



Mathews County Planning Commission

Tuesday, October 10, 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 OCTOBER 10TH, 2023 AT 7:00 PM.

Members Present:

Planning Commission Billy Cook, Chairperson
Harry Meeks, Vice Chair
Patricia Stall, Member
Donald Morgan, Member
Doug Wilton, Member
Byron Rauch, Member

Members Absent:

Francis Minor, Member

Also Present:

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

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

MOTION: On Motion by Mr. Wilton, seconded by Mr. Meeks, the Mathews County Planning Commission voted 6-0-0 as follows: Six - aye; None - nay; to amend the agenda as revised.

Roll Call Vote:

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

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Grady Brown, pastor of Living Waters Church, gave the invocation.

4. APPROVAL OF MINUTES

4.A. SEPTEMBER 12TH, 2023

MOTION: On Motion by Mr. Morgan, seconded by Mr. Meeks, the Mathews County Planning Commission voted 6-0-0 as follows: Six - aye; None - nay; to approve the September 12th meeting minutes.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

5. PUBLIC COMMENT PERIOD

Mr. Cook read the procedures for the public comment period. There were no speakers.

6. UNFINISHED BUSINESS

6.A. DRAFT LANGUAGE FOR THERAPEUTIC MASSAGE

MOTION: On Motion by Mr. Rauch, seconded by Mr. Morgan, the Mathews County Planning Commission voted 6-0-0 as follows: Six - aye; None - nay; to schedule a public hearing on November 9th for the amended language for therapeutic massage.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

6.B. GROUP HOME REGULATIONS

Mr. Knighton reviewed the required changes to the group home regulations. Mrs. Stall asked for clarification on group home definitions. Mr. Knighton read from the state code referencing group homes.

7. COMMITTEE REPORTS

Mr. Morgan stated they would meet about food trucks prior to the next meeting.

Mrs. Stall stated that the minor/major subdivisions committee needs to resume.

Mr. Knighton stated that these items will wrap up our ordinance update list.

8. PLANNING DIRECTOR'S REPORT

9. PLANNING COMMISSION REQUESTS/DIRECTIVES

Mrs. Stall informed the commissioners of a land use course she took.

10. NOTICE OF VARIANCE AND APPEAL

11. OTHER MATTERS

Mr. Knighton reminded the commissioners that November's meeting had been moved up to the 9th. He updated them on the land use program and future dates. Mrs. Stall informed the commission of another avenue of education through the Foundation for Applied Conservative Leadership.

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

Meeting called back to order

MATHEWS COUNTY HISTORIC COURTHOUSE ON OCTOBER 10TH, 2023 AT 7:30 PM.

Members Present:

Board of Supervisors Dave Jones, Chairperson
Paul Hudgins, Vice Chair
Mike Walls, Member
Jackie Ingram, Member

Planning Commission Billy Cook, Chairperson
Harry Meeks, Vice Chair
Patricia Stall, Member
Donald Morgan, Member
Doug Wilton, Member
Byron Rauch, Member

Members Absent: Rev. Dr. Mason, Member
Francis Minor, Member

Also Present: James Knighton, Director of Planning & Zoning
Heather Thomas, Wetlands, Marine Projects, and Zoning Technician
Maria Hubbard, Planner

THE MEETING WAS CALLED TO ORDER BY THE CHAIR OF THE BOARD OF SUPERVISORS, FOLLOWED BY THE PLEDGE OF ALLEGIANCE.

13. REVIEW OF PUBLIC HEARING PROCEDURE

Mr. Jones reviewed the public hearing procedure.

14. PUBLIC HEARINGS

14.A. Application 3-CUP-23: Request from 1330 Ebenezer, LLC. for a Conditional Use Permit per Section 175-6.3 (18) of the Mathews County Zoning Ordinance to operate an event venue with a maximum amount of 150 guests on parcel 1A (3) B1 and 1A (3) B2. This parcel is in the residential-1 and rural (R-1/RU) district.

Mr. Knighton read the staff report for the board and commissioners. Mr. Jones asked the board members and commissioners if they had any questions for Mr. Knighton. Mr. Rauch asked about the VDOT entrance reference letter. Mrs. Stall asked Mr. Knighton about specific conditions. Mr. Jones commented on the noise ordinance adopted by the county and asked about sound proof fencing. Mr. Knighton explained this. Board members and commissioners commented on road conditions. Mr. Jones asked for speakers in favor.

Mike Dershowitz, Applicant

Mr. Dershowitz explained the event venue and plans. Mr. Rauch asked about the timeline of the event venue, STVR, the income from those and the septic issue. Mr. Morgan commented on the septic issue as well. Mr. Wilton asked about the event planner, her distance from the property and where the vendors would be based out of. Mr. Hudgins asked about the septic permits and specifications. Mr. Jones commented on the proper location for specific businesses, community and road conditions on Ebenezer Road. Mr. Jones asked about parking and potential impaired drivers. Mr. Walls asked about the parking area and the economic development he believes would be produced. Mr. Dershowitz answered these questions.

Speakers in Favor

There were none.

Speakers against- **REFER TO RECORDED MEETING FOR VERBATIM COMMENTS**

Marie Poplawski, 77 Dinwiddie Way

Mrs. Poplawski spoke against the CUP. She discussed noise, traffic and safety issues.

Chris Claytor, Vacant Parcel adjacent to CUP

Mr. Claytor shared how they came to Mathews and expressed his concerns about the project.

David Poplawski, 77 Dinwiddie Way

Mr. Poplawski gave the board and commissioners copies of the county ordinance. He reviewed a prior CUP request similar to this and expressed his concerns about the project.

Alexander Stuart, 80 Piankatank Way

Mr. Stuart stated why he bought his property, then expressed his concerns about the traffic, noise, safety and the project.

Thomas Doyle, 45 Dinwiddie Way

Mr. Doyle described the community and his concerns with the project.

Sharon Donahue, 66 Piankatank Way

Mrs. Donahue shared her concerns and opposition to the project.

Stephen Donahue, 66 Piankatank Way

Mr. Donahue showed the distance from the project to his property with map images he provided. He read from the conditional use ordinance of Mathews County and how it correlates to the project.

Kathy Harmon, 1160 Ebenzer Church Rd

Ms. Harmon read her version of "Rich Men North of Richmond"

Bonnie Meeks, 84 Piankatank Way

Mrs. Meeks expressed her concerns about the safety issues with the event venue and a prior issue with one of the renters coming onto their property.

Jeannine K. Johnson, 110 Snug Harbor

Mrs. Johnson spoke about her community involvement and how this project would affect their

neighbors. She expressed her concerns with the safety, noise and traffic.

Scott Witthaus, 131 Deer Path

Mr. Witthaus expressed his concerns with traffic and safety.

Jennifer Sears, 246 Rocky Point Landing

Ms. Sears stated she can hear music from her house some distance away. She expressed her concern about fire safety and the repercussions to the area if it got out of control.

Cindy Hamlett, 2 Snug Harbor Ln

Mrs. Hamlett discussed the stress of this project, the traffic issues currently on Ebenezer Church Rd, added traffic issues with CUP, safety and noise issues.

Shane Johnson, 110 Snug Harbor Ln

Mr. Johnson outlined his objections to the project.

Paul Smith, 129 Snug Harbor Ln

Mr. Smith stated that he just obtained his STVR permit and his concerns with other permits.

Greg Faulkner, 210 Heron Harbor Way

Mr. Faulkner expressed his concerns about the project.

Ashley Begor, 1104 Ebenezer Church Rd

Ms. Begor expressed her concerns with the safety of the community.

Jackie Wilton, 546 Burton Point Rd

Mrs. Wilton stated the safety, noise and traffic issues with the project and asked they not pass the CUP.

Mr. Jones asked for speaker neither for nor against.

There were none.

Mr. Jones closed the public hearing.

Mr. Knighton explained the CUP process as it pertains to the planning office. He spoke on questions asked and statements made throughout the public comment period. Mr. Jones explained the process for the decision on the conditional use permit.

Mr. Dershowitz expressed his final comments on his project. Mr. Morgan commented on the website advertisements.

15. ADJOURNMENT OF THE BOARD OF SUPERVISORS

Mr. Jones adjourned the Board of Supervisors. Mr. Cook requested a five-minute recess.

16. PLANNING COMMISSION CALLED TO ORDER

The Planning Commission was called back to order.

17. NEW BUSINESS

17.A. **Application 3-CUP-23:** Request from 1330 Ebenezer, LLC. for a Conditional Use Permit per Section 175-6.3 (18) of the Mathews County Zoning Ordinance to operate an event venue with a maximum amount of 150 guests on parcel 1A (3) B1 and 1A (3) B2. This parcel is in the residential-1 and rural (R-1/RU) district.

Mr. Knighton reviewed the time table for the motion.

MOTION: On Motion by Mrs. Stall, seconded by Mr. Rauch, the Mathews County Planning Commission voted 6-0-0 as follows: Six - aye; None - nay; to recommend denial of 3-CUP-23.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Donald Morgan, Member - Aye

Patricia Stall, Member - Aye

Byron Rauch, Member - Aye

Mr. Rauch talked about property rights correlating to neighbors and the economic impact of the project. Mr. Wilton spoke about the location of vendors and event planner. Mr. Morgan spoke about road conditions, the safety aspects and thanked all who came to speak. Mr. Cook stated his agreement with the commissioners' comments. He spoke about his concerns and the neighbors' concerns. Mr. Cook asked for a roll call vote. Mr. Rauch asked for clarification of the motion. Mr. Cook requested clarification. Mr. Knighton also asked to clarify whether this was for denial or approval. Mrs. Stall amended her motion to recommend denial.

Mr. Knighton informed the public that this recommendation will be presented to the Board of Supervisors at their next regularly scheduled meeting on October 24th.

18. PLANNING COMMISSION ADJOURN

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