

FREE, take one ~ Beautify Main St without the Main St Project!



Help us grow wisely & well
... become an MBRA member!



Marshall Minute

**DECEMBER 2019
JANUARY 2020**

MBRA Community Meeting

**Join us at 7:30 pm on
Tuesday, January 14th**

Guest speaker,
~Mr. Brian Roeder
wants to answer questions
from the community about the
"Sanctuary" at Barrel Oak

~Marshall Main St. Update
A lot has been happening, so
come hear the latest!

Free refreshments & raffle
ticket for donated door prizes!

Marshall Community Center
4133A Rectortown Road, Marshall, VA

MBRA's 2019

**Make Marshall Merry
Main Street Christmas
Decorating Contest Winners!**

Congratulations to:

1st place: Gentle Harvest

2nd place: Quality 1st

3rd place: Rug Gallery

Honorable Mentions:

Joe's Pizza

Joan of Art

Blue Salon

Basement Cuts

~Shop local, shop Marshall~

Have questions or speaker suggestions?
Contact Mary Wilkerson, President
(540) 364-3400;
mbraeditor@gmail.com

Editor: Mary Wilkerson
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**Are you a 2019 member of the MBRA? Members
come early, at 7 pm to vote in the MBRA's
Annual Election held on Tuesday, January 14th!**

Place your votes in our Annual Elections held in our usual meeting
room at the Marshall Community Center. MBRA voting takes place
at 7 pm just before our Community Meeting listed at sidebar. Look
for your email update to members prior to the meeting.



RESTORED! The current MBRA
leadership has worked
diligently on getting us back to
where we were supposed to be
since 2005 when those running
the MBRA allowed our tax
exempt status to lapse by
failing to file tax returns from
2005 on. After diligently compiling
14 years of the financial data needed
for our accountant, who then applied
for reinstatement, the IRS has
reinstated our 501(c)4 tax-exempt
status! We now look forward to
vibrantly continuing our mission.

For MBRA membership forms,
simply call or email us at info
given on sidebar, and we'll get
them to you!

(See contact info at left side)



Chairman Chris Butler says: Main St. Project is not a "done deal!"

MBRA Board says no thank you to Main St. Project

~We can improve & beautify our Main Street without it!

Read all about it on next pages—————>

Join the MBRA for 2020

We're here for you!

Annual dues are only \$30 for
residents, \$50 for business
memberships. The MBRA is a
100% volunteer organization and
your dues enable the MBRA
to do the following FREE things we
do for the community:

**Monthly Community Meetings
with refreshments & free raffle**

**Monthly Marshall Minute
Advertising for Businesses
Marshall Christmas Parade**

**Make Marshall Merry
Decorating Contest**

**Small Business Saturday
Sidewalk Strolls for Businesses
Summer Parties on Main Street**

**Website www.MarshallVa.ORG
with lots of local info and
videos of our meeting speakers**

**Research and study of local
concerns to inform you!**

Our very own YouTube Channel:

[https://www.youtube.com/channel/
UChFkdTdmwCP9aTVVti9IK](https://www.youtube.com/channel/UChFkdTdmwCP9aTVVti9IK)

Can't attend the meetings?
No worries, you can watch them on
our local YouTube channel!

**Join the MBRA now and
support our local free services!**

Boon or Boondoggle? Marshall Main Street Project Should Be Stopped

~Mary Wilkerson, MBRA President; updated; original appeared in Fauquier Times Opinion page, 12/5/19~

The volunteer board of the Marshall Business & Residents Association has come under attack by "pro-project people" since one year ago when we publicly announced that our board's majority vote was against the Marshall Main Street improvement project in its current form.

Why is the MBRA's position relevant?

- A) This was originally an MBRA project; the MBRA is the original grant applicant for this project that is now managed by the county.
- B) The MBRA was created as a 501(c)(4). Our mission includes informing "residents and business persons about local concerns."

Current leadership takes that seriously, especially regarding the largest project in Marshall and one that comes with a tax bill five times what the current special lighting tax is now. Talk about improving Main Street has been going on for decades, but the devil is in the ever-changing details, which have been coming out over the past 18 months.

At the county's pre-bid meeting we attended on Nov. 6, we heard contractors voice their concern, saying "we know it's all rock under there." Additionally, the county has stated that they have discovered "environmental contaminants." Both the presence of the hard rock that Marshall sits on and the presence of environmental contaminants will add significant delays on top of the nine months allotted for this project. Such effects on our small businesses will be crushing.

One contractor at the pre-bid meeting voiced concern for the effects of rock removal on the foundations of our buildings that are close to the road. Rock that is in the way of burying utility lines, planting trees, etc., may have to be removed by "hoe rams," according to county documents. Online research of "vibration damage" reveals the potential damage to buildings close to the work, and affirms the concerns raised by the contractor.

Other concerns exist. Have proper procedures been followed in obtaining all easements?

All project financials need sunlight. At the Nov. 27 meeting at the Ruritans, the former project manager announced that, through good management practices and through eliminating duplication, they had just cut the cost to underground in half; from \$1.5 million to \$750,000. By April 2019 the cost had quietly gone back up to \$1.2 million without explanation. Why?

We do not have to choose the County's plan. Why?

- 1) Marshall is very different than it was on Oct. 30, 2008, when the MBRA first applied for the grant. Then it was stated that Marshall needed revitalization. Now, in 2019, Marshall is bustling.
- 2) This project would narrow Main Street by two feet. Our original grant applications kept Main Street as wide as it is now, with no narrowing.
- 3) Many residents and businesses who must bear this tax burden say they did not and do not consent to the increase/project.
- 4) The cost for this one block ballooned from \$1.7 million in 2009 to over \$6 million in 2019, and Supervisor Mary Leigh McDaniel has informed our board that the cost of the project is expected to well exceed the county's budget for the project.
- 5) The county has discussed expanding the Special Lighting Tax District boundaries and could do so to help pay for the maintenance this new project would require.
- 6) State-of-the-art cost-saving options now available would enable improvements that retain our unique character.

Chairman Chris Butler tells us this project is "not a done deal." Choose the alternative plan for a safer Main Street and let this project go. For a fraction of \$6 million and without narrowing Main Street, we can improve and beautify our entire Main Street with new street-lights, crosswalks and ADA accessibility while preserving our small businesses, our people and our community. For an efficient low-cost alternative plan and a petition against this impractical project, see www.ShapingMarshallTogether.com or you may reach us by phone at 540-364-3400 or by email at mbraeditor@gmail.com. Whatever your opinion, **now is the time to make your voice heard.**

Of special note to County taxpayers in both Fauquier County and the Marshall Special Tax District: below is a copy of the Resolution the MBRA Board sent to VDOT regarding the Main St. Project.

On December 20th, we delivered the same Resolution addressed to our County Board of Supervisors, with the exception of the final two lines below, which are addressed specifically to VDOT to ask if they will proceed with the paving and maintenance which our County has asked them to stop since at least 2013. VDOT's paving and maintenance is already paid for through our state tax dollars.

**Marshall Business and Residents Association Resolution to Revoke Support of and Oppose the Marshall Main Street Improvement Project
December 17, 2019**

Whereas, Marshall Business and Residents Association (MBRA) is the original grant applicant for the Marshall Main Street Improvement Project; and

Whereas, MBRA successfully applied for grant funding for the Marshall Main Street Improvement Project during the fiscal years 2009, 2010, 2011, and 2012; and

Whereas, the Marshall Main Street Improvement Project was originally intended to improve all of Main Street without added burden to the Special Tax District and without narrowing Main Street; instead the project shrunk to a 1,000 foot block plus 250 feet extended on each end of that block; and

Whereas, a small subset of people, a number of whom would not bear the burden of the increase in Special Tax, undertook to create a tax burden affecting people in Marshall who do not benefit from it, who largely did not know about it; and

Whereas, it is not the will of the people of Marshall and the community of Marshall has petitioned against the Marshall Main Street Improvement Project; and

Whereas, the Marshall Main Street Improvement Project does not have support from the MBRA Board nor from the community at large of Marshall; and

Whereas, this project benefits a very small subset of business owners and investors on Main Street when it was originally intended to benefit the entire community; and

Whereas, this project will have adverse effects on both the businesses and the residents of Marshall and will create hardship for both residents and businesses located in Marshall and for those from the surrounding agricultural areas who patronize Marshall businesses;

Now, therefore, be it resolved, that

First, the Board of MBRA hereby requests the Virginia Department of Transportation (VDOT) not to approve the Marshall Main Street Improvement Project or its contracts, effective immediately; and

Second, the Board of MBRA hereby requests that VDOT expeditiously proceed with regular maintenance, and paving on Main Street.

Nov 12th Meeting Notes:

Mary Wilkerson, President, opened the meeting at 7:37pm.

Announcements: December 7th is the annual Marshall Christmas Parade that the MBRA sponsors, and it serves as our December Community Meeting. Please contact Parade organizer Brenda Payne, whose info is in the latest Marshall Minute.

The MBRA's Second Annual Small Business Saturday Sidewalk Stroll is November 30th! It's a great opportunity for the community to come together. Avoid the mall madness and shop local, shop Marshall. 11- 3:30pm on Saturday, 11/30. Last year was a nice gift certificate from Field and Main Restaurant. Chances are good to win.

Also, our 4th Annual Make Marshall Merry Main Street Decorating Contest. If you're along Main Street, we ask you to make Marshall merry. We will announce winners at the Christmas Parade. 3 awards are given each year for the contest.

Marshall District Supervisor Mary Leigh McDaniel was not able to come tonight because she is at an official meeting with Holder, but she says there is really not much for her to talk about.

Marshall Ruritan Club President Jan Sickel had a funeral to go to, so he could not come tonight. We look forward to having them speak soon. They have a very nice event hall near the Windy Hill Townhouses. We encourage you to take a look at their very nice facility.

Very big news you may have seen: we got our 501(c)4 tax-exempt status back!

That was a shock: When I became President in 2018, I discovered that past MBRA leadership had lost the MBRA's tax-exempt status it had originally gotten in 2005. Working with our tax preparer we found out that what was now needed by the IRS was all financial data and all the tax returns for 14 years, which fell on yours

truly. It has been a busy year. All of that has been completed and the tax preparer submitted the application to the IRS. The good news is the IRS has reinstated our tax-exempt status all the way back to 2005!

Marshall Main Street Improvement Project: The County sent the project out to bid on 10/25 and then held a pre-bid meeting on Wednesday, 11/6. The MBRA secretary and I attended. As you may know, MBRA is the original grant applicant 11 years ago for the grant applications. It was taken over by the County when state laws changed so that civic groups could no longer act as the grant applicant, so the County has been moving on with it since then.

We attended the pre-bid meeting. The project scope is from the parking lot entrance of BB&T on the East end of Main Street to the IGA main entrance on the West side of Main Street. The days allotted for the project are 240 with 30 days additional, if needed. That does not count if they run into rock or other delays. The contractors are to work a 6-hour work day, from 9:00am - 3:00pm. There is a limit to the number of inclement weather days that contractors can claim.

Some of the questions the contractors asked the County reps that day were, for example: Is there a line item for rock excavation? Because, as this contractor put it, 'we know it's all rock under there.' The answer was no, there is no line item for rock.

The people answering questions at the meeting were **Erin Kozanecki**, who is employed as both **Fauquier County's Director of the Office of Management & Budget** and as the **Project Manager** for this; her husband **Donnie Kozanecki**, **Fauquier County's Construction Project Manager**; **Sue Monaco**, who is the **County Procurement Officer**; and a rep from **Whitman, Requardt, and Associates, LLP (WRA)** out of Baltimore, MD.

Another contractor asked if the County has designated a place for work trucks to park and a staging area? The answer was no, and that we all know that Main Street is a tight area. The County informed the contractors that the section of Main Street they are doing construction on is the space to also use for staging and parking.

Another contractor question: Does the County have a provision for providing temporary utility service to businesses if it is interrupted? The County answered no, the County does not anticipate interruption; the lines are all above ground.

The 240 + 30 days downtime for this one-block project does not include delays if they run into rock. One of the contractors, who has done work around here for a long time, was concerned that dealing with the rock would damage the historic buildings, given how close they are to the construction.

An MBRA audience member inquired if there is someone to talk to about that. Mary Wilkerson suggested talking to Erin Kozanecki.

Some of the concern is with the kind of disruption that would occur having to go through all that rock to do this project. How would those building foundations still be stable? As you may know, MBRA poured over this a lot; we met with Supervisor Mary Leigh McDaniel and Erin Kozanecki a lot last year. We spoke many times and exchanged many emails. One concern expressed was putting trees on Main Street if they have to dig 5 feet into the ground and go through all that rock.

This \$6 million project is based on the best case scenario. This estimated \$6 million project will result in a 400% tax increase for the Special Tax for those in that district in Marshall. What happens if the project cost goes above \$6 million? The question is, is that passed on to the taxpayers?

continued —>

Nov 12th Meeting Notes Continued:**Main Street Project Update continued:**

Audience member asked: What is the benefit of this to the people?

Mary said that in the beginning when this started, as she understands it, people wanted to beautify Main Street and bring businesses from the city, from DC to come; it needed to be beautified. Now, people have noticed that that has already been happening regardless. We have new businesses that are drawing a lot of those people out.

On MBRA website we have links to the County info, and links to Shaping Marshall Together website. Why do we do that? Our Board was divided on it last year and we wanted to represent both. Last year we were told the project absolutely had to go to bid by the drop dead date of November 2018. Our Board took a vote on it in September 2018, and the majority vote was against it. There is an Alternative Plan to improve Main Street without narrowing it and without the disruption to the businesses.

Audience question: Is this definitely happening? Is this a done deal? Mary said she is told that it is not a done deal. It has to come before the Board of Supervisors (BOS), and it also has to pass VDOT approval. It also depends how these bids come in.

Although the County did make the provision that certain additional costs do not have to be factored into the bid costs, such as the cost for rock excavation. So, the ultimate cost of the job could be a lot higher than what comes in as the bid.

If you do not want this project then now is the time to get involved, because this has to go before the BOS.

MBRA audience asked questions such as: Where are people going to park if Main Street is down one lane? How many businesses are going to

survive? Because it will probably be none. Is there a list of people we can contact?

Mary said on our website there are helpful links and contact info.

We want to be a voice for the people and a lot of people feel they have not been heard [by the County/r.e. this project].

Mary Wilkerson said the question throughout the country is: Who determines what happens with a community? Is it the people who live here and have to pay the taxes? Or is it real estate developer and investor interests? Communities all across the country face these concerns. All of these interests are important and need to be heard. We would like to see the often not heard people and small businesses have their voices heard.

Our first speaker of the night was **Roy Barnett, Group President with Van Metre Companies**. We are very pleased he was able to come tonight and he will give us an update on the Van Metre developments. Roy thanked the MBRA and was glad to see some familiar as well as new faces. Roy has been around in Marshall for 7 years now.

Van Metre has been working hard and their message is still the same as 7 years ago: what we tell you we are going to do, we are going to do. We say what we do and we do what we say.

Van Metre is sensitive to the community, as Beau Van Metre lives here, as did Mr. & Mrs. Van Metre. He also introduced **Tom Marable, long time Marshall resident who also works for Van Metre (VM)**.

Cunningham Farm Property to the North: The farm was about 130 acres, and V.M. has ended up with about 100 acres developable. It will have about 160 lots, plus or minus, when it could have been 200 units, but Van Metre did less.

Van Metre purchased the old Lone Oak swim club which will have another 40 or 45 units there. Lone Oak was part of the Marshall Code zoning that went through a couple years ago.

Carter's Crossing to the South:

Doug Darling had Canon Ridge but Van Metre renamed it. The final name will be different from Carter's Crossing, but that's the project name currently. Carter's Crossing also could have 200 units but they are doing less.

Roy said that water is the elephant in the living room. He explained that they would not start development until they solved the water issue, and they have kept their word on that.

Van Metre has spent approximately \$600,000 looking at water exploration and details. VM is working on Carter's Crossing and are going through the plan approval process. They hope to have those plans through the engineering review process by the end of the year, so they could start in January but that is still dependent on if he resolves the water. Marshall has 500 existing units and Van Metre is doing 400 additional units. Van Metre want to make sure they have enough to serve their developments as well as the rest of the town, should there be any issue with that.

They have two wells on the Cunningham property at the North; production wells that will meet about half of the project's needs. He hopes to have the hydrogeologic reports before the end of the year. They go to the County and to WSA. Depending on how those come out, they will see where they stand at the end of the year.

The message from Van Metre family is that they are committed. Van Metre is working with WSA. Roy said there are a lot of rumors and conjecture flying around. Roy is not leaving Marshall. They are trying to solve infrastructure problems. Marshall Infrastructure is ageing; we have 2-inch water lines that are half corroded, etc. *continued ->*

Nov 12th Meeting Notes Continued:

Roy Barnett, Van Metre, continued:

They are working to identify what areas can be improved to greatly improve the overall water in Marshall.

Sewer Station:

There is a very old pump station down by the Windy Hill Foundation. Several businesses on Main Street drain to that pump station, from the IGA west. They have done an engineering study for the new pump station.

Salem Avenue extended:

They were hoping the Salem Avenue road extension would be done by the time of the Marshall Main Street Improvement Project, in order to help with traffic issues from the project. The Salem Ave. extension will align with Freestate Road and will be an extra outlet that alleviates East/West traffic. If there is some issue on Main Street, Salem Avenue is open.

It is a VDOT "Revenue Share" project: VDOT pays half, Fauquier County pays the other half, but since the County is not funding it, Van Metre is. \$2 million total road construction costs. (\$1 million from V.M.). Roy said they hope to go to bid by the end of the year for that project. The hope is a March construction timeline. The road will be narrow to deter people using it as a cut through and to discourage fast traffic. They call it "side friction."

They will bid the commuter lot project at the same time as the Cunningham development, and they will encourage bus usage.

They hope to get started in January but it all depends on the hydro studies that come out in the next month. So Roy cannot say exactly when and does not want to see in the paper that they are going to start development in January or March, because they do not have a start date until they meet the parameters and have the performance indicators.

Audience Q&A with Roy Barnett:

Q: Your traffic impact study looked at the 7-11 stoplight where we already have a little bit of a rush hour now?

A: Yes, they looked at what they call traffic splits. They find that people driving cars are like water and will take the path of least resistance.

Q: So you don't feel this will impact the traffic light there with everybody wanting to hit the grocery store on their way home to their new Van Metre house on the other end of town?

A: We don't see that, because his experience has been that the peak hours for grocery stores are not the peak hours for commuters coming in and out. We don't see the two coinciding, as we see a lot more people in the daytime at the grocery store next to the V.M. Fairfax office, as opposed to stopping on their way from work.

A: Any possibility the Crest Hill Road well activity could be a contributing water source to the Carter's Run property?

A: We purchased Crest Hill as a separate purchase that is outside the suburban policy area. That is a well & septic community, so the density there is about 8 lots and we drill some wells in there for those lots. We are testing them.

Q: The concern is the number of houses that are planned to be built on small lot sizes and the amount of traffic that will be generated by that many houses. Main Street and our roads just can't handle it; would much rather see fewer houses on larger lots with fewer number of cars.

A: Roy said he wishes former Supervisor Peter Schwartz were here tonight because if you look at the Canon Ridge original banknote, it was approved for over 200 units with very tiny lots. Roy explained that it took him over two years of working with then-Supervisor Peter Schwartz and Planning Commissioner Bob Lee to go back and make the lots a little bigger and to reduce the number of lots and townhomes. Roy said that, as seen in the Marshall Form Based Code that

passed a couple years ago, the vision for Marshall is these smaller lots. It's what is called "New Urbanism Land Planning." Van Metre's Kentlands in Maryland is an example that everyone points to.

Q: Target dollar figure for these homes?

A: Single family homes today starting in the \$400ks. Look at the Meadowbrook property V.M. did near Leesburg. \$900,000 to \$1 million on bigger lots there, which is the same as Cunningham will be. Townhouses today would be in the \$300ks.

Q: Approximately what size in acreage?

A: No one works in acres anymore. The Smallest lot square foot is 40 x 80; tenth of an acre, 3,500 to 4,000 square feet. Roy said that years ago, he built cottage homes in Kentlands in Gaithersburg, Maryland in 1994, and they were selling for \$200,000. Those are 24 feet wide, some 19 feet wide.

See MBRA video for the rest of Q&A! Go to www.MarshallVa.ORG

The meeting was closed with the Pledge of Allegiance at 8:55 pm Minutes by

Mary-Elizabeth Wilkerson, Secretary

Did you know we have a YouTube Channel? Have you missed some of our meetings? Catch up on all of them by going to YouTube.com and searching: "Marshall VA MBRA"

Or click link below

<https://www.youtube.com/watch?v=P8apq-2C1Hk>

When the weather's cold, sit down with your favorite beverage and keep up on the latest info from our speakers!

The MBRA wishes you a Merry Christmas and a Happy New Year!



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The Marshall Ruritan Club



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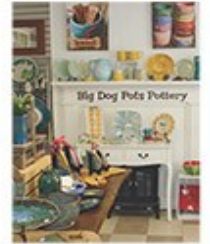
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 Certified Arborist #MA-5919-A
 Member of ISA and TCIA ISA