

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-FIFTH DAY OF
MARCH IN THE YEAR TWO THOUSAND AND TWENTY-FIVE**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on March 25, 2025, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Bobby Bowser delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Thomas J. Distefano, Vice-Chairman
Brian Carroll
Cynthia Taylor
James Ford
Jennifer S. Boykin
George Rawls
Matthew Smith
Raynard Gibbs

ABSENT

A quorum was determined

ALSO IN ATTENDANCE

Amy Ring, Community Development Director
Mandy Rogers, Substitute Legal Counsel to the Planning Commission
Amanda Landrus, Secretary
Kristi Sutphin, Economic Development Director
Trenton Blowe, Planner III
Sandy Robinson, Planner II
Shaunee Beussink, Environmental Planner

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Smith made the motion to approve the agenda. Commissioner Gibbs seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CONSENT AGENDA

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Gibbs made the motion to approve the consent agenda. Commissioner Boykin seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Bowser opened the floor for any citizens comments. There being no comment, Chairman Bowser closed citizens comments.

PUBLIC HEARINGS

Chairman Bowser called for the following first public hearing item:

Application EXC-24-3 of Jeffrey D. and Christina L. Baker, property owners, for an after-the-fact exception under the Chesapeake Bay Preservation Area (CBPA) Ordinance for an unauthorized retaining wall, patio, and a shed in the fifty-foot landward Resource Protection Area (RPA) buffer at 312 Lakeview Lane on tax map number 43A-08-059.

Shaunee Beussink, Environmental Planner, gave the following presentation:

Baker CBPA Exception Request

EXC-24-3

PLANNING COMMISSION MEETING

MARCH 25, 2025

SHAUNEE BEUSSINK, ENVIRONMENTAL
PLANNER

Details

- ▶ **Applicants:** Jeffrey D. & Christina Baker
- ▶ **Location:** 312 Lakeview Ln
- ▶ **Tax Map#:** 43A-08-059
- ▶ **Request:** An after-the-fact exception under the Chesapeake Bay Preservation Area (CBPA) Ordinance for an unauthorized retaining wall, patio, and a shed in the fifty-foot landward Resource Protection Area (RPA) buffer

Background

- ▶ **1968:** Lot created
- ▶ **2009:** Previous exception granted with conditions that no additional encroachments for accessory structures, decks, or impervious surfaces would be granted.
- ▶ **2017- 2018:** Home was constructed
- ▶ **2018:** Current owners purchased
- ▶ **2021 -2022:** Pier constructed
- ▶ **2022:** Application rejected for retaining wall, patio, and expanding driveway
- ▶ **2024:** Violation found structures were observed; 100-foot long retaining wall, a 315 sqft patio and a 210 sqft shed totaling 625 sqft of new disturbance

The Isle of Wight County Board of Supervisors, at its meeting on February 19, 2009, considered and approved the above-referenced application with the following conditions:

1. Approve the proposed two-story house plan with a construction footprint, including the attached garage, of 3,570 square feet and living space of 3,047 square feet.
2. Allow no additional encroachment for accessory structures, decks, or impervious surfaces.
3. Encroachment into the landward 50 feet of the Resource Protection Area Buffer is not to exceed 48 feet.
4. Require the usual Best Management Practice maintenance agreement for the pervious pavers and for the landscaping plan.

Location Maps

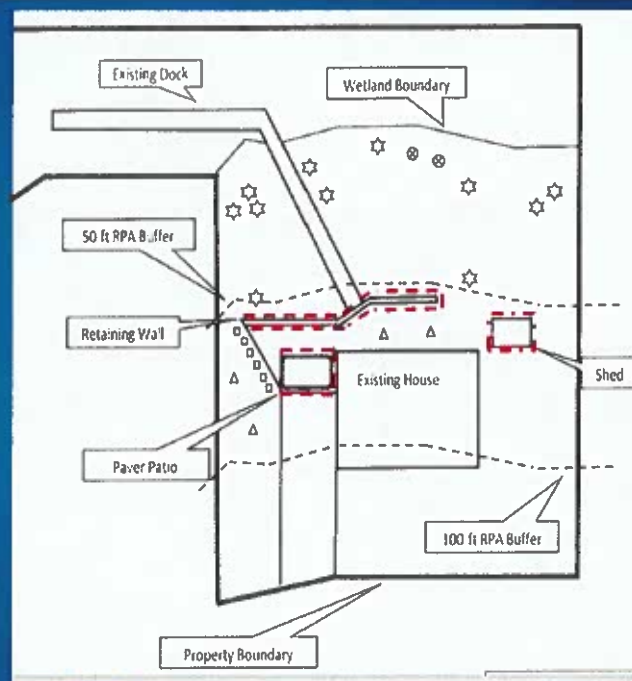


Close-up



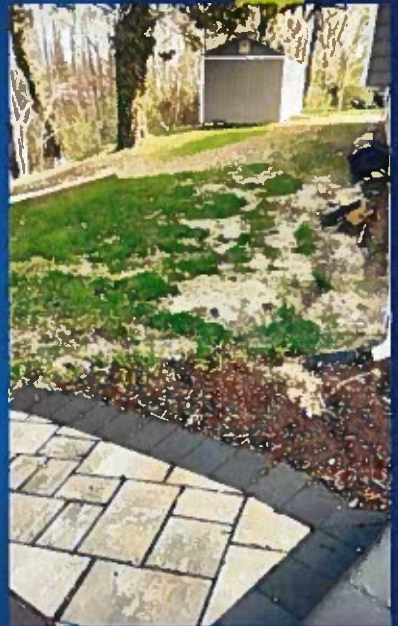
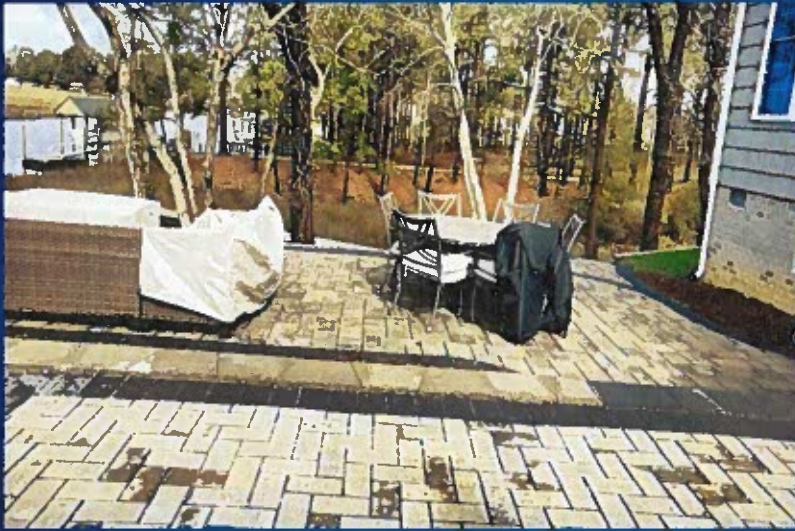


Site Plan



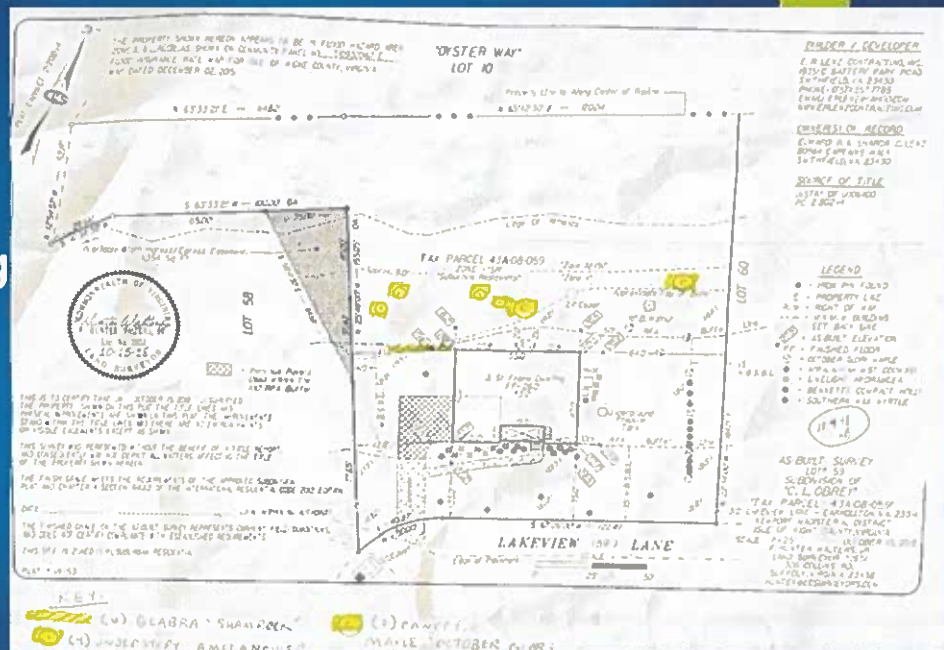


2024 Pictures





Proposed Landscaping



Exception Criteria

The Planning Commission shall not recommend in favor of the applicant unless it finds:

- 1. That the strict application of the ordinance would produce an undue hardship and will not confer upon the applicant any special privileges denied by this ordinance to other property owners in the CBPA areas;**
 - Surrounding properties have similar slopes which are vegetated with no need for a retaining wall.
 - Previous 2009 exception had conditions that prohibit any new encroachment
 - Staff denied the proposed project in 2022 and notified the applicants of the need for an exception.
 - Request does not constitute a hardship and would grant a special privilege to the applicants if the items were to remain.

Exception Criteria

- 2. The exception request is not based on conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;**
 - Staff informed the property owner in 2022 about the previous exception limitations
 - Staff issued a rejection letter for the proposed project which stated the need for an exception.
 - Applicant failed to contact the County and apply for the necessary exception and permits, and built the retaining wall, patio, and a shed without approvals, permits, or the needed exception.
 - This is a self-created circumstance.

Exception Criteria

3 The exception request is the minimum necessary to afford relief;

- Shed and patio are accessory structures and do not prevent the ability to use the property for its intended residential use.
- No past requests for lots in the surrounding area for erosion control projects, and retaining walls
- Hardened shoreline measures are not recommended in low wave action environments. Other erosion control measures were offered in the 2022 site visit
- Retaining wall, shed, and patio exceed the minimum necessary to afford relief

Exception Criteria

4. The exception request will be in harmony with the purpose and intent of this ordinance, not injurious to the neighborhood or otherwise detrimental to the public welfare, and is not of substantial detriment to water quality;

The placement of the retaining wall, patio, and shed do not meet the purpose or intent of the ordinance, which is to safeguard water quality through protection of existing buffers and establishment of buffers where they do not exist. All the above items are within the 50-foot landward buffer.

5. Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.

If this exception were approved, staff recommends:

- the applicant be required to install the mitigation landscaping as proposed in the WQIA within the RPA;
- the shed and patio be removed; and
- no further exceptions be granted.

Staff Conclusions

Strengths:

Proposed landscaping mitigation as seen in the WQIA does meet requirements of the Riparian Buffers Guidance Manual.

Weakness:

1. The applicants' request does not meet the five criteria for granting exceptions.
2. All encroachments were added without prior permits and installed after receiving a previous denial.
3. The encroachments violate the conditions imposed in the 2009 exception approval.
4. Accessory structures are not permitted in the RPA buffer.
5. The wall and fill are not needed for stabilization.
6. If the main septic drainfield fails, reaching the reserve septic in the future may be harder.
7. Stability of the wall is unknown as it was constructed without permits.

Staff Recommendation

- Based on the above findings, staff recommends denial of the exception request.
- Board of Supervisors may also issue an order against the applicant for a one-time payment of civil charges for the violation in specific sums, not to exceed ten thousand dollars (\$10,000.00), for each violation based on their failure or refusal to obey any board of supervisors' or the zoning administrator's final notice, order, rule, regulation, or variance or permit condition authorized under this ordinance (Section 5003.C).

Chairman Bowser opened the public hearing and invited the applicant to speak.

Jeff Baker, property owner of 312 Lakeview Lane, stated he never received the letter of rejection, and that the soil continues to erode. The driveway has also sunk six inches, since the measures were taken. Mr. Baker stated he did it with the interest of saving his home.

Chairman Bowser asked for the following letter of support to be entered into the minutes.

Amanda M. Landrus

From: Kimberly Roe <kimberlyroe923@gmail.com>
Sent: Thursday, March 20, 2025 9:52 AM
To: Amanda M. Landrus
Cc: Planning Commission
Subject: Application EXC-24-3

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Isle of Wight County Hearing Board
Isle of Wight County, VA

Re: Support for Jeff and Christina Baker's Property Improvements at 312 Lakeview Lane on tax map number 43A-08-059

Dear Members of the Isle of Wight County Hearing Board,

We are writing to express our support for our neighbors, Jeff and Christina Baker, regarding the retaining wall and property improvements they have made within the 50-foot Chesapeake Bay Protection Area. While we understand that these modifications may not have initially adhered to the ordinance, we believe there are compelling reasons to grant them consideration and approval.

The retaining wall they have constructed serves an important function in preventing soil erosion and protecting the stability of their property and adjacent properties, including our own. Without such reinforcement, erosion can lead to sediment runoff into the waterway, which could have a greater environmental impact than the wall itself. In addition, the other improvements they have made enhance the overall aesthetics and functionality of their property without causing apparent harm to the surrounding ecosystem.

The Bakers are responsible members of our community, and we believe their actions were taken in good faith to improve their property while ensuring its long-term sustainability.

We respectfully urge the board to take these factors into account and consider granting approval and allow them to retain their improvements. Thank you for your time and consideration.

Sincerely,

Jason Dominguez and Kimberly Roe
314 Lakeview Lane Carrollton, VA 23314
443-970-9832

Chairman Bowser closed the public hearing and called for discussion from the Planning Commission.

Chairman Bowser asked Mr. Baker if his property had a backup drainfield.

Mr. Baker stated his property does have a backup drainfield close to the resource protection area.

Commissioner Smith asked if the contractor applied for the permits that were denied.

Ms. Beussink stated the contractor applied for the permits that were rejected.

Chairman Bowser stated that it looks like the house should have never been built there.

Ms. Beussink stated that this property had an exception granted in 2009 to allow for an encroachment and the conditions included no future encroachments to prevent situations like this.

Amy Ring stated that the homeowner has the ability to apply for another exception and additional permits which would require engineered plans to verify what was being installed will actually work to mitigate the erosion. Ms. Ring stated that because this was done without permits and inspections, there is no way to verify what was constructed will actually work.

Commissioner Boykin asked if mitigation was suggested before the house was built.

Ms. Ring stated that unfortunately there is nothing reflected in the staff report.

Commissioner Boykin asked if any other mitigation was recommended in 2022.

Ms. Beussink stated that after the pier was installed, shore stabilization like replanting, straw, netting and silt fence was recommended but was not properly done after the pier was completed.

Commissioner Gibbs asked what can be done now.

Ms. Beussink suggested to remove the retaining wall in sections and restabilize the shore as they go and would suggest working with VIMS and DCR to see other shoreline re-stabilization options. Ms. Beussink added that the mitigation measures that were installed are not working as they are still experiencing erosion.

Commissioner Boykin asked if the state could come in and do anything since these are state regulations.

Ms. Ring stated that the state will not come after the property owner if the locality approves the application, however they could impose repercussions on the locality.

Commissioner Distefano asked if inspections were missed in addition to the permit not being issued.

Ms. Beussink stated there were inspections that would have been required that were not done.

Ms. Ring stated it is suggested that a property owner consult with a contractor who specializes in these kinds of structures.

Commissioner Ford stated that he has an issue with the contractor that is involved with this and believes a reputable contractor would know a permit was required.

Mr. Baker stated he has confidence in the walls' durability and believes the construction was done professionally. Mr. Baker stated that the concern is what continues to wash away on the right side of the home as the footers are now exposed. Mr. Baker added that he believes he needs an additional retaining wall and invited the commissioners to come look at his property.

Commissioner Distefano asked if the contractor who installed the retaining wall is the same as who installed the driveway and patio.

Mr. Baker stated they were the same contractor.

Commissioner Boykin asked if staff's recommendations would help mitigate the erosion issues with the right side of the home.

Ms. Beussink stated that staff was unaware of the erosion concerns on the right side of the home before tonight.

Commissioner Boykin asked Mr. Baker if he is willing to work with staff on a mitigation plan.

Mr. Baker stated that he is willing to work with the county on a mitigation plan.

Commissioner Boykin stated she believed the application should be tabled and allow Mr. Baker to work with staff on a solution.

Commissioner Carroll asked if the denial was for what was constructed and addressed to the contractor.

Ms. Ring confirmed that the contractor applied for the permits and what was submitted was denied. Ms. Ring added that as a licensed contractor, they are aware that permits are a requirement, and charges can be filed at circuit court with the request of a five-thousand dollar fine per day for willfully breaking the law.

Commissioner Rawls asked if the contractor notified the owner that the application was rejected.

Mr. Baker stated that the contractor did notify him that the application was rejected but due to him not being home and located overseas, he told the contractor to continue, and he would figure it out later.

Commissioner Smith asked if the contractor is willing to get involved and to help mitigate this violation.

Mr. Baker stated that the contractor provided the design plans and stated he is willing to make any corrections.

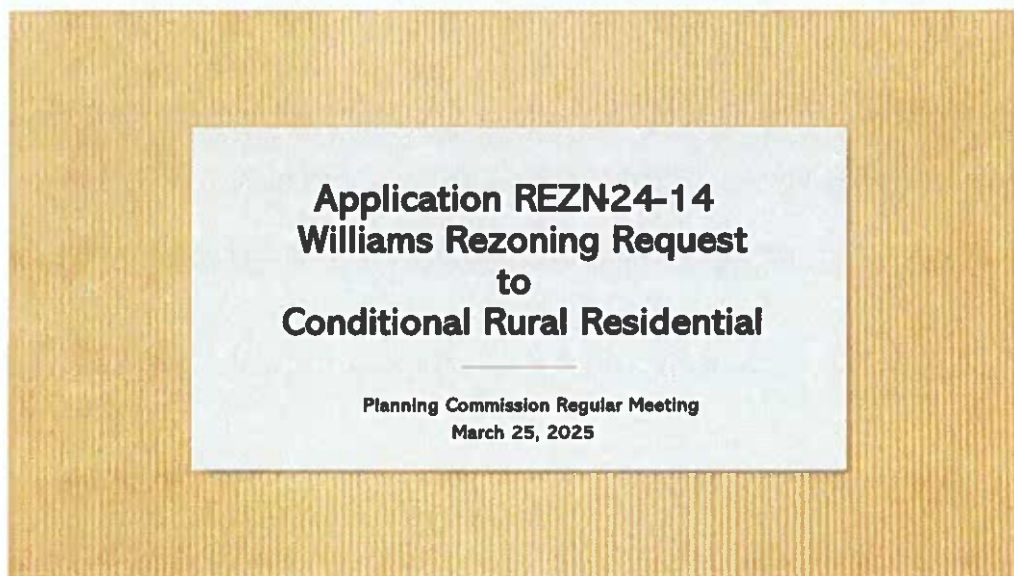
Commissioner Distefano made the motion to table this application to establish if the wall is built to code and to work to achieve a full solution to mitigate all the problems. Commissioner Ford seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Gibbs, Smith, Carroll and Bowser voting in favor and no commissioners voting against.

The motion passed unanimously and will come back under old business once a solution has been addressed.

Chairman Bowser called for the next public hearing item:

Application REZN-24-14 of Williams Timberlands, LLC, property owner, for a change in zoning classification from Rural Agricultural Conservation (RAC) to Conditional Rural Residential (C-RR) of five acres with a proffered condition for no further subdivision of the new lot.

Sandy Robinson, Planner II, gave the following presentation:



Site Description

- Tax Map ID: 46-01-035A
- Location: Tar Road
- Zoning: RAC
- Election District: D5
- Request: Rezone approximately 5 acres to C-RR for one single family residential lot with proffer for no further subdivisions.

Background

- Owner purchased property along with 5 others in 2008 from Sustainable Forests LLC
- Tract contains 50 acres and is vacant/wooded
- Sliding scale zoning requirements in RR district allow for one new single family residential lot from tract
- If rezoning is approved, parent property will have no more rezoning options
- Proffer excludes new lot from any family member transfers

Analysis

- The Capital Impacts Model results show there is existing capacity for public facilities in the southern service area.
- Proposed zoning consistent with the future Recommended Land Use Map.
- Request meets the minimum requirements of the zoning district.
- No special flood zone designation.
- Not in Chesapeake Bay Preservation Area Overlay District.





The following departments have no concerns with the rezoning application as presented:

- General Services
- Fire and Rescue
- Environmental Planner
- Virginia Department of Transportation
- IWC Health Department
- County Attorney

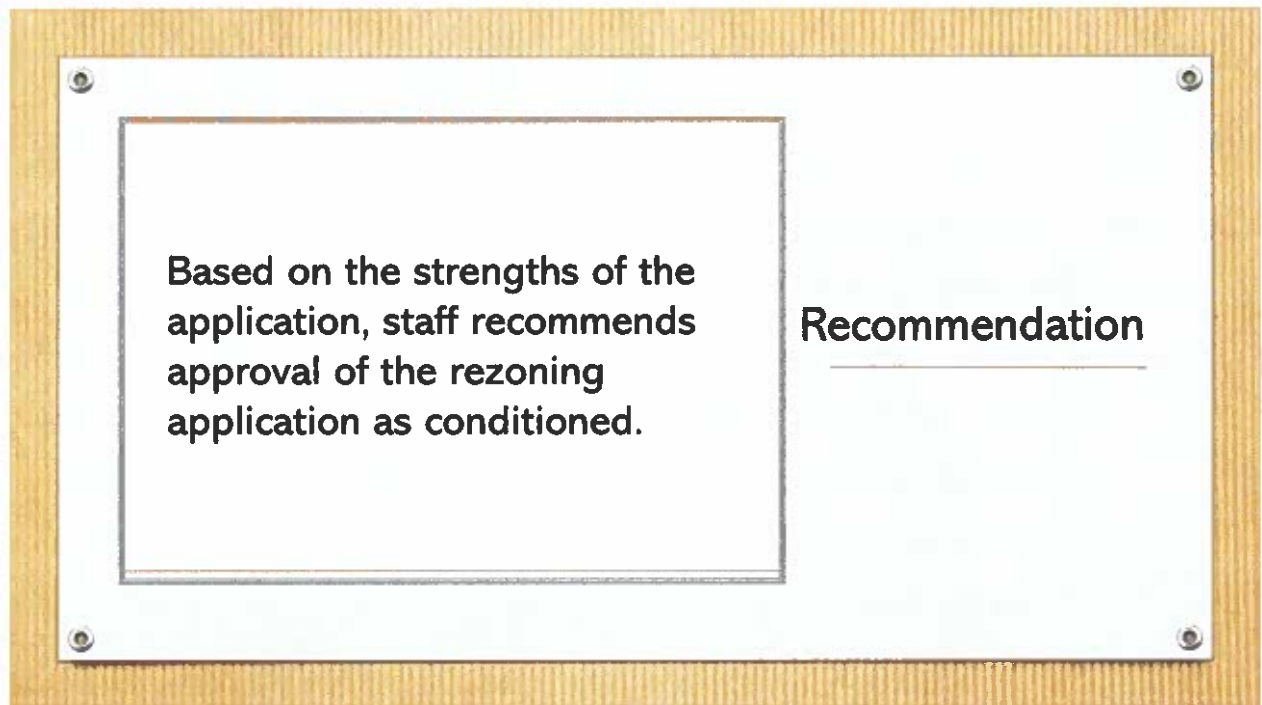
Strengths:

- The proposed use is compatible with the existing land uses in the vicinity.
- The proposed use is within the guidelines of the future Recommended Land Use Plan Designation.

Weakness:

- None determined at this time.

Staff Analysis



Chairman Bowser opened public hearing and invited the applicant to speak.

Al Jones, applicants' legal representative, asked the Planning Commission to approve the application as presented.

Commissioner Gibbs made the motion to send this application to the Board of Supervisors as presented with the recommendation of approval. Commissioner Ford seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Gibbs, Smith, Carroll and Bowser voting in favor and no commissioners voting against.

The motion passed unanimously and will go to the April 17, 2025, Board of Supervisors meeting.

Chairman Bowser called for the next public hearing item:

Application CSUP-24-5 of Pyramid Network Services, applicant, Elizabeth Chabot, Joseph T. Epps Jr., and Deborah Dashiell, property owners, for a conditional use permit to establish a communication tower use on approximately one acre located on Old Stage Highway (Rte. 10) on tax map number 06-01-043 in the Rural Agricultural Conservation zoning district.

Trenton Blowe, Planner III, gave the following presentation:

Planning
Commission
Meeting
March 27, 2025
Trenton Blowe,
Planner III

Pyramid Communication Tower Conditional Use Permit CSUP-24-5

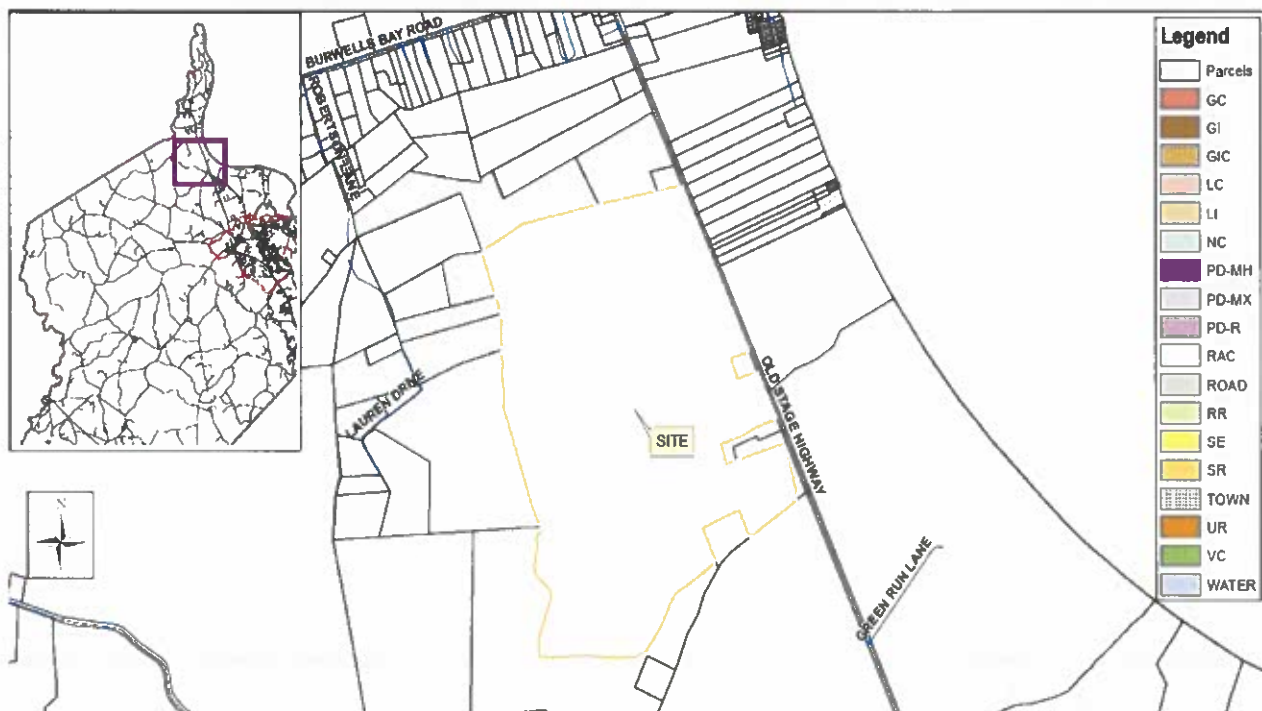
Details

- **TPIN:** 06-01-043
- **Election District:** District 3
- **Zoning :** Rural Agricultural Conservation (RAC)
- **Request:** Conditional use permit for a communication tower on approximately one acre located on Old Stage Highway (Rte. 10) on tax map number 06-01-043

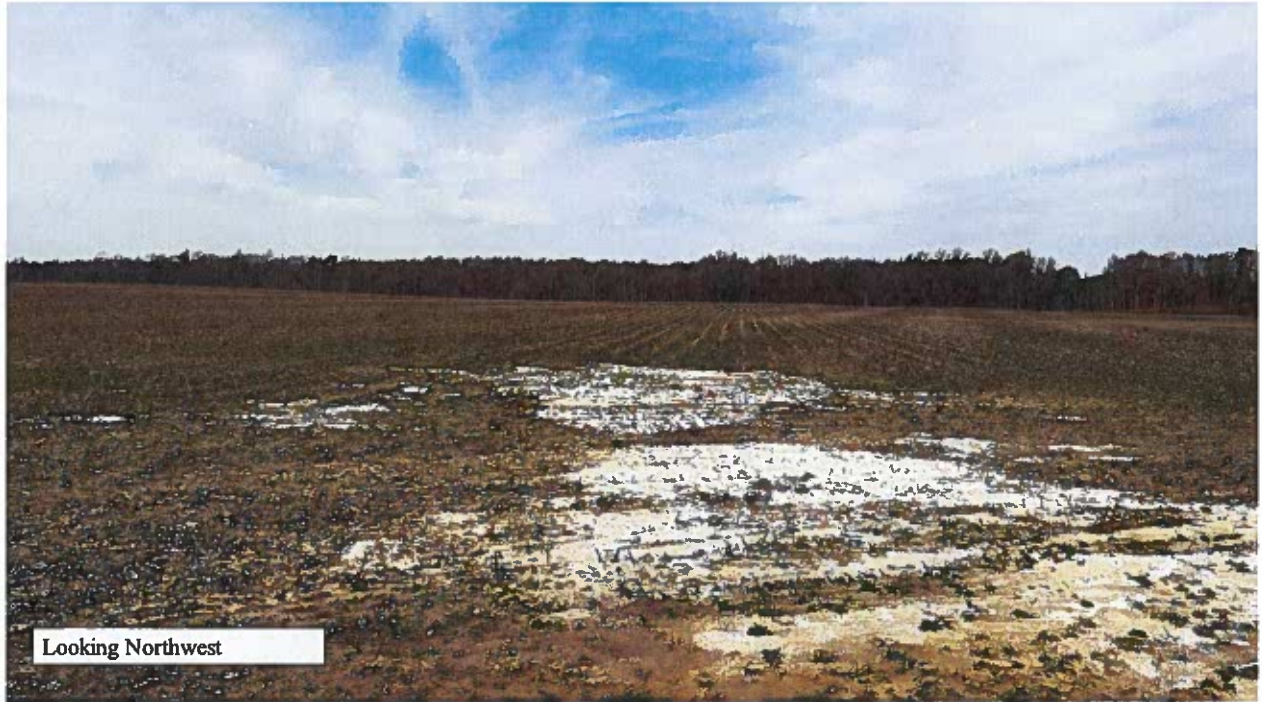
Background

- The project is proposed on one acre of a larger 239 acre property
- Property is currently being used as a farm
- Four lots were previously subdivided from the parent parcel
- Applicant submitted a request for a conditional use permit to construct a communication tower in October 2024.











Communication Tower

- A Communication Tower is defined as a structure on which an antenna or dish is installed for the transmission, broadcasting or receiving of radio, television, radar, or microwaves, and similar types of devices.
- Applicant proposes to construct five 5 ground mounted antennas to provide broadband internet.
- Proposed project includes additional equipment, such as a generator, two H frames, and an electrical cabinet.
- Site layout will include a fifteen-foot-wide gravel access road, a 4,424 SF compound area, a six foot tall fence, and landscaping.

The Planning Commission and Board of Supervisors shall consider the following criteria before granting a conditional use permit:

- 1) Will not be detrimental to or endanger public health, safety, and general welfare;
- 2) Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
- 3) Adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements will be provided;
- 4) Ingress and egress so designed as to minimize traffic congestion on the public streets;
- 5) Not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
- 6) Shall conform to all other applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and
- 7) Will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

Board may impose additional conditions or limitations on CUPS. Such conditions may include, but are not limited to:

- 1) Number of persons living or working in the immediate area and the proposed hours of operation;
- 2) Traffic conditions, sidewalks, parking facilities, vehicle access, peak period of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
- 3) Orderly growth of the neighborhood and community and the fiscal impact on the County;
- 4) Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
- 5) Facilities for police, fire protection, sewage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
- 6) The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
- 7) The structures in the vicinity such as schools, houses or worship, theaters, hospitals, and similar places of public use;
- 8) The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
- 9) The environment impact, the effect on sensitive natural features, and opportunities for recreation and open space; and
- 10) The preservation of cultural and historic resource landmarks.

Agency Review

Staff distributed the application to the following departments for review and comment:

- IOW Museum: Recommends the applicant should pursue a full Phase I Cultural Resources Survey of the property and include nearby architectural and archaeological resources. Current study utilized a desktop analysis with a site visit.
- VDOT: Permitting is required for work inside the right-of-way and the required entrance. Utility installation within the right-of-way needs to be owned by a public utility company
- Utility Services: Comments will be provided on the preliminary site plan if the conditional use permit is approved.

Staff Analysis

Strengths:

1. The application provides needed services for underserved rural areas in the County.
2. The nearest residence is approximately 1000 feet away.
3. The project area is only a small portion of the existing site.

Weaknesses:

1. Phase 1 study does not include shovel testing. A full Phase 1 study is recommended by staff as a condition of approval.
2. The noise study for the project is not for the current site but a similar site the applicant has constructed. A full noise study is recommended by staff as a condition of approval.

Staff Recommendation

Based on the identified strengths and weaknesses, staff recommends approval of the conditional use permit with the following conditions:

1. A full phase 1 study with shovel testing shall be performed and submitted prior to the submission of a preliminary site plan.
2. A noise study shall be provided prior to the approval of the preliminary site plan. Any recommendations found in the study shall be implemented on the site as approved by the Zoning Administrator.
3. The site shall be screened from the road with three staggered rows of evergreen landscaping planted a maximum of ten feet on center along the perimeter of the site as approved by the Zoning Administrator.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Erin Lane, Project Director, 4804 Jefferson Street, Kansas City, MO, asked for the Planning Commission's approval of the application with staff's recommendations.

Debora Epps Dashiell, property owner, 10471 Berry Hill Lane, stated she supports the application, and the location of the site is far off the road, and the natural topography of the site allows screening from existing trees. Ms. Dashiell stated this will be a community benefit to help provide internet.

Commissioner Carroll asked what the power source and its access will be.

Collin Camp, project engineer, 454 W Valley Ave, Elysburg, PA, stated there is an existing utility pole on Old Stage Hwy which power and fiber will be connected to and will follow the existing gravel driveway to the project's new driveway, connecting to a twenty-five-by-twenty-five-foot utility area housing public utility connections.

Commissioner Carroll asked if the lines would be overhead or underground.

Collin Camp stated it would be underground.

Commissioner Carroll made the motion to send this application to the Board of Supervisors as presented with the recommendation of approval. Commissioner Gibbs seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Gibbs, Smith, Carroll and Bowser voting in favor and no commissioners voting against.

The motion passed unanimously and will go to the April 17, 2025, Board of Supervisors meeting.

Chairman Bowser called for the next public hearing item:

Proposed Revisions to the Industrial Use and Utility Cabinet Zoning Ordinance Setback Requirements.

Amy Ring, Community Development Director, gave the following presentation:



Background

- Staff presented potential revisions to the utility cabinet setback requirements at the August 27, 2024, regular Planning Commission meeting for discussion.
- Based on public input as well as by direction from the Board of Supervisors and the Planning Commission, staff presented proposed revisions to the minimum setback requirements for industrial uses adjacent to existing residential lots at their September 24, 2024, regular meeting for discussion.
- At their February 25, 2025, meeting, the Planning Commission directed staff to advertise both sets of proposed revisions for public hearing at their next regular meeting.



Proposed Ordinance Revisions

The most recent redline version of the proposed setback requirements include the following revisions:

- 100 foot setback applies to the side and rear property lines of industrial development with one building and 200 feet for industrial development with two or more buildings adjacent to residential subdivisions of five lots or more recorded on the same plat as of July 1, 2025,
- Buffer of at least three rows of staggered evergreen landscaping planted a maximum of ten feet on center required in addition to the berm at least 10 feet high,
- Sound wall or other mitigation measure required as recommended in the sound study as approved by the Zoning Administrator, and
- Board may grant an exemption to these requirements following a recommendation by the Planning Commission.



Proposed Ordinance Revisions

- Proposed setbacks decreased to 100 feet and 200 feet from 300 feet to be more consistent with other Virginia localities and recognize increased impacts with more than one user/building.
- Enhanced setbacks apply to side and rear property lines because Ordinance currently requires 100 foot setback for industrial uses and 35 feet for associated office uses from the front, or street, property line.
- Other proposed performance criteria for industrial uses if an existing residential subdivision if located across the street.



Utility Cabinet Setbacks

Sec. 5-2000. - Supplementary density and dimensional regulations.

H. Projections and yard setback modifications.

8. Exemption of yard setback requirements for electrical, water or wastewater utility cabinets. Utility cabinets measuring no more than six feet high and eight feet wide shall be allowed to encroach into required yard setbacks and shall be located outside of any required sight line or sight triangle.



Recommendation

Staff recommends approval of the proposed ordinance changes.



Chairman Bowser opened the public hearing and welcomed any citizens to speak.

Walter Freeman, 12215 Keaton Avenue, Windsor, stated he doesn't believe one hundred to two-hundred feet is not enough of a setback.

Glen Willis, 24291 Lovers Lane, stated he is embarrassed with the proposed ordinance. Mr. Willis stated there is no reference to the size of the building, no difference between type I and type II. Mr. Willis stated that solar panels have a minimum setback of one hundred seventy-five feet. Mr. Willis asked for ordinances to be written that put citizens first when it comes to health, safety and wellness, and to quit pandering to the money.

James J. Villers Jr., 12262 Keaton Avenue, Windsor, stated he is speaking and fighting for the county. Mr. Villers stated what is being proposed is not enough, and the county needs to do better. Mr. Villers stated that money talks and citizens pay the bill.

There being no further comments, Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Boykin asked Kristi Sutphin if she had an updated opinion, since staff has decreased the setback amount.

Kristi Sutphin, Economic Director, stated the proposed ordinance is better and only one Economic Development Authority property is impacted now.

Commissioner Distefano stated that minimum standards are exactly that, they are minimum. Additional conditions can be imposed based on the application's merits during the rezoning process.

Commissioner Boykin stated her concern was that an existing site may not require a rezoning.

Commissioner Distefano asked if there is a different review if a site proposes to manufacture hazardous materials.

Ms. Ring stated hazardous materials, or obnoxious uses will fall into type II or type III industrial uses which are only permitted in general industrial zones. Ms. Ring added that there are not many existing sites that would allow this use. She added that Shirley T. Holland phases 2 and 3 are zoned conditional LI which wouldn't allow for heavy or intensive industrial use. Ms. Ring stated the GI zoned properties are mostly located around International Paper.

Chairman Bowser made the motion to send this application to the Board of Supervisors as presented with the recommendation of approval. Commissioner Gibbs seconded the motion. The motion was adopted with Commissioners Distefano, Gibbs, Smith, Carroll and Bowser voting in favor, Commissioners Boykin and Rawls voting against and Commissioner Ford abstained.

The motion passed with a vote of five in favor, two against, and one abstention (5-2-1) and will go to the April 17, 2025, Board of Supervisors meeting.

OLD BUSINESS

There were no old business items.

NEW BUSINESS

There were no new business items

COUNTY ATTORNEYS REPORT

There were no items for the County Attorneys report.

PLANNING DIRECTORS REPORT

There being no further information to discuss, Chairman Bowser adjourned the meeting at 7:38 PM.

Adopted this 27 day of May, 2025

Bobby Bowser
Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: Amanda Landrus
Amanda Landrus, Secretary

