



**TOWN OF IRVINGTON, VIRGINIA
TOWN COUNCIL REGULAR MONTHLY MEETING MINUTES
IRVINGTON BAPTIST CHURCH
THURSDAY, September 11, 2025; 6:30 p.m.**

AGENDA –

A. CALL TO ORDER – 6:30 p.m.

- The Mayor called the meeting to order by first observing a moment of silence in recognition of the anniversary of the tragic September 11, 2001 attacks.

B. ROLL CALL

- Council Member Frederick Johnson's resignation – motion to accept.
Motion made by P. Robinson to accept Mr. Johnson's resignation from Town Council.
Seconded by W. Nunnally.
Motion carried 5-0-0.

W. Nunnally, present
S. Van Saun, present
P. Robinson, present
M.C. Bradley, present
F. Westbrook, present
J. Harris, present

C. APPROVE AGENDA

Motion made by F. Westbrook to approve the agenda.
Seconded by P. Robinson.
Motion carried 5-0-0.

D. APPROVE MINUTES

- August 14, 2025 Town Council Regular Called Meeting
Motion made by S. Van Saun to accept the minutes with one phrase changed for clarity on page four (changing the phrase from "internet access" to "cell service").
Seconded by M.C. Bradley.
Motion carried 5-0-0.

E. FINANCIAL REPORT

- Treasurer's Report was accepted.



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F. PUBLIC HEARING

- Roll Call for Planning Commission
Present: T. Chapman, R. Fuller, and S. Strait
Absent: D. Clarke, M. Smith, and J. Taylor

The joint public hearing lacked a quorum of Planning Commission members and proceeded as a public hearing for Town Council only. Mr. Chapman noted that the Planning Commission would hold its own public hearing on the two CUPs at its October 7, 2025 meeting.

Conditional Use Permit application #2025.Cotter (19 King Carter Dr) - 1st Reading

- **Mr. Nelson** explained that the Conditional Use Permit (CUP) application was to convert the upstairs portion of the building into a residential apartment.
- **Mr. Nunnally** raised concerns about the septic system. He noted that the septic mound located behind the building belongs to the Irvington Baptist Church, which also owns the road leading to the corner. He questioned where the property owner intends to install a new septic field for the proposed apartment. Mr. Nunnally also inquired about parking, stating that the existing business already utilizes all available spaces. He requested clarification on where apartment tenants would park.
- **R. Pittman** (a former Irvington resident and member of the Irvington Baptist Church) stated that he had lived in Irvington for 57 years and was unaware of any bathroom facilities in the building. He also knew that the building had been left unused for many years and, as a plumber, Mr. Pittman noted that unused septic systems can often go bad. Speaking on behalf of the church, he requested that the Health Department first inspect the property to determine if a functioning septic system exists and whether it could support both the business and a residential unit.
- **Ms. Bradley** asked Mr. Nelson whether, beyond the Town's CUP process, additional approvals - such as Health Department clearance for septic and other building permits - would still be necessary. Mr. Nelson confirmed that such approvals are required and agreed with Ms. Bradley that applicants typically seek CUP approval first to confirm the town supports the proposed use before investing in the additional permitting process.
- **Mayor Harris** asked whether the apartment would be used for long-term or short-term rental. Mr. Nelson replied that it would be a long-term rental. If the owner later chose to operate it as a short-term rental, a separate Conditional Use Permit would be required.
- **Mr. Nunnally** asked about the specific parking requirements for apartments.



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- **Mr. Nelson** stated that there are no defined parking requirements for residential apartments in the town's code.
- **Ms. Westbrook** echoed concerns about tenant parking and whether adequate space would be available.
- **Mr. Robinson** pointed out that for similar conditional use cases, the town has required off-street parking to be available within 600 feet of the property. If the applicant can meet that standard, it would align with past precedent.
- **K. Hall** (Treasurer of the Irvington Baptist Church) addressed the parking issue further by noting that the church maintains its own parking lot and covers all related costs through member donations, without support from nearby businesses. While the church is often asked to share parking in the spirit of being good neighbors, and they work to be flexible and accommodating, she emphasized that the church should not be expected to provide free parking to non-members or unrelated commercial or residential uses.

Conditional Use Permit application #2025.Bruse (122 Edgewood Ln) - 1st Reading

- **Mr. Nelson** explained that this application was to operate a Short-Term Rental.
- **Mr. Nunnally** asked if this property has been an STR in the past and **Mr. Nelson** confirmed that this would be the 3rd owner who ran an STR at the property.
- **Mr. Nunnally** asked how many STRs are on Edgewood and **Mr. Nelson** stated that he believed there were three.

G. PUBLIC COMMENT

Comments from citizens on any topic.

- **C. Elliott** (King Carter Dr): Ms. Elliot recalled that when sidewalks in West Irvington were previously proposed, many residents opposed the idea due to small lot sizes and the potential loss of yard space. She noted that safety is now being cited as the reason for revisiting the project and questioned why safety was not a concern during the Tides Inn service road discussion.

Ms. Elliot shared that a sidewalk once existed on the opposite side of the road from her property and provided photos as evidence. She also addressed the issue of easements, stating that a Council Member previously mentioned a 15-foot easement in front of her property. However, after contacting VDOT and Lancaster County, she was told no such easement exists. Instead, the right-of-way is 22.5



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feet and 23 feet from the centerline. She confirmed with VDOT that a sidewalk could be installed on the Aqua side, where the original sidewalk had been.

Ms. Elliot requested that she be allowed to review any grant applications and supporting documents related to a potential sidewalk project before submission, to understand the impact on her property.

Ms. Elliot then reminded Council of her previous comments regarding the overgrown area beside the Tides Inn fence. She referenced the Town's grass-cutting ordinance and the 2022 Tides Inn Conditional Use Permit, which required landscaping on both sides of the fence, and questioned why these requirements had not been enforced.

- **J. McGeorge** (Sanders Lane): Ms. McGeorge informed the Council that a statement signed by 17 residents - living along Route 200 between Chesapeake Academy and the Carter Creek Bridge - had been submitted in support of the town's Deputy Program. The statement emphasized the importance of enforcing speed limits and traffic laws as a means of calming traffic. This community input followed Council's August 2025 discussion on budget priorities related to the Capital Budget.

Ms. McGeorge expressed her strong belief that enhancing the Deputy Program should be the town's primary strategy for addressing traffic concerns. She reported that in her conversations with residents, there was clear opposition to rumble strips, which many found disruptive, and a general dislike of speed bumps and additional stop signs, which were seen as inconvenient. She reiterated her preference for enforcement-based solutions.

In addition, Ms. McGeorge and her husband advocated for the construction of a permanent town office and storage facility. She reminded the Council that the original vision for the Capital Budget included building such a facility. Currently, she noted, the town is paying significant rent for what she believes is inadequate office space with limited parking. She urged the Council to prioritize investing tax dollars into a facility that would serve both residents and staff, and that the town could take pride in - similar to those in Kilmarnock and White Stone.

- **R. Camillo** (King Carter Drive): Ms. Camillo noted that recent safety concerns raised in town meetings have focused on the stretch of King Carter Drive between the Tides Inn and West Irvington, with a sidewalk proposed as the primary solution. As a resident of that area, she urged the town to consider a different, more education-based approach. Ms. Camillo's recommendations included:
 - 1) adding signs at the town entrances reading: "Welcome to Irvington: All Traffic Laws Enforced."



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- 2) annual letters to local businesses, asking them to remind employees to obey posted speed limits.
 - 3) adding a stamp to all official documents from the Town that notes that traffic laws are actively enforced.
 - 4) installing solar-powered radar speed signs, available from vendors such as Grainger.
 - 5) and adding caution signs warning of curves and alerting drivers to the presence of pedestrians and golf carts.
- **H. Sheehan** (Railway Road): Ms. Sheehan expressed her support for constructing a sidewalk in West Irvington. As a frequent pedestrian, she highlighted safety concerns along King Carter Drive from the Tides Inn to Carter's Creek Road, noting the presence of blind curves, sloping shoulders, and uneven or wet ground - conditions that leave walkers with no safe place to step off the road when vehicles approach.

She shared a personal experience while driving near the Aqua curve: she encountered pedestrians walking on both sides of the road, and as she slowed to pass, an oncoming vehicle - also maneuvering to avoid the walkers - came around the curve partially in her lane. Although both vehicles were traveling slowly enough to avoid a collision, she described the situation as clearly unsafe for everyone involved.

Ms. Sheehan urged the town to consider installing a sidewalk in the area and to work with VDOT to explore using state-owned property to avoid impacting private land. She also noted that sidewalks can increase property values, adding an economic benefit to the public safety case.

On the broader topic of traffic safety, Ms. Sheehan observed that on the wider stretch of King Carter Drive, drivers often travel at speeds between 30 and 50 mph, as the road's width creates a false sense of security. She expressed strong support for the current deputy program and emphasized that it should not be eliminated. However, she also advocated for a more comprehensive, long-term approach that includes permanent physical traffic calming measures - such as bump-outs, illuminated crosswalks, and radar speed signs.

- **R. Fuller** (the Lane): Ms. Fuller shared that there are two areas in town that make her especially anxious when walking with her infants: the Lane, and the corner of King Carter Drive near the Tides Inn. She described both as complete blind spots and particularly hazardous for pedestrians with children. Because of these safety concerns, she avoids walking to West Irvington altogether.



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While she agreed with previous comments advocating for improved signage and other physical traffic calming measures, Ms. Fuller emphasized that sidewalks remain essential. They provide a dedicated, separated space for pedestrians - something she believes is critical for ensuring safety.

- **M. Schmid** (the Lane): Mr. Schmid expressed his agreement with the comments shared by his wife, Ms. Fuller. He then added his perspective as a co-organizer of the July 4th Parade, noting that he frequently hears concerns from attendees about walking along King Carter Drive. Many have asked why there is no sidewalk in that area.

He explained that while the road is temporarily closed for the parade, there is only a limited window in which it can be blocked off. Before and after the event, when many families are walking to the parade with children and bicycles, the road remains open to traffic, creating safety risks. He said that each year, the organizing team hopes that nothing goes wrong during those vulnerable times. Adding sidewalks, he emphasized, would make the event - and everyday pedestrian travel - significantly safer and more manageable.

- **C. Dyson** (Town Clerk): Mr. Dyson noted that the town had received two letters in support of installing a sidewalk in West Irvington. Both Judy Penniman and Bo Bragg wrote independently to emphasize the importance of safety and walkability. Mr. Bragg also highlighted that sidewalks enhance tourism and contribute to the town's overall vitality.
- **A. Elliot** (King Carter Drive): Mr. Elliot continued to expand upon the earlier public comments made by C. Elliot regarding the lack of required plantings along the Tides Inn fence that faces the Elliots' property. He noted that in the past, the Department of Environmental Quality (DEQ) had been cited as the reason the plantings - mandated by the 2022 Conditional Use Permit (CUP) - had not been installed.

To clarify the matter, the Elliots contacted DEQ directly and were informed that there was no impediment to the plantings on the DEQ's end. They submitted a DEQ-approved plan to the Council to confirm that DEQ is not the reason for the lack of plantings.

Mr. Elliot respectfully requested the Town's assistance in ensuring that the 2022 CUP is upheld and that the required landscaping is installed as agreed.



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

- Quarterly Deputy Report

Mayor Harris commented on the recent charts detailing warnings, summonses, and arrests from the last quarter, noting that the Deputy Program continues to play a vital role in enhancing public safety in Irvington. She also referenced Federal highway guidelines that recommend strategies for safer roadways, highlighting the “three Es”: Education (campaigns and tools that help drivers recognize and adjust speeding behaviors), Engineering (roadway design improvements), and Enforcement (police actions like those carried out through the Deputy Program to ensure compliance with traffic laws). The Mayor emphasized that effective traffic calming requires a coordinated effort across all three areas - not one in isolation. As Irvington works to improve safety, she urged town leaders to develop an integrated approach that incorporates all three elements in concert.

I. REPORT FROM TOWN ATTORNEY, *K. Kemp*

- Report on process for appointing an Interim Town Council Member.
 - Ms. Kemp expressed her regret over Mr. Johnson’s resignation and noted that the town will need to appoint an interim replacement. She explained that the interim appointee would serve only until the certification of the November 2026 special election results. To initiate this process, the town must also submit a petition and a writ for the special election, which will determine the individual who will officially assume office - likely at the November 2026 meeting - and serve through December 2028.

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

- No report, except that the Town Office has moved to 4513 Irvington Rd.

K. REPORT FROM PLANNING COMMISSION, *T. Chapman*

- Mr. Chapman provided an update on the September Planning Commission (PC) meeting. He reported that Marston Smith spoke on behalf of the Public Safety and Traffic Calming Subcommittee, outlining its recent progress. The subcommittee is scheduled to hold a meeting on the same night as the next Planning Commission meeting on October 7, during which they will present a draft report and gather public input.

At that same October 7 meeting, the Planning Commission will also hold the required public hearings on the two Conditional Use Permits (CUPs) that Town Council just reviewed: 2025.Cotter and 2025.Bruse.



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Mr. Chapman noted that the Planning Commission voted unanimously to recommend approval of the Sommerdahl CUP -which involves redevelopment within the Resource Protection Area (RPA) - to the Town Council.

In addition, the Commission unanimously recommended that Council approve the Kerner CUP for operating a Short-Term Rental at 128 Steamboat Rd.

Mr. Chapman also reported that the Planning Commission voted to recommend eliminating the minimum square footage requirement in the definition of Dwelling found in Section 154.004 of the zoning code. The proposed change is as follows:

Current definition:

Dwelling. Any structure which is designed for use for residential purposes except hotels, boarding houses, lodging houses, tourist cabins, apartments, automobiles, trailers and mobile homes. The minimum square footage of a dwelling structure will be 1,200 square feet in R-1 and 1,800 square feet in R-2.

Proposed definition:

Dwelling. Any structure which is designed for use for residential purposes except hotels, boarding houses, lodging houses, tourist cabins, apartments, automobiles, trailers and mobile homes. As long as structures meet the Virginia Uniform Statewide Building Code.

Mr. Chapman explained that, since this would constitute a zoning code amendment, the town must formally initiate the process. Council will be asked to consider doing so (by resolution) at its next meeting.

L. OLD BUSINESS

- Conditional Use Permit application #2025.Sommardahl (79 Cedardale Lane) - 2nd Reading and Vote

Motion made by P. Robinson to approve Conditional Use Permit application #2025.Sommardahl.

Seconded by S. Van Saun.

Motion carried 5-0-0.



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- Conditional Use Permit application #2025.Kerner (128 Steamboat Rd) - 2nd Reading and Vote

Motion made by M.C. Bradley to approve Conditional Use Permit application #2025.Kerner.

Seconded by S. Van Saun.

Motion carried 4-1-0. W. Nunnally voted no.

- Continued discussion of capital projects for FY25-26, *P. Robinson*
 - Mr. Robinson began by explaining that he would hold off on further discussion regarding town storage, permanent bathrooms on the Town Commons, and a permanent Town Office until a sixth (interim) Council Member is appointed, noting that there is no urgency on these items at this time.

In contrast, Mr. Robinson expressed that there is some urgency regarding the West Irvington sidewalk - not because of immediate safety concerns, but due to upcoming funding deadlines. While Council did not need to make a decision that evening, he noted that the Transportation Alternatives Program, which could allow VDOT to cover up to 80% of the project cost, involves an extensive grant application process.

To support that process, the town could apply to the Ready, Set, Go program, which provides free grant-writing assistance to localities. If the program follows its usual timeline, applications would open in late September 2025 and close in November. If selected, Ready, Set, Go would help Irvington prepare its application for Transportation Alternatives funding. This would still involve a public hearing, site visits and multiple steps before the grant was submitted.

Although any sidewalk construction would not begin until 2028 - since final grant awards are not expected until Fall 2027 - the preparation time needed for a strong application makes it important to act soon. Mr. Robinson emphasized that the urgency stems from aligning with these program deadlines.

- Mr. Nunnally asked if the funding was federal or state.
- Mr. Robinson explained that the program is intended to encourage people to shift from driving to using sidewalks and bike paths. While it is federally funded, the program is administered by VDOT. He also noted



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that at a recent Lancaster County meeting, John Bateman was asked to explore securing funding for the Tri-Way Trail through this program.

- Mr. Robinson also noted that AES was the engineering firm that previously conducted survey work for a sidewalk project. He requested that Council authorize the Town Administrator to contact AES for a time-and-materials proposal to support the town in ongoing discussions related to the sidewalk project.
- The Mayor asked whether the proposed sidewalk would extend along the entire length of West Irvington Road or only a portion of it.
- Mr. Robinson responded that while he would ideally like to see a sidewalk along the full length of West Irvington, the most critical section is the curve near the Aqua property.
- Continued discussion/revisit of holiday décor, *F. Westbrook*
 - Ms. Westbrook reported that she had no significant updates at this time but noted that ordering new holiday decorations in mid-January would result in substantial cost savings for the town. For that reason, she recommended delaying the purchase. She and the Town Administrator plan to refurbish the existing decorations for one more year's use.
 - Ms. Westbrook also commented on the long-standing issue of town storage, noting that Council has discussed establishing a permanent storage solution for over 20 years. In light of the potential investment in new holiday decorations, she urged the town to seriously pursue a permanent facility to house municipal property.
 - Mr. Robinson added that Bay Design had previously explored the possibility of constructing a facility on the North Commons. He suggested the town engage the firm under contract to revisit the project and help identify viable options for storage.



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M. NEW BUSINESS

- Motions or recommendations by Town Council Members

Motion made by P. Robinson to direct the Town Administrator to make contact with the VDOT regional engineer and the VDOT Local Assistance manager, about the town developing a proposal for a West Irvington sidewalk project under the Transportation Alternatives, Ready Set Go, and Safe Routes to Schools grants program. The Administrator should develop a preliminary project plan with as much information as available, and present it at the October Town Council meeting. As necessary, the Town Administrator shall apply for the Ready Set Go program.

Seconded by M.C. Bradley.

Motion carried 5-0-0.

Motion made by P. Robinson to direct the Town Administrator to get a time and materials proposal from AES to provide support to the Town's West Irvington Sidewalk grant effort. The Town would want AES to provide basic (not design) drawings of sidewalk route options, design cost estimate, a construction cost estimate, identification of property lines and all necessary easements, and potential design issues. The Town will also want them involved in discussions with VDOT and assistance in preparing the TA grant paperwork. This likely will require some additional survey points being taken.

Seconded by M.C. Bradley.

Motion carried 5-0-0.

Motion made by P. Robinson to recommend soliciting a contract with multiple firms, as determined by the Town Administrator, for an updated project plan for use of the North Commons for storage and potentially restrooms, offices, parking and other uses.

Seconded by S. Van Saun.

Motion carried 5-0-0.

Motion made by S. Van Saun to appropriate the \$3,000 budget for Illuminate Irvington.

Seconded by W. Nunnally.

Motion carried 5-0-0.



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Motion made by W. Nunnally to request the Town Attorney petition Lancaster County for a Special Election in November 2026.

Seconded by P Robinson.

Motion carried 5-0-0.

- Report from the Human Resources Committee, *W. Nunnally & F. Westbrook*
 - Mr. Nunnally noted that the committee met but did not complete the employee evaluations. They hoped to have those completed in October.
- Report from the Illuminate Irvington Committee, *S. Van Saun*
 - Ms. Van Saun reported that the committee was requesting the Town allow the use of two wood-burning fire pits for the event on the Town Commons, noting that December temperatures can be quite cold and the fire pits would help make the event more comfortable for attendees. The plan is to use portable fire pits on loan from Camp Irvington.
 - Mr. Nunnally asked that the group first confirm whether the town's insurance policy permits the use of open flames on the Commons.
 - Mr. Robinson added that an adult should be assigned to monitor each fire pit during the event. He also raised safety concerns about the annual lighting of the Methodist Church tree, citing its close proximity to power lines and the way the tree has grown into them. Following further discussion, Council agreed to revisit the tree issue after 2025.

Motion made by S. Van Saun to authorize the use of borrowed fire pits on the Town Commons during the Illuminate Irvington event, provided that: (1) an adult is assigned to monitor each fire pit for the entire duration of the event and to extinguish the fire at its conclusion; and (2) the town's insurance policy does not prohibit the use of open flames on the Commons.

Seconded by W. Nunnally.

Motion carried 5-0-0.

N. ANNOUNCEMENTS

- Next Town Council Regular Called Meeting will be October 9, 2025; 6:30 p.m. at Irvington Baptist Church.
- The deadline for anyone wishing to apply to fill the vacancy on Town Council as an Interim Appointee is tomorrow, September 12. This interim position's term will end in November 2026.
- Town Council will hold a Special Called Meeting at 6:30 p.m. on September 25; 6:30 p.m. at the Town Office (4513 Irvington Rd). This meeting will include a



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closed session, pursuant to State Code §2.2-3711(A)(1) for discussion related to appointing an Interim Town Council Member.

- The Town Office will be closed on Monday, October 13 in observance of Columbus Day.

O. MOTION TO GO INTO CLOSED SESSION pursuant to State Code §2.2-3711(A)(1) for discussion related to appointments of town personnel (candidates for the Interim Town Council seat).

- Mayor Harris provided the resolution language to authorize the closed meeting and asked for a motion pursuant to State Code §2.2-3711(A)(1).

Motion made by F. Westbrook.

Seconded by M.C. Bradley.

W. Nunnally – yes

S. Van Saun – yes

P. Robinson – yes

F. Westbrook – yes

M.C. Bradley – yes

P. RETURN TO OPEN SESSION & CERTIFICATION OF CLOSED SESSION –

The Council certified that to each members' knowledge that only public business matters lawfully exempted by Virginia Law were discussed in closed session and only such public business matters that were identified in the motion convening the closed session were heard and discussed by the Council. There were no members that believed there was a departure from the requirements cited to go into closed session. The vote to certify was as follows:

I, Wayne Nunnally, so certify.

I, Phil Robinson, so certify.

I, Mary Cary Bradley, so certify.

I, Samantha Van Saun, so certify.

I, Frances Westbrook, so certify.

I, Julie Harris, so certify.

Motion made by P. Robinson to appoint Vivian Ralls to the Planning Commission to complete the term vacated by Allen Whitaker.

Seconded by W. Nunnally.

Motion carried 5-0-0.



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Q. ADJOURN – 8:06 p.m.

Motion made by W. Nunnally to adjourn.

Seconded by P. Robinson.

Motion carried 5-0-0.

DRAFT