

**TOWN OF WEST POINT
SPECIAL CALLED MEETING
JOINT PUBLIC HEARING WITH
WEST POINT PLANNING COMMISSION
JANUARY 3, 2007
MINUTES**

I. Call to Order

The Honorable James H. Hudson, III called the Special Called Meeting of West Point Town Council to order at 5 p.m. on Wednesday, January 3rd, 2007.

Members Present: James Hudson, Mayor; Deborah T. Ball, Vice Mayor; Dick Brake; Charles Gordon; Tina Gulley; Wayne Healy; Jack Lawson and Gail Nichols.

Planning Commission Members Present: Paul Diggs, Chairman, Jim Vadas, Vice Chairman; Dwayne N. Callis, Jim Hudson, Bub Shreaves and Mary Montague Sikes.

Also Present: Trent Funkhouser, Town Manager; Andrea Erard, Town Attorney; Karen Barrow, Town Clerk; Neal Barber, Economic Development Coordinator and any other interest persons.

A. Public Hearing – Ordinance 11-06 / Height Limitations within the M-2 Zoning District.

Planning Commission Chairman Paul Diggs opened the floor for citizens to comment on ordinance 11-06/Height Limitations within the M-2 Zoning District.

1. Gene Pierce, 463, St. Johns Church Road, West Point, Virginia, stated that he owns a residential structure adjacent to Old Dominion Grain and advised that he objects to the proposed grain bin and presented Town Council with petition contain 238 signatures objecting to the expansion of Old Dominion Grain. Mr. Pierce asked for the petition to be entered into the minutes record.
2. Richard Cartwright, 3037 Southern Avenue, West Point, Virginia stated he objects to the Ordinance and asked Town Council to consider the impact of the proposed grain bin on the residents in the area.
3. Lynn Carruth, 180 Oak Grove Avenue, West Point, Virginia stated the ordinance clearly allows the construction of a one hundred foot grain bin within a short distance of residential property and stated she objects to the ordinance.
4. Linda Smith, 3750 Blue Heron Lane, West Point, Virginia stated she is part owner and operator of Old Dominion Grain. Ms. Smith advised that Old Dominion Grain was established in 1960 and if Old Dominion Grain is not allowed to expand they will either go out of business or resort to an alternative form of transportation and install railroad tracks. Ms. Smith also stated that Old Dominion Grain supports other businesses in West Point, the truck drivers eat at the restaurants and they purchase gas from gas companies.
5. Ms. Smith presented Town Council with a letter from adjoining property Charles Revere, the owner of First Virginia Propane Gas supporting Ordinance 11-06 and the expansion of Old Dominion Grain.
6. Herbert Milby Jr., Owner of Milby Oil, West Point, Virginia advised that Old Dominion Grain is one of his best customers and that over the past few years several businesses have either gone out of the business

or moved out of West Point. Mr. Milby stated that he approves of ordinance 11-06 and suggested Town Council do what they need to do to retain a viable business in West Point especially when that business supports many other business in West Point.

7. James Ward, Attorney for Mr. Richard Cartwright and Eugene Pierce. Mr. Ward advised the proposed ordinance is not justified, it contains no minimum lot size and the set backs in section 70-292 do not work for both industry and residential properties. Old Dominion Grain will not go out of business if this ordinance is denied. Mr. Ward suggested that Council review the ordinance to protect the residents in the area.

Ms. Smith advised she has an Arial photo of the property showing the area including the residential homes and posted the photo for all to view.

Mr. Neal Barber, the Economic Development Coordinator advised that he is working with two other industries located in the M-2 Light Industrial Area that are also considering expansion. The proposed ordinance would require an increase in side yards, rear yards and front yards, which would negatively impact any future expansion. Mr. Barber stated that section 70-292 does not specifically address the height requirements that are under review and asked Town Council not to consider the proposed changes in section 70-292/Required Yards.

Mr. Gordon advised that a Virginia Power Line goes through the location of the proposed Grain Bin and asked if the grain bin will need to be moved to accommodate the power line.

Ms. Smith advised no, that one building would be demolished to make room for the grain bin.

Paul Diggs read the letter from First Virginia Propane Gas and asked if any else would like to submit a comment on the proposed Ordinance 11-06. There being none, Mr. Diggs closed the public hearing.

Mr. Hudson stated the petition and letter from Revere Gas shall be entered into the Town Council minutes.

The Planning Commission asked Ms. Smith if Old Dominion Grain has considered purchasing any adjoining property or is there another location for the grain bin.

Ms. Smith advised Royster Clark was purchased by Crop Productions a Canadian Company. Ms. Smith stated that she has called Crop Productions and asked if they wanted to sell the property, Ms. Smith was told that Crop Productions does not want to sell at this time.

Mr. Pierce stated that he had also called Crop Productions and he was told a Company Representative would return his call in March.

The West Point Planning Commission recommends that Town Council approve Ordinance 11-06, Height Limitation in M-2 Light Industrial District, with no changes to the current code section 70-292 and a recommendation for changes to section 70-295 as follows: Delete the first paragraph and for the following two sentences to be inserted; Structures may be erected up to 60 feet from grade to the top of the structure within the M-2 District. Structures in excess of 60 feet in height from grade to the top of the structure may be erected only upon the granting of a special use permit by Town Council in accordance with Article XXII.

Mr. Lawson made a motion to approve Ordinance 11-06 as recommended by the West Point Planning Commission. Seconded by Mrs. Gulley.

Mrs. Gulley and Mr. Lawson stated that Town Council has become committed to Economic Development and when a thriving business that's been in West Point for forty-six years wants to expand then Town Council needs to look at all aspects involved.

Mr. Brake stated the EDA are working extremely hard for economic development so the Town can maintain their current services and school system.

Mr. Gordon stated he agrees with Mr. Ward that Town Council should not rush with the Ordinance and suggested Town Council table action pending further review.

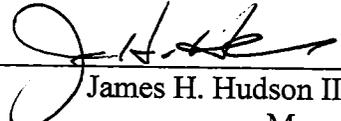
Mr. Healy stated the residents have paid for their water front property for many years and are entitled to enjoy their homes without industries expanding into their yards.

Mrs. Nichols stated the Town needs to look at the tax base and what is needed to maintain the current services.

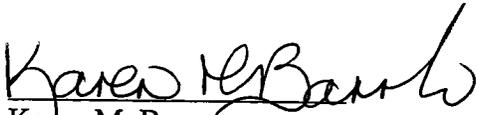
Recorded Vote:

Mrs. Ball	"Aye"
Mr. Brake	"Aye"
Mr. Gordon	"Nay"
Mrs. Gulley	"Aye"
Mr. Healy	"Nay"
Mr. Lawson	"Aye"
Mrs. Nichols	"Aye"

The motion was approved 5 – 2.


James H. Hudson III
Mayor

ATTEST:


Karen M. Barrow
Town Clerk

FIRST VIRGINIA PROPANE
5240 SOUTHERN AVENUE
WEST POINT, VA. 23181
(804) 843-3157

1/3/07

Town Of West Point
Members of Town Council
West Point, Va. 23181

Dear Councilmen:

I write to support Old Dominion Grain's request to expand their facility.

Old dominion Grain is a significant customer of ours and their continued ability to grow and prosper is very important to our success.

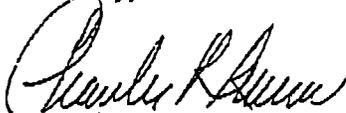
The most crucial contribution Old Dominion Grain is making to the economic viability of the area is through the agricultural community. Old Dominion Grain offers the only local alternative to the farm community to market their grains. If there was not this competitive factor the farmers would receive less for their product.

Lower prices for Farm products would have considerable negative impact on the entire area's economy.

The area where our plant and Old Dominion Grain facilities are located was designated as an industrial area to accommodate businesses such as ours.

Again we support Old Dominion Grain's effort to expand and trust you will weigh all the factors in your decision.

Sincerely,



Charles R. Revere
President

TO: The West Point Town Council and Planning Commission

Date: Starting Dec. 20, 2006

SUBJECT: Petition

We OPPOSE any change in the M-2 height Code for the purpose of accomodating a 100 foot plus high silo for Old Dominion Grain Corp.. The minimum sideline distance and height for this silo would be entirely too close for comfort for anyone living in the adjoining dwelling. If the code change is passed, it is certainly not a reasonable action. It is being changed to accomodate one company, but will affect anyone who lives near a M-2 zone.

NAME	ADDRESS	PHONE
Mary Bourne	Box 423 W. Point Va	803-2985
Elizabeth Crowe	Box 1525 West Point Va	843-4690
Reg Alica Dixon	1320 Geron Lane West Point, VA	843-3761
Jeanette Hogge	PO Box 111, WP, VA	843-2166
Pat Price	P.O. Box 337 WP VA	843-3138
Joan Gordon	3520 Southern Ave, WP	843-2009
Nope Palais	908 Lee Street	843-3883
James B. Troph	1014 Lee St	843-4068
James O. Feats	1026 Lee St.	843-2688
Paul W. Hinton	3490 Southern Ave.	843-3490
Michael Sillor	3940 King William Ave	843-3310
Jean Sillor	3940 King William Ave	843-3310
Craig L Smith	34389 King William Ave	843-3745

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NAME	ADDRESS	PHONE
Francis Karafa	192 Fort St.	757 592-2641
Thomas Wall	166 B St 2624 Ct	804-843-4914
Yola Morris	2620 C STREET	804 843 2192
James Morris	2620 C STREET	804 843 2192
Amy Groome - Cheatham Drive	" "	804 843-3543
Robert Groome	" "	" " "
Paul C. Hopper	" "	804-843-8840
Charlie Lovell	" "	804-843-2840
Franklin H. Fetterolf	" "	804-843-2759
Walter H. Philbats	Cheatham Drive	804-843-3482
Lucinda Philbats	3080 N. Cheatham Dr.	804-843-3482
Janie Wampler	2420 Hattapona Ave	804 843-2230
Brenda Johnson	2880 OOI ST	804 843 3763
Rain M. Saunders	1027 Kirby St.	804-843-4168
D. D. Chapman	700 Cressfield	804-843-4383
David M. Thomas	3070 Southern Ave	804 350-0427
Michelle Poe	3070 Southern Ave	" "

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NAME	ADDRESS	PHONE
Jamara Phillips	239 W. Euclid	843-3232
Terry Johnson	231 W. Euclid	
Ray L. Bond	320 Cypress.	
John Gove	330 cypress	
Katharine Gove	330 Cypress Ave	843-2956
Kirk Norman	3470 Bond St.	843-7122
Dawn Dauwpep	3490 Bond St	843-4384
Martin Cao	3530 Bond St	843-2428
Maura Burns	610 Prospect St	843-7134
Sarah Hooper	590 Prospect St	754-5029
Barry	740 E Euclid Blvd	843-3069
Virginia Kyzorak	180 E Magnolia Dr	
Ray Johnson	160 E Magnolia	843 3306
Frank Thayer	360 E "	843 3472
Donald L. Colman	1030 E. Magnolia Dr.	843 4252

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NAME	ADDRESS	PHONE
Troy Porter	100 Bellwood ST WEST POINT, VA 23181	(804) 843-9146
Troy M Porter Jr	100 Bellwood ST West Point VA 23181	(804) 843-9146
Bob Porter	100 Bellwood ST West Point, VA. 23181	(804) 843-9146
Anna D. Dixon	3090 King William Ave West Point Va 23181	(804) 843-2600
Ellie Walter	3070 King William Ave West Point, Va. 23181	(804) 843-7223
Debra DAVIS Hebe Davis	3230 King William Ave. West Point, VA 23181	
Sorise Flowers	3370 King William Ave	(804) 843-9099
Ernest & Mikus	3210 MATTHEWSON AVE	
Pamela C. Coater	3440 King William Ave. West Point, VA. 23181	843-3655
Etta Amis	217 W. Euclid Blvd. N. P. 23181	
Lona Berry	237 W. Euclid Blvd.	432-3376
Harold Berry	237 W Euclid Blvd WP 23181	WP 23181

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NAME	ADDRESS	PHONE
Jessica Chapman	700 Cresfield Dr. W.P. VA	843-4303
Al	700 Cresfield Dr West Point VA	843-4303
Porta Paul	710 ' '	843 4220
Jeggy Bryant	720 Cresfield Dr. West Point VA	843-2730
Chris McCall	725 CRESSFIELD DR WEST POINT	843-2112
Jenna	3060 rd. 57 West Point Va	843-9198
Louisa Bunch	730 Bagby Street	843-2532
Emmy Surratt	3090 Mattaponi Ave	246-6698
ya Heidelberg	3120 Mattaponi ave	832-7137
Michael Braxton	3140 Mattaponi Ave	
Andy Jordan	980 Chelsea Run	843-4545
My M. KING	3220 CHELSEA Rd	843-2340
Sam F. Acers	3180 Chelsea Rd.	843-3266
Christine Davis	3150 Chelsea Rd	843-3158

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NAME	ADDRESS	PHONE
Rex South	780 Cressfield Dr.	843-2521
Judy South	780 Cressfield Dr.	843-2525
Pat Carlton	W.P. VA 3560 Bond St.	843-2193
William R. Carlton	3560 Bond ST.	843-2193
Ronald Trimmer	3520 Bond St.	843-2941
Sheba White	740 Bagby St	843-4434
Juanna Davis	2740 Challop Cressfield Dr.	339-2728
Michael Boone	740 Bagby St	843-4434
Linda Davis	720 Bagby St.	843-4329
Jeffrey Davis	720 Bagby St.	843-4329
Edwin O'Connor	2810 ODI ST.	843 2085
EARL HEIDELBERG	2810 ODI ST	843-2085
Jammie Bax	2810 ODI ST	843 2085
Patricia M. Dent	485 Thompson Ave	843-4749
Michael Adams	2710 Kinga William Ave	843-4466
Steve Wilkerson	188 1st St.	843-9128
David Shuber	192 Port St	592-2641

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NAME	ADDRESS	PHONE
Marilyn Rockwell	3350 Romanesque Ave.	843-4870
Frances Thontr	1121 Kivley St W.P.	843-3848
115th	314 Main St	843-4000
Edward John	307 Main St	843-4293
James Cookli	419 2nd St	843-2030 ex/24
Jerrin P Williams	602 Lee	843-4130
Lanare Parker	1200 Lee St.	843-2680
Kathy Chapman	1822 Lee St.	843-4440
John Brockman	1827 Lee St.	843-2838
Ann Brockman	1827 Lee St.	843-2838
Bellon W Wyatt	1520 Sandy Ck	843-3460
Mary H. Wyatt	1520 Sandy Ck.	843-3460
Jessie E. Ray	1460 Sandy C. k. St	843-2348
Laurel B Ray	1460 Sandy Ck St	843-2348
Doris H	1520 E. Euclid Blvd West Point, VA	33833 FF
Jacq Gae	1390 E Euclid Blvd West Point, VA 23181	843-9119

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NAME	ADDRESS	PHONE
Edward Dixon	610 E Magnolia	843-2065
LARRY CIORE	3210 ODIST	843 2750
Dawn Shalaski	222 Old Thompson St	784-3641
Robert Struby	200 Old Thompson St.	843-2071
Patricia Harry	200 Old Thompson St.	843-3071
Shuley W. Haynes	3790 King Wm. Ave.	843-2739
Jesse W. Haynes	3790 King Wm. Ave.	843-2739
Charles K. Wallace Jr.	230 Glen St.	(757) 561-3696
David Carter	190 Glen St	1501-843-3778
Larissa Maddas	170 Glen St	(857) ⁷⁵⁷ 329 8272
Jessica Jones	230 Bellwood	(804) 843-2026
Deverge Breene	220 Bellwood	804-843-3526
Betty R. Lipscomb	210 Bellwood	804-843-4483
Dorothy H. Lee	190 "	843 46??
Lucy Allen	175 Bellwood	843-2667
Victor Kaczmarek	2590 Kg. Wm. Ave	843-2336
Helen Kaczmarek	2590 Kg. Wm. Ave.	843-2336

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Printed
NAME

NAME	NAME	ADDRESS	PHONE
Stacy G. Stanief	Dorothy B. Stanief	930 BAGBY ST	843-3107
Stacy Stanief, Jr.	Joseph J. Stanief	930 BAGBY ST	843-3107
Riley Pierce	Shirley Pierce, owner	3070 So. Ave	843-3044
Gene Pierce	Eugene C. Pierce, owner	3070 So. Ave	843-3044
SANNA C. Boughton	Duanna C. Boughton	1405 E Euclid Ave	843-2877
NETT QUESINBERY JR	Phyllis M. Quesinberry	1316 Riverview	843-2396
Nett M. Quesinberry	Bonnie M. Quesinberry	1310 Riverview	843-2396
DA DIXON	Wanda Dixon	2340 OAK LANE	843-3381
THEAINE DIXON		880 Magnolia	843-2573
Dea Randa	Cheryl Randa	840 Magnolia	843-3219
John R FOSTER	John R. Foster	710 EAST MAGNOLIA	843-2706
Ma Guaderrama	Tara Andrea	670 E. Magnolia Ave	843-7106
Claude W. Ricci	Jacqueline Ricci	1127 Lee St	843 3060
Ray E. Gordon	Sharon E. Gordon	1127 Lee St	843 2793
AND M. Bristow	Richard M. Bristow	3760 CHELSEA RD	843-3049
FR Comptroller	Wagner	880 STURDY LANE	843-4529
Auto	ALAN CARTER	1040 EAST MAGNOLIA	843-2633
Wm Carter	Wayne Carter	1320 E Euclid Blvd	843-3234
Miss V Carter	Louise Carter	" " " "	" " " "
Virginia P. Foster	Virginia P. Foster	790 EAST MAGNOLIA AVE	= 843-2311
ENA H. Greggs	Renald H. Greggs	730 Magnolia Ave.	843-3041
E. GREGGS	W. E. Greggs	"	"

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NAME	ADDRESS	PHONE
Donald Heidekers	3120 Mattapani	843-9730
Tim Minkens	3210 Mattapani	(757) 358-9720
Carroll Gresham	3850 Mattapani	(804) 843-4818
April Hayden	140 Berkeley St	804-843 3794
Nathan M. Spinks	2750 King William Ave.	804-843-4646
Candi Rodgers	140 Berkeley St	804-370-5007
Carol E Carter Sr	507 - 23 ST	843-2963
Phyllis Lazzara	2004 Lee St.	843-4009
A. Lazzara	" "	" "
Paula Miller	2076 Lee St	843-4365
Eppie Smith	2612 C St	843-3320
Joseph Smith	2612 C St	843-3320
Rhonda Lassiter	2330 King William Ave	843-4980
Lorette Green	2330 King William Ave	843-4980
Heather Harrell	2310 King William Ave	832-7229
Erin L. L.	1480 North Peninsula Circle	843-3634
W.W. Healy, Jr.	1200 Bayby St. W.P.	#843-2650
Ken Stokes	3020 Chelsea Rd.	843-3650
John W. Johnson	2770 King William	843-2458
Margaret Johnson	2770 King William	843-2458

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NAME	ADDRESS	PHONE
P. B. Courtinoff P. B. COURTINOFF Robert W. Wilson R. W. WILSON	3070 SUTHERN AVE 535 12th St.	843-2981 843-7719
Deborah G. Davis	311 FIRST ST.	843-4600
Marquene Stutz	1915 Lee St 11th St	843-2175
Nannie Mae Wilson	W.P. 3060 Cheatham Ave. - W.P. Va.	843-2383 843-2850
Guise Croswell	2820 O.D.I. ST West Point	843-2628
Shirley W. Seydow	3800 Cornelia Drive West Point	843-3580
Bill W. Brown	3840 Cornelia Dr.	843-4909
Kevin Ashwood K. Keith Ashwood	West Point	
Larry M. Hesse	3860 Cornelia Dr, West Point Cec 2784	843-2266
John E. Howard	4180 Dogwood Dr West Point	843-3160
Shirley Merrell	4230 Mockingbird Ct West Point	843-2569
new	4270 Mockingbird Court	843-3214
in Brian	4070 Dogwood Drive	843-6191

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NAME	ADDRESS	PHONE
Royce Harmon	921 LEE ST.	843 - 2176
Britt Harmon	921 Lee St	843 - 2176
Rick Rogers	1005 Lee St	843 - 4968
Beth Palmer	415 Tenth St	843 - 4616
Duail Kouil	415 TENTH ST	843 - 4616
Joanna S. Heath	428 10th St	843 - 2413
Meredith N Crowe	1520 Lee St	843 - 2982
Stephanie Sutton	1515 Lee St.	843 - 2958
Daniel Walker	1604 LEE ST.	843 2845
Sam Guerra	1702 Lee St	843 2722
Lisa Harmon	1708 Lee St	843 - 4690
Rebekah Smith	1703 Lee St	843 - 7166
Maurissa J. Dunn	1715 Lee St	843 - 2883
Kristen Barry	2770 Southern Ave West Point	843 - 4594
Lorraine J. Harmon	3050 Southern Ave WP	843 - 2813.
Archie B. B...	3050 Southern Ave WP	843 - 2813

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NAME	ADDRESS	PHONE
Terrie S. Pugh	3460 Chelsea Rd	804 843-3578
Cherie S. Pugh	West Point, VA-23181	
Francis & Gedro Francis	3460 CHELSEA RD	804 843-3110
Blair A. Amen	WEST POINT VA 23181	
	3700 NEWMAN DR.	
	WEST POINT, VA.	
Ma M. Flecht	3750 Newman Drive	804 843 3649
	West Point, VA 23181	
no Welles	3760 NEWMAN DR	804-843-20
Sandra Willis	3760 Newman Dr.	804 843.255
William F. Berry	3790 Blue Heron Lane West Point	843-2471
Charles B. Daimey	3710 Blueheron Lane West Point	843/2769
Roy D. Hooper	3570 Chelsea Ranch West Point, Va	843-3428
Harold G. Seward	170 Cheatham Drive West Point VA	843-2786
Mad W. Seward	170 Cheatham Drive West Point, Va	843-2786
S. Zaprazny	460 Bagby St West Point, VA	843-3616
Zaprazny Jr	460 Bagby St. West Point, Va.	804 843 3612

TO: The West Point Town Council and Planning Commission

Date: JAN. 9, 2007

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NAME	ADDRESS	PHONE
Jesse R. Lipscomb	4615 WAKEHAM RD WEST POINT, VA. 23181	370-0102
JESSE R. LIPSCOMB		
Peter M. Sweedo	2910 King William Ave West Point Va. 23181	804-370-1709
Peter M. Sweedo		
Virginia Tokarz	2970 King Wm. Ave.	1-804-843-2313
VIRGINIA TOKARZ		
Arthur T. WEST	2940 King Wm Ave	804-843-3119
Arthur T. WEST		
Martha S. West	2940 - King Wm. Ave.	804-843-3119
MARTHA S. WEST		
Don M. Hogge	631 Lee St	
DON M. HOGGE	WEST POINT, VA. 23181	804-843-4804
Joseph P. Crowe	1070 Lee St	
Joseph P. Crowe	WEST POINT, VA 23181	804-843-2982
Charles S. Farbow	4030 Dogwood Dr.	
Charles S. Farbow	West Point VA 23181	804 843-9170
Marvin F. Kerby, Jr.	506 Lee St.	
MARVIN F. KERBY, JR.		

TO: The West Point Town Council and Planning Commission

Date: STARTING Dec 20, 2006

SUBJECT: Petition

We OPPOSE any change in the M-2 height Code for the purpose of accomodating a 100 foot plus high silo for Old Dominion Grain Corp.. The minimum sideline distance and height for this silo would be entirely too close for comfort for anyone living in the adjoining dwelling. If the code change is passed, it is certainly not a reasonable action. It is being changed to accomodate one company, but will affect anyone who lives near a M-2 zone.

NAME	ADDRESS	PHONE
Garland Z. Edmond	P.O. Box 895	804 843 2585
Nancy S. Edmonds	"	"
Nancy W. Bishop	580 W. Euclid	804 843-2123
David Foss	600 W. Euclid	804 843 4388
Cheryl Severing	560 W. Euclid	804 843-2505
James H. Sully	same	
William A. Palmer jr	520 W. Euclid Blvd.	804-843-6177
Rose Carolyn Palmer	520 W. Euclid Blvd.	804-843-6177
Catherine C. Bishop	530 Pine Lane	804-843-2774
Arthur W. Richardson	3980 Dogwood Dr	
Fitzzy W. Richardson	↑ Same	804-843-3378
Abbie D. Betts	4120 Dogwood Dr.	
Mindy Lee Abby	3010 Romhucake Ave.	804-843-4552
DR M. MARTZ	2915 TALLCOT AVE	804-843-2910
Harold W. George	410 Dogwood Dr	804 843 2588
Patsy Salke George	4190 Dogwood Dr.	804-843-3588
J.L.C. MAW	330 West Euclid Blvd	804-843-3011
Paul Beardsly	310 West Euclid Blvd	804-843-4958

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NAME	ADDRESS	PHONE
Lynne Carruth Lynne Carruth	180 Oak Grove Ave	843-2905
Lisa J Newton Lisa T Newton	220 Oak Grove Ave	301-8369