUNTY PLANNING DEPARTMENT

Application Approved by Board of Supervisors: _____ Date: _____
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Application Approved by Planning Staff: _____ Date: _____
Director of Planning Signature: _____ Date: _____

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- ✓ Approval of Connection by Town Council if applicable (Four Weeks)
- ✓ Review of Site Plans if applicable (Three Weeks per submittal)
- ✓ If Commercial–Completion of PILOT Agreement, if applicable-through Town Attorney's Office (Two Weeks)
- ✓ Payment of Applicable Fees through Finance Department (One Week)
- ✓ Developer provides and installs all equipment (pipes, valves, meters, etc.)

THIS SECTION TO BE COMPLETED BY PUBLIC WORKS

Water & Sewer Availability: _____

Utility Extension Required: _____

Utility Plans Reviewed & Approved: _____

PILOT Agreement Completed: _____

Confirmation from Director of Finance that Taxes have been paid in full: _____ Date: _____

Signature: _____

FEES:

Water Connection Fee _____

Water Additional Fee _____

Fire Suppression Fee _____

Sub Total (Water) _____

Sewer Connection Fee _____

Sewer Additional Fee _____

Sub Total (Sewer) _____

TOTAL _____

Public Works Director Signature: _____ Date: _____

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GENERAL INFORMATION

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