



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING
IRVINGTON BAPTIST CHURCH
THURSDAY, DECEMBER 08, 2022; 6:30 p.m.**

A. CALL TO ORDER

B. ROLL CALL

W. Nunnally, present.
B. Schaschek, present.
J. Penniman, present.
G. del Rio, present.
J. Harris, present.
D. Patteson, present (arrived a few minutes late).
J. Brown, absent.

Staff

J. Nelson, present.
A. McRoberts, present.
L. Taylor, present.

C. APPROVE AGENDA

**Motion (*W. Nunnally*) to approve Agenda.
Second (*J. Penniman*).
Motion carries 5-0.**

D. APPROVE MINUTES

November 10, 2022, Town Council Regular Called Meeting Draft Summary Minutes

**Motion (*W. Nunnally*) to approve 11/10/2022 minutes with amendments (*specifics to be considered for materials, lighting, etc. for signs and fences*) made by *Gabe del Rio*.
Second (*G. del Rio*).
Motion carries 5-0.**

E. FINANCIAL REPORT

- Treasurer's Report/Balance Sheets 11/30/2022 are accepted.

F. PUBLIC HEARING –

- CITGO Sign: No digital signage is wanted.
- CUPHARDINGBOYD, to operate a Short-Term Rental located at 4262 Irvington Rd.
- CUPWERT, to operate a Short-Term Rental located at 67 Park Place.



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- CUPHANKY to operate a Short-Term Rental located at 882 King Carter Dr.
- CUPSMITH to operate a Short-Term Rental located at 110 Lancaster Rd.
- CUPFLYNN to operate a Short-Term Rental located at 816 King Carter Dr.

- B. Bragg: Canopy image with “eyebrow” lighting. No digital pricing on the canopy.
- N. Wert: Original purchase was for vacation rental; due to economic reasons it is now long-term rental for 15 years. Looking to convert to short term rental. The purpose of his property is in line with the comprehensive plan. Younger population have wanted to have a vacation home in Irvington due to the characteristics, and love of Irvington, etc. so having a STR supplements this.
- G. Kuper: Was going to write an opposition letter but after discussion with the zoning administrator I am not opposed, just want to ensure enforcement of the ordinances regarding STRs.
- J. Burke: Opposed to the application. Not approve any further new STRs in Vineyard Grove keeping it at 10%. Asking for the Town to be a mediator for the HOA.
- J. Grieco: We have premiere amenities in Vineyard Grove. A lot of residents are against “additional” STRs. They are fine with existing STRs. Graphic of current STRs is shown/discussed.
- C. Bradley: Nothing in the ordinance presently that limits the number of STRs in the Vineyard.
- C. Sweeney: (Edgewood Lane): Concern over notification.
- R. Thurston: We have a STR, and we are not having the same experiences as other owners.
- M. Burgess: No issues with the STR across the street. Can be a positive thing.
- P. Landers: When we closed on our property it was prior to the ordinance. We have had the intention to rent it, not always, but limited in spring/fall.

G. PUBLIC COMMENT

C. Bradley: Thanked the town for the donation to the Steamboat Era Museum.

H. REPORT FROM THE MAYOR, *J. Harris*

- Mayor’s Cup Golf Tournament was held 12/04/2022. Mayor welcomed the participants.
- Staff, along with the Mayor, have developed a survey to solicit comments on individuals’ experience with staff.
- Thank you to Sandra Matthews, owner of Creative DeSigns of Virginia. Sandra cleaned and repainted the Welcome to Irvington signs at no charge to the Town as an honor to Bill Mitchell, former sign designer who died in early 2021. She



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facilitated the creation of a plaque to honor Jackie Burrell, long-time Irvington Town Clerk. The plaque will be put on the Commons at the base of a tree. The exact location will be decided by Council.

- Thank you to interns Judy Boyer and Nancy Kellum at the Town Office. Files are being organized according to Library of Virginia guidelines.
- Thank you to Bonnie Schaschek for many years of service on the Planning Commission and Town Council, and as Vice Mayor. A gift of Tree of Life windchimes and a card were presented.

I. REPORT FROM TOWN ATTORNEY, *A. McRoberts*

- No report.

J. REPORT FROM THE ZONING ADMINISTRATOR, *J. Nelson*

- New zoning permits.
- Site visit Crockett's Landing.
- Site visit renovated house on Steamboat Road.
- Map of STRs.
- Will be out from 01/13/2023 to 02/03/2023.
- CUP application for new Pilates/yoga studio at 301 Steamboat Road. It is open and is in violation of our ordinances. I don't agree that going from one approved type of business to another approved type of business, like going from a clothing store to a Yoga studio, for example, makes sense for a CUP to be necessary. How do we handle? I don't approve of shutting down the business while waiting on the CUP.

Motion (*J. Penniman*) to allow them to continue with the yoga studio as they come into compliance.

Second *Bonnie Schaschek*.

Motion passes 5-0.

K. COMMITTEE REPORTS

- Budget & Finance Report, *B. Schaschek*

Motion (*B. Schaschek*) to appropriate \$2,000 to Golden Eagle for Irvington's Mayor Cup.

Second (*W. Nunnally*).

Motion passes 5-0.

Motion (*B. Schaschek*) to appropriate \$525 for a lateral filing cabinet for organization of the zoning files.

Second (*W. Nunnally*).

Motion passes 5-0.



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- Charter, Codes & Ordinances Committee, *J. Brown*
No report.
- H. R. Committee, *D. Patteson*
Personnel bonuses to be discussed in closed session.
- Facilities Committee, *W. Nunnally - Chair*
AES Engineers to begin process for sidewalks in mid-December.
Broadband has installed pole and dish for WIFI, but the electrical system is out of date and a hazard. This issue will be addressed so the broadband service is not in operation yet.
- Community & Special Events Committee, *J. Penniman*
Illuminate Irvington – Successful. Thank you to the IVBA, and everyone involved.

Motion (*J. Penniman*) Steamboat Era Museum annual crab feast 09/16/2023).

Second (*G. del Rio*).

Motion passes 5-0.

- Playground Committee, *G. del Rio*
The committee expanded to include additional architects. Preliminary drawing and plans will be presented January 12, 2023, at 5:30 p.m. during a Joint Public Planning Commission and Town Council Workshop meeting.
- Planning Commission Update, *T. Chapman – Chair*
We recommend approval of CUPS's #2 (Stephens), #4 (Hanky), #6 (Smith), #8 (Flynn). On #3 we recommended holding until 02/23 meeting. Landers and Wert give time to work out before giving any recommendation (spot will be reserved). If there is major opposition the recommendation is to not approve.

L. OLD BUSINESS

- Stephens, to operate a Short-Term Rental located at 416 Steamboat Road.

Motion (*G. del Rio*) to grant Stephens CUP.

Second (*W. Nunnally*).

No discussion.

Roll Call Vote

W. Nunnally, yes.

D. Patteson, yes.

B. Schaschek, yes.



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J. Penniman, yes.

G. del Rio, yes.

J. Brown, absent.

Motion passes 5-0.

- Baker, to operate a Short-Term Rental located at 125 Edgewood Lane.
**Motion (J. Penniman) to put Baker CUP on hold until February 2023.
Second (W. Nunnally).**

W. Nunnally: Density needs to be considered concerning STRs.

J. Penniman: Also, quality of life for residents that live full-time in Irvington must be considered. Quality of life is different in different areas in Irvington that can be impacted by STRs.

G. del Rio: Should not spot govern. Density measure can be considered.

D. Patteson: Should be a way to create in the ordinance to prevent problems such as parking on the street, etc.

Roll Call Vote

W. Nunnally, no.

D. Patteson, no.

B. Schaschek, yes.

J. Penniman, yes.

G. del Rio, yes.

J. Brown, absent

Baker CUP Motion to put on hold passes 3-2.

- Landers, to operate a Short-Term Rental located at 89 Park Place.

**Motion (J. Penniman) to put Landers CUP on hold until April 2023 PC meeting –
withdrawn.**

Second (B. Schaschek) – withdrawn.

Motion (W. Nunnally) to deny Landers CUP due to density.

Second (J. Penniman).

A. McRoberts: This is a legislative decision and any reasonable basis for approval or denial. Can approve with conditions in addition to what is in the ordinance. Need to state what the reason is that you are denying the issue for the public to understand.



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W. Nunnally: Based on too many STRs in Vineyard Grove, density issue.

G. del Rio: Concerned that people have spent money and are in contracts totaling millions of dollars and there are 7 to be concerned about. This is unevenly applying legislation and law and unfair.

Roll Call Vote

W. Nunnally, yes.

D. Patteson, no.

B. Schaschek, no.

J. Penniman, yes.

G. del Rio, no.

J. Brown, absent.

Motion does not pass 3-2. CUP will not be denied.

Motion (B. Schaschek) to grant Landers CUP.

Second (G. del Rio).

G. del Rio: All requirements have been met.

J. Penniman: Density must be addressed, and changes made.

W. Nunnally, no.

D. Patteson, yes.

B. Schaschek, yes.

J. Penniman, no.

G. del Rio, yes.

J. Brown, absent.

Motion to grant Landers CUP passes 3-2.

- Ordinance re: Transient Tax.

Motion (B. Schaschek) to accept the ordinance as written.

Second (W. Nunnally).

Roll Call Vote

W. Nunnally, yes.

D. Patteson, yes.

B. Schaschek, yes.

J. Penniman, yes.

G. del Rio, yes.

J. Brown, absent.



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Motion passes 5-0.

M. NEW BUSINESS

- Information on CivicPlus/Municode.
Presentation was attended on 11/22/2023 (J. Harris/L Taylor) to demonstrate the services of MuniCode. This service arranges regulations and ordinances by subject and is available 24/7. Using the web tools also enables the public to look up ordinances by search words or terms. Statewide, other small municipalities ordinances can be adapted to Irvington's needs, greatly reducing the amount of time our attorney would need to research topics so we don't reinvent the wheel.

**Motion (*J. Penniman*) to use the service for 1 year.
Second (*G. del Rio*).**

Roll Call Vote

**W. Nunnally, yes.
D. Patteson, yes.
B. Schaschek, yes.
J. Penniman, yes.
G. del Rio, yes.
J. Brown, absent.
Motion passes 5-0.**

- Contract on Pollard Shed rental.
Flags and Christmas decorations will be stored in this shed.
- Citgo Sign.
**Motion (*W. Nunnally*) to accept application as amended with conditions (Exhibit A).
Second (*J. Penniman*).**

Roll Call Vote

**W. Nunnally, yes.
D. Patteson, yes.
B. Schaschek, yes.
J. Penniman, yes.
G. del Rio, yes.
J. Brown, absent.
Motion passes 5-0.**



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- CUPHARDINGBOYD, to operate a Short-Term Rental located at 4262 Irvington Road (correction, it was listed as Edgewood).

**Motion (*G. del Rio*) to approve the *HardingBoyd CUP*.
Second (*J. Penniman*).**

Roll Call Vote

**W. Nunnally, yes.
D. Patteson, yes.
B. Schaschek, yes.
J. Penniman, yes.
G. del Rio, yes.
J. Brown, absent.
Motion passes 5-0.**

- CUPHANKY to operate a Short-Term Rental located at 882 King Carter Dr.
- CUPSMITH to operate a Short-Term Rental located at 110 Lancaster Rd.
- CUPFLYNN to operate a Short-Term Rental located at 816 King Carter Dr.

**Motion (*G. del Rio*) to accept *Smith, Flynn and Hanky*.
Second (*D. Patteson*).**

Roll Call Vote

**W. Nunnally, yes.
D. Patteson, yes.
B. Schaschek, yes.
J. Penniman, yes.
G. del Rio, yes.
J. Brown, absent.
Motion passes 5-0.**

- CUPWERT, to operate a Short-Term Rental located at 67 Park Place.

**Motion (*G. del Rio*) to accept the *WERT CUP*.
Second (*D. Patteson*).**

J. Penniman – Questions density (wanted on record).



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Roll Call Vote

W. Nunnally, no.

D Patteson, yes.

B. Schaschek, yes.

J. Penniman, no.

G. del Rio, yes.

J. Brown, absent.

Motion passes 3-2.

W. Nunnally thanked B. Schaschek for her many years of service to Irvington. She will be missed.

N. ANNOUNCEMENTS

- Town Office closed from December 26, 2022, through January 1, 2023
- Next Town Council Regular Called meeting, January 12, 2022, at 6:30 p.m. at Irvington **BAPTIST** Church.
- Town Office closed Monday, January 16, 2023, for Martin Luther King, Jr. Day

O. CLOSED SESSION – under State Code 2.2-3711 A.1 to go into closed session for discussion of one-time addition to personnel salary.

Motion (*W. Nunnally*) to one-time addition to personnel salary.

Second (*D. Patteson*).

Motion passes 5-0.

P. RETURN TO OPEN SESSION

Certification read.

Roll Call Certification

W. Nunnally, I so certify.

D. Patteson, I so certify.

B. Schaschek, I so certify.

J. Penniman, I so certify.

G. del Rio, I so certify.

J. Harris, I so certify.

J. Brown, absent.

Q. ADJOURN

Motion (*W. Nunnally*) to adjourn.

Second (*G. del Rio*).



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Motion passes 5-0.