



Mathews County Planning Commission

Tuesday, May 9, 2023 at 7:00 PM

MINUTES

1. CALL TO ORDER

AT A JOINT MEETING OF THE BOARD OF SUPERVISORS AND PLANNING COMMISSION OF MATHEWS COUNTY, VIRGINIA, HELD IN THE MATHEWS COUNTY HISTORIC COURTHOUSE ON MAY 9TH, 2023 AT 7:00 PM.

Members Present:

Board of Supervisors

Dave Jones, Chairman
Paul Hudgins, Vice Chair
Rev. Melissa Mason, Member
Jackie Ingram, Member

Planning Commission

Billy Cook, Chairman
Harry Meeks, Vice-Chair
Frances Minor, Member
Patricia Stall, Member
Donald Morgan, Member
Doug Wilton, Member
Byron Rauch, Member
Dave Jones, Ex-Oficio

Members Absent:

Mike Walls, Member

Also Present:

James Knighton, Director of Planning & Zoning
Heather Thomas, Wetlands, Marine Projects, and Zoning Technician

THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN OF THE PLANNING COMMISSION, FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

The invocation was given.

4. ROLL CALL OF THE BOARD OF SUPERVISORS AND PLANNING COMMISSION

Heather Thomas called the roll and established that a quorum was present.

5. REVIEW OF PUBLIC HEARING PROCEDURE

Mr. Jones reviewed the public hearing procedure and opened the public hearings.

6. PUBLIC HEARINGS

- 6.A. **Application 1-RZ-22:** Request from Propane Property Two, LLC to rezone parcel 4 (5) 1, 2794 Buckley Hall Rd, from Rural (RU) to Business-2 (B-2) per Sections 175-9.2 and 9.3 of the Mathews County Zoning Ordinance.

Mr. Knighton read the staff report.

Mr. Hudgins asked if any old fuel tanks had been located on the property. There have been none located. There were no more questions by the Commissioners or Board members.

Mr. Kelly, the applicant, spoke to the board and commissioners about what plans he has for the property pertaining to the propane and generator business he currently runs in a different location.

Mr. Meeks commented that this would be a welcome addition to the area. There were no other questions.

There were no speakers for, against or neither.

The public hearing was closed.

- 6.B. **Application 1-RZ-23:** Request from Allen S. Farmer to rezone parcel 9 (A) 3C, 53 Twiggs Ferry Rd, from Rural (RU) to Business-2 (B-2) per Sections 175-9.2 and 9.3 of the Mathews County Zoning Ordinance.

Mr. Knighton read the staff report and opened up the hearing for questions. The board members and commissioners did not have any questions at the time. The applicant did not wish to speak.

There were no speakers for, against or neither.

Mr. Jones asked if the board members or commissioners had any further questions. As there were none, the public hearing was closed.

- 6.C. **Application 3-ZA-23:** Text amendment to the zoning ordinance, §175-8.5 (A), initiated by a motion of the Planning Commission, to remove “for each principal use” from “A. Lot size. The minimum lot area for each principal permitted use shall be one acre (43,560 square feet).”

Mr. Knighton read the staff report.

There were no speakers for, against or neither.

The public hearing was closed.

7. ADJOURNMENT OF THE BOARD OF SUPERVISORS

Mr. Jones adjourned the board and called a five minute recess.

8. PLANNING COMMISSION CALLED TO ORDER

9. APPROVAL OF MINUTES

9.A. April 2023 Joint Planning Commission & Board of Supervisors Meeting Minutes

MOTION: On Motion of Mr. Wilton, seconded by Mr. Morgan, the Mathews County Planning Commission voted 7-0-0 as follows: seven - aye; zero - nay; to approve the April 11th minutes.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

10. PUBLIC COMMENT PERIOD

Re:audio recording of meeting for specific details of speaker comments.

Mark Eubank, 4 Sweet Gum Drive

Mr. Eubanks expressed his opinions on property rights. He asked them to consider hearing what Mr. Deweese has to say. Mr. Eubanks read a section from the historical declaration that is being considered for Gwynn Island.

Richard Hicks, North, VA

Mr. Hicks stated his opinion on bias speakers at planning commission and board meetings.

Jackie Wilton, Hallieford, VA

Mrs. Wilton spoke about Tom Deweese's bio and how the venue for the board meetings is not the correct place for a meeting of this kind.

Ray Mulvany, Hudgins, VA

Mr. Mulvany spoke in reference to Tom Deweese.

Ruth Machen, Foster, VA

Ms. Machen spoke about NGOs and Tom Deweese.

Hugh Ellenberger, Hallieford, VA

Mr. Ellenberger spoke on Tom Dweese speaking to the county and the historical process that is being considered for Gwynns Island.

Dave Jones, Mathews, VA

Mr. Jones spoke in reference to the Gwynns Island historical district consideration.

Jack Kirby, Mathews, VA

Mr. Kirby spoke in reference to Tom Deweese.

Peter Machen, Foster, VA

Mr. Machen spoke in reference to property rights and Tom Deweese.

Donna Machen, Foster, VA

Mrs. Machen gave out a speech by Sue Long to review. She spoke in reference to property rights and Tom Deweese.

SharonFrye, Hallieford, VA

Ms. Frye spoke in reference to Tom Deweese, property rights and location of venue if he does come to speak.

11. UNFINISHED BUSINESS

12. NEW BUSINESS

12.A. Application 1-RZ-22: Request from Propane Property Two, LLC to rezone parcel 4 (5) 1, 2794 Buckley Hall Rd, from Rural (RU) to Business-2 (B-2) per Sections 175-9.2 and 9.3 of the Mathews County Zoning Ordinance.

MOTION: On Motion of Mr. Wilton, seconded by Mr. Rauch, the Mathews County Planning Commission voted 7-0-0 as follows: seven - aye; zero - nay; to recommend approval of 1-RZ-22.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

Mr. Cook asked if the Commissioners had any questions for Mr. Knighton. There were none.

12.B. Application 1-RZ-23: Request from Allen S. Farmer to rezone parcel 9 (A) 3C, 53 Twiggs Ferry Rd, from Rural (RU) to Business-2 (B-2) per Sections 175-9.2 and 9.3 of the Mathews County Zoning Ordinance.

MOTION: On Motion of Mr. Morgan, seconded by Mr. Stall, the Mathews County Planning Commission voted 7-0-0 as follows: seven - aye; zero - nay; to recommend approval of 3-ZA-23.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

Mr. Cook asked for any questions or comments by the commissioners. Ms. Minor expressed her concerns about the possible 51 permitted uses if this was rezoned and whether there should be restrictions on those. Mr. Knighton stated that is something that has to be considered along with whether all or part of should be rezoned. Mr. Cook stated that there will be review on any requests for businesses through VDOT, VDH and Chesapeake Bay Act.

12.C. Application 3-ZA-23: Text amendment to the zoning ordinance, §175-8.5 (A), initiated by a motion of the Planning Commission, to remove “for each principal use” from “A. Lot size. The minimum lot area for each principal permitted use shall be one acre (43,560 square feet).”

MOTION: On Motion of Mr. Wilton, seconded by Mr. Morgan, the Mathews County Planning Commission voted 7-0-0 as follows: seven - aye; zero - nay; to recommend approval of 3-ZA-23.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

Mr. Cook asked if there were any questions for Mr. Knighton. There were none.

13. COMMITTEE REPORTS

Mr. Morgan reviewed the committee findings along with Mr. Meeks and Mr. Rauch.

MOTION: On Motion of Mr. Morgan, seconded by Mr. Wilton, the Mathews County Planning Commission voted 7-0-0 as follows: seven - aye; zero - nay; to have a public hearing on June 13th to change the text amendment to the family subdivision section 2.5 acres to 1 acre.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

Mr. Cook stated they are waiting on surrounding county subdivision ordinances to continue their review on major/minor.

Mr. Cook assigned short-term vacation rental review to Mr. Morgan, Mr. Meeks and Mr. Rauch's committee.

14. PLANNING DIRECTOR'S REPORT

Five minute recess was taken.

15. NOTICE OF VARIANCE AND APPEAL

Mr. Knighton reviewed the current variance and appeals.

16. PLANNING COMMISSION REQUESTS/DIRECTIVES

17. OTHER MATTERS

17.A. Discussion about Tom Dewese speaking to the Planning Commission and the Board of Supervisors

MOTION: On Motion of Mr. Morgan, seconded by Mr. Rauch, the Mathews County Planning Commission voted 3-4-0 as follows: three - aye; four - nay; to allow Tom Dewese to speak at the

Planning Commission meeting.

Roll Call Vote:

Billy Cook, Chair - Nay
Harry Meeks, Vice Chair -Nay
Doug Wilton, Member -Nay
Frances Minor, Member - Nay
Donald Morgan, Member - Aye
Patricia Stall, Member - Aye
Byron Rauch, Member - Aye

Mrs. Stall spoke to the commissioners about Tom Deweese, his background and her thoughts on property rights. Mr. Rauch made a comment on a speaker that the Board of Supervisors had at a meeting that he did not wish to hear. He discussed Commissioner education and allowing Tom Deweese to speak to them. Mr. Wilton stated he read the material on Tom Deweese and believes the best venue would be a larger area that allows more of the public to come. He also stated that the Board of Supervisors and Planning Commission are not the place for interpretation of the common law which he believes Mr. Deweese is trying to do. Mr. Morgan stated he was a huge supporter of groups from "either side of the aisle" to receive more knowledge and then made a motion to invite Tom Deweese. Mr. Meeks made the comment that this is not the correct venue for him to speak. Mrs. Stall spoke on the York Beautification project and a recent issue they had with grant funding. Mr. Cook stated that there were items he did not agree on and believes that the correct venue would be the Piankatank Ruritan Club or larger. Mr. Rauch stated the public doesn't have to sit through the meeting if they wish not to. Mr. Cook informed the Commissioners that VCU provides a land use course that provides important information. Mr. Rauch added that it is important to have many avenues of education.

Mr. Rauch called for a division of the house. (Roll Call Vote).

Mr. Hudgins made a statement that ultimately it is up to the Board of Supervisors who or what is allowed and not allowed to come before the board

18. PLANNING COMMISSION ADJOURN

**THERE BEING NO FURTHER BUSINESS, ON A MOTION BY MR. WILTON AND
SECONDED BY MR. RAUCH, THIS MEETING WAS DECLARED ADJOURNED.**