



Mathews County Planning Commission

Tuesday, May 17, 2022 at 7:00 PM

MINUTES

1. CALL TO ORDER

AT A JOINT PUBLIC HEARING OF THE BOARD OF SUPERVISORS AND PLANNING COMMISSION OF MATHEWS COUNTY, VIRGINIA, HELD IN THE MATHEWS COUNTY HISTORIC COURTHOUSE ON MAY 17, 2022 AT 7:00 PM.

Board of Supervisors

Members Present:

Paul Hudgins, Chair
Jackie Ingram, Vice Chair
Dave Jones
Mike Walls

Members Absent:

Melissa Mason

Planning Commission

Members Present:

David Rollins, Chair
Billy Cook, Vice Chair
Doug Wilton
Brian Russell
Dan Hill

Members Absent:

Dannette Machen
Tim Hill

Also Present:

James Knighton, Director of Planning
Heather Thomas, Administrative Assistant

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

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

Invocation was performed.

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

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

5. REVIEW OF PUBLIC HEARING PROCEDURE

Mr. Hudgins reviewed the procedures for the conduct of public hearings, noting that this would apply to all the public hearings this evening.

6. PUBLIC HEARINGS

6.A. 1-CUP-22 Rhetson Companies, 9,100 square foot retail building, Tax Map parcel 9 (A) 3

Mr. Knighton read the staff report. This was discussed between the board members and commissioners.

Tim Trant, Kaufman and Canoles

Mr. Trant presented a PowerPoint to the board and commission. Board members and Commissioners asked questions that were deferred to Mr. Parker with Rhetson Companies.

John Parker, Rhetson Companies

Mr. Parker answered Mr. Hudgin's question and confirmed that they plan on building to suit for additional businesses. Mr. Wilton asked if there had been any changes made to the residential portion of the plans originally submitted. Mr. Trant came to the podium and explained that the only request being made is for the building in the conditional use permit. Mr. Russell also read from the ordinance on requirements of land use with septic and well. Mr. Jones explained the circumstance with the septic proposed with the current request which outlined the cost of having HRSD installed. Mr. Walls asked when HRSD is made available to the area, will that be done and will it help further development. Mr. Parker answered that they would tap into HRSD for future development if made available. Mrs. Ingram asked if this was if the requested building size was for the Dollar General Market and what were the plans for the rest of the parcel. Mr. Parker stated that the intent of the Dollar General is to put produce and meats in the store but he can not guarantee anything as he is not in charge of how they stock the store.

Mr. Hudgins asked if any speakers for the proposed conditional use permit would like to speak.

Marsha Inge, Gwynns, VA

Ms. Inge stated that she found a Dollar General Market store and that is what they are requesting.

Mr. Hudgins asked if any speakers against the proposed conditional use permit would like to speak.

Mr. Hudgins asked if any speakers neither for or against the proposed conditional use permit would like to speak.

Sunny Fauver, Bavon, VA

Mr. Fauver stated that the face of the matter is that Mr. Parker can not tell us what exactly will be in the store. He added that if they approve the request tonight then we will not know what will be in the store. He believes Dollar General should be at the meeting to answer questions prior to approval. Mr. Cook asked how Mr. Fauver felt about this bringing more small businesses on the parcel in the future. Mr. Fauver stated that the Dollar General Market is the only store that is acceptable. He asked that they not approve it based on the information given tonight.

Val Pennington, Tick Neck Rd

Ms. Pennington asked when Rhetson buys this property, do they lease it indefinitely or does it get sold to a foreign entity. She stated the other Dollar General has trouble staffing their store and is

unable to stay open full time. She asked where the fresh meat and produce will come from. Mr. Cook stated that he did research and they purchased produce from local companies.

Ronnie Lewis, 1535 Buckley Hall Rd

Mr. Lewis stated his concern about the lack of fire protection. Mr. Jones stated that they would have to have that as part of the building package.

Harry Meeks, 84 Piankatank Dr

Mr. Meeks stated that he agreed with Mr. Fauver in that Dollar General needs to come to a meeting to answer certain questions.

John Craig Lewis, 739 Potato Neck Rd

Mr. Lewis stated that if Food Lion does not have what he needs then he goes to Gloucester and that would not change and added that the intersection at Rte 3 and 198 is dangerous. Mr. Walls read the VDOT letter to Mr. Lewis and let him know Mr. Hudgins has requested turn lanes be constructed for traffic purposes.

Mr. Knighton stated that they have submitted a site plan with VDOT upgrades. He added they can not be forced to make upgrades to the intersection as the parcel is not part of it.

6.B. 2-RZ-22- County of Mathews, Request to rezone Tax Map parcel 11A6 (4) 5B, 897 South Bay Havemn Drive from Residential-1 (R-1) to Business-1 (B-1).

Mr. Knighton read the staff report. Mr. Rollins asked about the proffers and how they affect the parking in the area. Mr. Jones added that we can not stop any trespassers at the current moment, until rules are set in place. Mr. Knighton stated that rezoning the parcel as conservation may be more in line with the proffers and deed restrictions for the site. Mr. Hill said that most of the complaints that are heard are based on the trespassers and trash being left. Mr. Jones stated that he wanted to have Sheriff Barrack involved when it comes to changing the ordinance to enforce curfew hours. Mr. Russell added that the property needs to be posted in order to be enforced and the sheriff's department currently does not have the capacity to. Mr. Jones asked about the conservation alternative. Mr. Knighton stated that conservation would fall in line with the FEMA deed restrictions but he does not know if that would ease all the concerns of the neighbors about public use. The board members and commissioners discussed the various uses and rezoning.

Mr. Hudgins asked for any speakers in favor of the proposed rezoning.

John Craig Lewis,

Mr. Lewis stated that they should move the kayak launch and rack to the South Bay Haven property as it is unusable at Put-In Creek.

Mr. Hudgins asked for any speaker against the proposed rezoning.

John Hall, 831 South Bay Haven

Mr. Hall expressed his concerns about the trespassers and road width currently.

John Bonner, 809 South Bay Haven

Mr. Bonner discussed the trespassers and submitted photos.

7. ADJOURNMENT OF THE BOARD OF SUPERVISORS

Mr. Hudgins adjourned the Board of Supervisors. There was a five minute recess.

8. PLANNING COMMISSION CALLED TO ORDER

THE MEETING WAS CALLED TO ORDER BY THE CHAIRMAN OF THE PLANNING COMMISSION.

9. APPROVAL OF MINUTES

9.A. April 19th, 2022 Meeting Minutes

MOTION: On the Motion of tabling the approval of minutes until next meeting by Mr. Cook, seconded by Mr. Wilton, the Mathews County Planning Commission voted 6-0-0 as follows: Mr. Rollins - aye; Mr. Cook-aye; Mr. Wilton-aye; Mr. Tim Hill-aye; Mr. Dan Hill-aye and Mr. Russell-aye. None - nay.

10. PUBLIC COMMENT PERIOD

Mr. Rollins read the public comment period guidelines and opened it to the public.

Mike Walls, 57 Pinetta Dr

Mr. Walls believes that Mr. Parker has done his due diligence and that this property will be developed commercially. He asked the commission to look into this and send it to the Board.

Dave Jones, 10344 Buckley Hall Rd

Mr. Jones stated that he wants to see what was advertised. He added that they can not guarantee what will be stocked but hopes that Mr. Parker has done the best he can to make sure that a Dollar General Market will be built.

John Craig Lewis, Potato Neck Rd

Mr. Lewis asked that they look into people fishing from the shoreline and leaving behind trash. He added that he would still go to Gloucester even with a Dollar General Market in Dutton.

11. NEW BUSINESS

11.A. 1-CUP-22 Rhetson Companies, 9,100 square foot retail building, Tax Map parcel 9 (A) 3.

MOTION: On a Motion recommending approval with staff recommendations by Mr. Dan Hill, seconded by Mr. Cook, the Mathews County Planning Commission voted 5-0-0 as follows: Mr. Rollins - aye; Mr. Cook-aye; Mr. Wilton-aye; Mr. Russel and Mr. Dan Hill-aye. None - nay

Mr. Russell stated in agreement and that with Rhetson Company's ability to discuss everything open and honestly that we should continue on with the project. Mr. Cook believes they are going to do everything in their power to make sure this will be a grocery store.

11.B. 2-RZ-22- County of Mathews, Request to rezone Tax Map parcel 11A6 (4) 5B, 897 South Bay Haven Dr. from Residential-1 (R-1) to Business-1 (B-1).

Mr. Knighton discussed the possibility of conservation being a better fit and asked the commission to table this request for further research. Mr. Rollins asked if this would require an additional public hearing. Mr. Knighton answered that this would require another hearing.

MOTION: On Motion of tabling 2-RZ-22 until next meeting by Mr. Cook, seconded by Mr. Wilton, the Mathews County Planning Commission voted 5-0-0 as follows: Mr. Rollins - aye; Mr. Cook-aye; Mr. Wilton-aye; Mr. Russel and Mr. Dan Hill-aye. None - nay

11.C. Planning Commission Code of Ethics

The Commission discussed the proposed Code of Ethics recommended by the Board of Supervisors.

MOTION: On Motion of recommending no change to the current code of conduct or by laws, seconded by Mr. Wilton, the Mathews County Planning Commission voted 1-4-0 as follows: Mr. Russel - aye; None - Mr. Wilton; Mr. Rollins; Mr. Dan Hill and Mr. Cook to.

MOTION: On Motion to lay over the proposed Code of Ethics until the next meeting by Mr. Cook, seconded by Mr. Dan hill, the Mathews County Planning Commission voted 5-0-0 as follows: Mr. Rollins - aye; Mr. Cook-aye; Mr. Wilton-aye; Mr. Russel and Mr. Dan Hill-aye. None - nay

Mr. Rollins asked everyone to submit changes to Mrs. Thomas. Mr. Russell asked that the Code of Ethics references the state law that Commissioners can only be removed based on maleficence. The Commission discussed why this was being requested with Mr. Hudgins.

12. UNFINISHED BUSINESS

12.A. 2030 Comprehensive Plan Review Update

Mr. Knighton

13. COMMITTEE REPORTS

14. OTHER MATTERS

15. REVIEW OF BOARD OF SUPERVISOR ACTIONS

16. NOTICE OF VARIANCE AND APPEAL

17. ADJOURN

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