

**BERRYVILLE TOWN COUNCIL STREETS AND UTILITIES COMMITTEE
MEETING AGENDA
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Meeting Room A/B
Regular Meeting
January 22, 2019
10:30 am**

<u>Item</u>		<u>Attachment</u>
1. Call To Order	Diane Harrison, Chair	
2. Approval of Agenda		
3. Discussion	Complaint regarding paving on Taylor Street	1↑
4. Discussion	Stormwater Concerns	2
5. Closed Session -	No Closed Session Scheduled	
6. Other		
7. Adjourn		

↑ Denotes an item on where a motion for action is included in the packet

Attachment 1

Attachments

- Photo of pavement transition (1 page)
- 11/7/18 email from owner of 107 Taylor Street (1 page)
- Plat of 107 Taylor and photos of lot frontage with approximate boundaries of the street ROW marked (3 pages)
- Sample motions (1 page)

Background

In the fall, a contractor working for the Town completed numerous paving projects on the Town's secondary streets. One such project involved the paving of Taylor Street from South Buckmarsh Street west to Taylor Court (It is important to note that a portion of this street section was constructed to an urban standard while another portion was constructed to a rural standard. The property owner who has expressed concerns about the paving has street frontage on the section constructed to a rural standard).

When the contractor paved the street section in question they paved in front of 107 Taylor Street (It is important to note that some time prior to this project, the owner of 107 Taylor Street hired a paving contractor to pave her driveway and a parking space along the frontage of her lot). In accordance with standard practice for areas where the street is constructed to a rural standard, the new pavement was "pinched" into the subject property's driveway. New pavement was also "pinched" into the paved parking space along the lot's frontage.

Complaint

The lot owner's concerns are outlined in an email dated November 7, 2018. That email is attached to this report.

In short, the owner of 107 Taylor Street believes that the Town should have had its contractor mill along the edge of where it was going to pave and marry the new pavement to the milled edge.

The owner of 107 Taylor Street requests that the Town address the matter by milling the area in question and paving the street section in a manner that creates a smooth transition between the new asphalt and her driveway and parking area.

Committee/Staff Action since receiving the complaint

Several members of Town staff have met with the property owner. Staff determined that the paving was completed properly. Staff noted that the practice of "pinching" in the pavement is how such transitions are completed in rural street sections. Further, this practice has been utilized throughout Town.

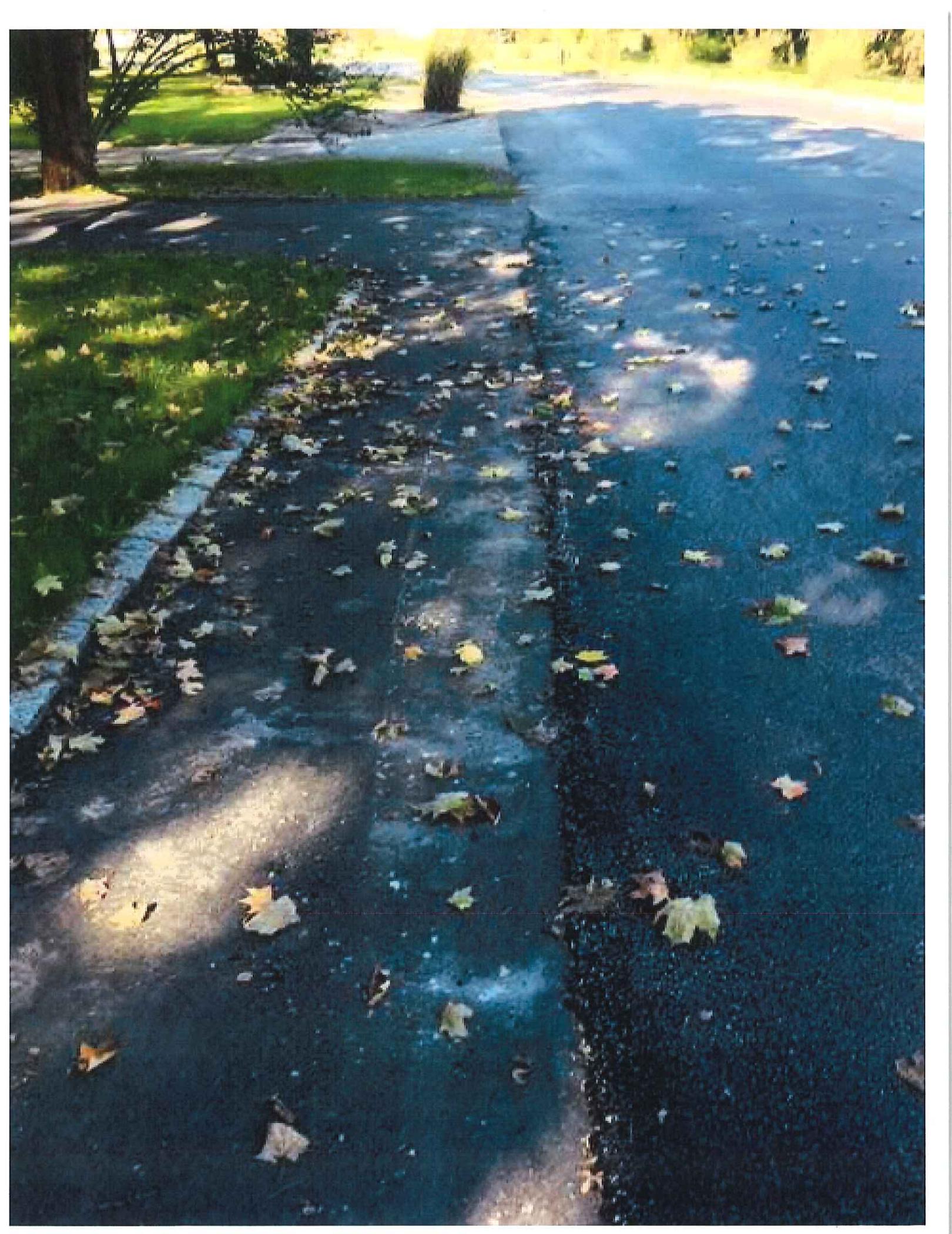
The Streets and Utilities Committee agreed to hear this matter at its January meeting. Staff researched the ROW width on the street and marked what we believe to be the

ROW line in the area. A plat of the property in question and pictures of the approximate ROW line are attached to this report. There is no indication that any of the Town's paving extended beyond its ROW.

A rough estimate for the work requested by the owner of 107 Taylor is \$3,500.

Recommended Action

Provide a determination on the merits of the complaint that will be forwarded to the Town Council for final disposition.



Keith Dalton

From: Sara M. Stern [REDACTED]
Sent: Wednesday, November 07, 2018 10:36 AM
To: Keith Dalton
Subject: Re: Concern submitted regarding paving

Dear Keith,

Thanks for getting back to me. Sorry it has taken me so long to get back to you, but I wanted to give it some more thought and to walk around the town some more to see how the meeting of pavement between old and new has been handled in the past. I do not want to be unfair about this.

Basically, as I explained to you and Allison when we met and I wrote to the Town Maintenance Department Manager while the paving company was here, it appears to me that great care was taken to mill the pavement down in preparation for the new paving in any areas where it was deemed necessary so that the pavement could be put down seamlessly against any already paved or cemented areas. This is especially true in the new subdivision where there is existing curb and gutter. Apparently, the need to make this same transition possible on the older part of the street, which only includes 5 additional houses, was deemed unnecessary.

For the most part, the transition between old and new was done well enough for the other 4 houses (all of which are on higher ground and one of which was paved at the same time the street was being paved) and rolled on the edge while the pavement was hot. In my case, that was not done, and in fact the paving company extended the width of their paving onto my 2-year old paved and 1-year old sealed parking area by approximately 2 to 2 1/2 feet, in order to line up with the subdivision road and not to line up with the width of the road in the old part of Taylor Street. When I complained to the paving company, they agreed to come and roll the edge to try to make the new and old meet in a more satisfactory way, but by then the pavement had cooled. They were successful in mashing the edge to some degree, basically just crumbling it.

It appears that whoever is responsible for hiring and overseeing the job did not consider or was not around to observe and go over the transition from the newer subdivision street to the older street.

I would like for the town to do what it should have done from the start, and that is to mill the pavement in front of my house and repave to meet the pavement that already existed at my house.

I look forward to hearing from you in January.

Thank you again for your attention to this matter.

Sincerely,

Sara M. Stern
107 Taylor Street
Berryville, VA 22611

On Oct 26, 2018, at 8:29 AM, Keith Dalton <townmanager@berryvilleva.gov> wrote:

Sara:





Sample Motions

I move that the Streets and Utilities Committee recommend that the Town Council take not additional action regarding the paving along the frontage of 107 Taylor Street.

I move that the Streets and Utilities Committee recommend that the Town Council authorize the milling of the street edge and repaving of the milled area along the frontage of 107 Taylor Street.

Attachment 2

Attachment

- Survey data plotting

Background

The core of Berryville as settled in 1790's. Town Run (Dog Run as it is known in the County), which has a drainage area of over 2.25 square miles at the N&S railroad tracks, bisects the Town's core. Historically, the Town's core and several other areas, have been known to have high ground water levels.

When land east of the N&S railroad tracks were annexed in 1989, it was acknowledged that there were flood plain challenges in the area along Town Run. Similar issues exist west of the N&S railroad tracks.

During the development of Battlefield Estates in the mid to late 1990's the Town determined that conventional stormwater management practices were not properly protecting properties downstream of development. Accordingly, the Town adopted a karst ordinance to better address the calculation of allowable post-development stormwater release.

In the early 2000's the Town and the Army Corps of Engineers completed a study of the Town Run Flood Plain and possible remedial work. In 2001 and 2007 FEMA completed revised Flood Plain Maps for the Town.

The aforementioned Army Corps of Engineers study revealed that significant work to enlarge the Town Run culverts under the N&S railroad would have little effect on the flood plain west of the tracks. Further, the study revealed that such work would worsen conditions east of the tracks.

For many years the Town Council contributed to a stormwater reserve in order to bank funds that could be used to begin the process of flood plain mitigation study and remedial action. The fund (\$75,000 of which was contributed by Clarke County in accordance with an agreement associated with the 1989 annexation) has a balance of \$449,429.

Berryville received a record amount of precipitation in 2018. This precipitation generated numerous complaints and concerns about surface flow and ponding as well as ground water levels.

The Town Council's Streets and Utilities Committee sought public input regarding water concerns. The Committee collected information by use of a survey form and two public forums.

Issues

The Committee's public forums were well attended and many residents took the time to complete stormwater survey forms. In general, residents expressed concerns about localized ponding of stormwater and water infiltrating into their basements.

One Town Run flooding event took place during the year. The area just west of Chalmers Court experienced flooding in the spring during what was the most intense rainfall of the year.

Committee Action after public forums

The Committee has reviewed the surveys and the comments provided during the public forums.

The Committee has plotted the survey data.

The Committee will discuss the matter to formulate a recommended approach to addressing stormwater management challenges. This approach will be forwarded to the Town Council for consideration.

Recommended Action

Finalize findings and formulate an approach to address stormwater challenges and forward the Committee's findings and recommended approach to the Town Council.

