



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING MINUTES
IRVINGTON BAPTIST CHURCH
THURSDAY, August 8, 2024; 6:30 p.m.**

AGENDA – amended at the table.

A. CALL TO ORDER at 6:30 p.m.

B. ROLL CALL

J. Penniman, present
D. Patteson, present
M. C. Bradley, present
P. Robinson, present
J. Harris, present
W. Nunnally, absent
B. Schaschek, absent

C. APPROVE AGENDA

- Motion was made to amend the agenda to remove the closed session focused on staffing as no member of the HR committee was present.

**Motion made by M.C. Bradley to approve the agenda as amended.
Seconded by D. Patteson.
Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.**

D. APPROVE MINUTES

- July 11, 2024, Town Council Regular Called Meeting

**Motion made by P. Robinson to approve the July 11, 2024 Town Council Meeting Minutes.
Seconded by D. Patteson.
Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.**

E. FINANCIAL REPORT

- Treasurer's Report accepted with no objections.
**Motion made by M.C. Bradley to accept the Treasurer's Report.
Seconded by P. Robinson.
Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.**

F. PUBLIC HEARING

- Roll Call for Town Council, completed at beginning at the meeting.
- Roll Call for Planning Commission



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Members Present: S. Strait, R. Camillo, D. Clarke, J. Taylor, and M. Smith.
Absent: T. Chapman, R. Fuller.

Joint Public Hearing

- CUP POLLARD 3.24 – 73 Seafood Lane – 1st Reading
 - An application has been submitted to build six additional cottages at 73 Seafood Lane.
 - Ms. Penniman inquired whether ReFuel continues to operate under the terms of its original Conditional Use Permit.
 - Mr. Pollard clarified that the Conditional Use Permit was granted in accordance with Town Code § 154.086 (10), which permits hotels, motels, inns, boarding houses, and tourist homes. ReFuel includes a mix of extended stay and short-term rentals, with none of the cottages having leases longer than 30 days. Although some tenants have renewed for multiple 30-day periods, there is no restriction on extended stays at motels in town.
 - The Council raised concerns regarding the density of the units and their alignment with the Town’s comprehensive plan.
 - Mr. Pollard noted that similar facilities in Irvington exhibit comparable unit density.
- CUP 2024.KCH – 4282 Irvington Rd – 1st Reading
 - Application to operate a retail establishment.
- STR Ordinance Amendment – 1st Reading
 - Amendment that addresses termination of Conditional Use Permits (CUPs) related to Short-Term Rentals.
 - Mr. Robinson mentioned that an additional draft, developed with input from the Town Attorney, was included in the packet and aimed to simplify the termination process. This draft would enable the CUP to be terminated automatically if there are changes in the short-term rental’s circumstances or ownership, eliminating the need to undergo the full CUP amendment process.
 - Ms. Bradley asked if the amendment would be for future CUPs only or all CUPs.
 - Mr. McRoberts confirmed that the language, as drafted, would apply to the termination of any CUPs.
- Sign Ordinance Amendment – 1st Reading
 - Amendment to the Town’s sign ordinance.

G. PUBLIC COMMENT

- Comments from citizens on any topic

M.C. Bradley (King Carter Dr): Ms. Bradley, representing the Steamboat Era Museum, announced that the Crab Festival will take place on Saturday,



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September 21. Tickets are currently available for \$60 but will increase to \$75 closer to the event. Those interested can purchase tickets at steamboatermuseum.org. The museum is also seeking sponsors and is currently accepting donations for the raffle and auction. For more information, please contact crabfestival@steamboatermuseum.org.

T. Ransone (King Carter Dr): Ms. Ransone inquired about the location of the proposed additional Refuel units. Mr. Pollard directed her to the CUP application for detailed information and provided a general overview of the proposed locations. He noted that no more than three units would be constructed before January 2026. Ms. Ransone expressed concern about the potential for high traffic of people and potential safety issues in what she perceived as a limited area.

C. Dyson, Town Clerk: Mr. Dyson read an email from members of the Business License Committee, recommending that the Business Licenses in town not require a fee.

R. Schroder (Sam's Cove Landing): Ms. Schroder, a nearby resident of the Pollard CUP project, praised Albert for enhancing the property and being considerate of neighbors, noting that there has been no disruption. She inquired about the location of the Short-Term Rentals registry and the number of rentals currently in operation. Mr. Nelson indicated that people could contact him with questions. Ms. Schroder also asked whether the additional units would be served by the existing septic system, expressing concern about preventing wastewater from contaminating the creek. She also questioned what would happen if the parcel were sold. Last, as a separate issue, she emphasized the importance of town residents understanding the status of active Short-Term Rentals, including property ownership and tax compliance.

C. Carter (The Lane): Ms. Carter addressed the Pollard CUP, expressing her concern that she would be most impacted by the project. She recalled that when she purchased her home, the initial Refuel cottages were under construction. While she found them acceptable at the time and has experienced no issues since, she is worried that the proposed expansion will double the number of cottages, altering the character of her view and the neighborhood. Additionally, she is concerned about the potential future use of the cottages if Mr. Pollard decides to sell the property.

A. Pollard (Steamboat Rd): Mr. Pollard confirmed that he has received approval from the Health Department for an additional three cottages, as that was the only aspect he applied for with them. He encouraged anyone with further questions to review his application, which includes his contact information. He is available to personally walk through the property and provide explanations. Additionally, he



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assured that the placement of the new cottages, if approved, will not affect the existing parking.

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

- Ms. Harris reminded the Council that, in compliance with FOIA regulations, electronic meetings are not permitted. Therefore, the Town Clerk must be notified of any meeting at least three working days in advance to ensure it is properly posted. The agenda should be submitted to the Town Clerk beforehand, and the minutes or a recording should be provided afterward. To manage Attorney's fees effectively, please inform the Mayor before reaching out to the Town Attorney. Additionally, the Town Clerk should be copied on any Attorney opinions or responses to Town Officials' inquiries to avoid duplicated efforts. Lastly, ensure that both the Mayor and Town Clerk are included in emails regarding town committees.
- Four Winds Design's color presentation of the Master Plan for the Commons.
 - Mr. Harrigan began by thanking everyone for their involvement and comments from the last meeting. He attempted to address comments/questions by clarifying and editing the plan.
 - Mr. Harrigan presented the updated and colorized design, which features the addition of small ornamental trees along the path, enhancements to the Memorial Garden, and improved pedestrian crossings. Shade will be provided in key areas, such as near the tennis courts, through the planting of native trees, although planting around the Gazebo will be limited. The proposed restrooms will have a non-permanent foundation, allowing them to be positioned close to the property line. Parking will be managed on the North Commons, with an improved vehicle entrance.
 - Related to the appropriation of funds for Phase 1, Mr. Harrigan planned to email his cost breakdown and recommendations. He also noted that there is a potential opportunity for the Dept of Forestry to supply grant funding. No solid bids have been received from any contractors at this time, so his cost breakdown is only an estimation.
 - The discussion on trees continued, with Mr. Harrigan noting that most of the trees would be deciduous, emphasizing varieties that feature white spring blooms as well as red and purple foliage. He agreed to address concerns about tree debris near the tennis courts, ensuring that any recommended trees will not cause maintenance issues for the courts.

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

- No report.

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

- Mr. Nelson reported several new permit applications: a home addition at 130 Edgewood Lane, a business sign at 4282 Irvington Road, a pool construction permit for 336 Old Mill Cove Road, and an addition at 52 Rowes Point.



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Additionally, the Board of Zoning Appeals met in July and upheld the denial of a building setback violation for tax map 33-295C.

K. COMMITTEE REPORTS

- Budget & Finance Report, *B. Schaschek & M.C. Bradley*
 - No report.
- Charter, Codes & Ordinances Committee, *P. Robinson & B. Schaschek*
 - No report.
- H. R. Committee, *W. Nunnally & B. Schaschek*
 - No report.
- Facilities Committee, *P. Robinson & M.C. Bradley*
 - Mr. Robinson reported that he and Mr. Taylor from the Planning Commission met with John Bateman, Economic Development Director and Assistant County Administrator for Lancaster County. Mr. Bateman invited Irvington representatives to an electronic meeting with the Environmental Protection Agency (EPA), which is offering funding for localities researching sewer options. While this initiative does not present an immediate opportunity for Irvington—since the town has already commissioned an engineering report from Bowman—it highlights the possibility that sewer services could be extended closer to Irvington in the future, potentially reducing connection costs for the town.
- Community & Special Events Committee, *J. Penniman & D. Patteson*
 - No report.
- Commons Committee, *J. Penniman & W. Nunnally*
 - Nothing further to report beyond the presentation by Mr. Harrigan.
- Waterfront Committee, *D. Patteson & J. Penniman*
 - No report.
- Planning Commission Update, *T. Chapman – Chair*
 - No report.

L. OLD BUSINESS

- **Motion made P. Robinson to adopt the resolution initiating and referring a Subdivision Ordinance Amendment and Zoning Ordinance Amendment to Planning Commission and directing PC to amend (if necessary) the Town's draft Comprehensive Plan for any items required to comply with the**



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**Chesapeake Bay Preservation Act.
Seconded by M.C. Bradley.**

Roll Call Vote

J. Penniman – Aye

D. Patteson – Aye

M.C. Bradley – Aye

P. Robinson – Aye

B. Schaschek – Absent

W. Nunnally – Absent

- Deputy Report
 - Ms. Harris noted that the period from mid-day to night consistently has the highest number of summonses. She also reported having discussions with both the State Police and several Lancaster County deputies about the possibility of Irvington obtaining an Originating Agency Identification (ORI) number.
 - The discussion continued on the possibility of Irvington receiving funding for the issued summonses. However, the Mayor emphasized that the main takeaway from all discussions was that Irvington needs to establish a police department before it can obtain an ORI number. Mayor Harris agreed to review the MOU with the County and explore further options to address the ORI issue.
 - Mr. Robinson mentioned that the Planning Commission had extensively discussed the possibility of having deputies occasionally patrol areas in Town beyond Route 200, particularly on King Carter Drive.
 - Mayor Harris noted that this suggestion had been previously communicated to the deputies. However, their feedback indicated that Route 200 experiences the highest frequency of speeding incidents, making it the most effective location for catching traffic offenders.
 - The discussion also included several residents requesting that deputies vary their patrol locations to ensure a visible presence throughout the town. The Mayor agreed to communicate this request to the deputies.

M. NEW BUSINESS

- Motions or recommendations by Town Council Committees

Motion made by J. Penniman to accept the Master Plan concept presented by Four Winds for the Town Commons and committing the Council to implement aspects of the plan over the next couple of years. As a part of the motion, the Commons Committee accepts responsibility for presenting phases to the Council for its consideration.

Seconded by D. Patteson.

Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.



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Motion made by J. Penniman to appropriate \$3,000 from the Landscape Planning Capital Budget line to cover final expenses related to the work on the Commons project.

Seconded by P. Robinson.

Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.

Motion made by J. Penniman to revoke or suspend the STR at 992 King Carter as the required local contact was not provided.

- After discussion, it was determined that this issue could be resolved if the Proposed STR Amendment is approved in the September 2024 Town Council meeting. In the interim, the Zoning Administrator will give the owner one final opportunity to submit the required information. The motion was withdrawn.

Motion made by P. Robinson to continue to suspend the Business License fee for the rest of the fiscal year.

- M.C. Bradley requested that this vote be tabled until the September Town Council meeting. Motion was withdrawn.
- Ms. Bradley asked if the Town Clerk could give an update on the launch of the new website.
 - Mr. Dyson reported that the project was nearly complete. The remaining issue was that the Town's printable permit applications and forms were outdated and required updating. Since the original art files for some forms were missing, the content needed to be retyped and reformatted. Additionally, the documents contained multiple versions of the Town logo. Mr. Dyson requested that Town Council allow staff to take the time to recreate and update the logo artwork before the new Town website and forms were made live online.

N. ANNOUNCEMENTS

The Town Office will be closed on September 2, 2024 in observance of Labor Day.

The USAF Rhythm in Blue jazz ensemble will perform on the Irvington Commons on August 30, 2024 at 6:00 p.m. Admission is free.

Next Town Council Meeting, September 12, 2024: 6:30 p.m. at Irvington Baptist Church



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O. ADJOURN

Motion made by P. Robinson to adjourn at 8:06 p.m.

Seconded by D. Patteson.

Motion carried 4-0-2. W. Nunnally and B. Schaschek absent.

The Summary Minutes of the August 8, 2024 Town Council Regular Called Meeting were approved at the Town Council Regular Called Meeting of September 12, 2024. Motion made by M.C. Bradley. Seconded by D. Patteson.

Motion carried 5-0-1. Nunnally absent.

	Yea	Nay	Absent
W. Nunnally			X
B. Schaschek	X		
P. Robinson	X		
J. Penniman	X		
D. Patteson	X		
M.C. Bradley	X		

Julie W. Harris, Mayor

Attest:

Charles Dyson, Town Clerk