

**TOWN OF WEST POINT  
PLANNING COMMISSION  
NOVEMBER 2, 2022**

**I. Call to Order**

The West Point Planning Commission held its regularly scheduled meeting on Wednesday, November 2, 2022.

Members Present: Britney Ball, Vice-Chairman  
James Pruett  
James Vadas  
Teresa Glidewell  
Stuart Daniel

Members Absent: Mary Montague Sikes

Staff Present: Holly N. McGowan, Director of Community Development  
Shari Carnell, Recording Aide

Present by Telephone: Andrea Erard, Town Attorney

Ms. McGowan explained to the Planning Commission Ms. Ball may continue to serve as Vice-Chairman until election of officers in January 2023, or the Planning Commission could elect a new Chairman to serve until election of officers in January 2023, because Mr. Brockwell's term had ended in September.

Vice-Chairman Ball stated that she would continue as Vice-Chairman and conduct the meetings until election of officers in 2023. Vice-Chairman Ball called the meeting to order.

**II. Review of Agenda**

There were no changes to the agenda.

**III. Citizen Address the Commission**

Vice-Chairman Ball opened the floor to any citizen to address the Planning Commission. There being none, the citizen's address portion of the meeting was closed.

**IV. Public Hearing**

1.) Public Hearing Special Use Permit, Case# SUP2022-02, Kara Goodman, Homestay

Vice-Chairman Ball opened the public hearing.

Ms. McGowan stated an application for a special use permit was submitted by Kara Goodman as applicant/owner for the operation of a "homestay" on taxmap parcel # 69A3-172-2514,

located at 620 22<sup>nd</sup> Street in the R-3 Zoning District. A “homestay” use would permit rentals of the property through platforms like Air BnB and VRBO. The special use permit request includes a maximum occupancy of eight people. Section 70-137 of the West Point Town Code states a homestay use is permitted in the R-3 Zoning District provided that a special use permit is obtained in compliance with Article XXII of the West Point Zoning Ordinance. Under the new regulations which were approved by Town Council, the requirement is primary resident means the owner of homestay occupies the property as the place of his or her residence. Mrs. Goodman was notified on August 10, 2021, to cease operation of the homestay. Mrs. Goodman responded to the notice and was issued a notice and was issued a notice of violation on September 15, 2022. Mrs. Goodman was present for any questions.

Vice-Chairman Ball allowed Mrs. Goodman to speak on behalf of the application she submitted.

Mrs. Goodman stated she resides in Florida and has a Virginia residence located at 620 22<sup>nd</sup> Street for summer, holidays, and to visit her grandchildren. Mrs. Goodman stated she did not originally apply for the special use permit for short term rental because she was informed the ordinances were being revised. Mrs. Goodman decided to apply for a special use permit for the upkeep of her property, it would not affect the integrity of the neighbors or neighborhood, and she is not a business who buys rental property in town with the intent to operate Air BnB's. The location of the house on 22<sup>nd</sup> Street is surrounded by woods and after the woods is rental property. Mrs. Goodman stated customers are screened prior to approval of rental.

Vice-Chairman Ball closed the public hearing.

Mr. Vadas made a motion to recommend approval to Town Council for special use permit SUP2022-02 submitted by Kara Goodman for operation of homestay located at 620 22<sup>nd</sup> Street in the R-3 zoning district with the following conditions:

1. There shall be no off-premises directional signs advertising this homestay.
2. No live music or amplified noise allowed outside.
3. Outdoor gatherings shall be limited to 8 people.
4. Overnight guest shall be limited to two (2) per bedroom.
5. Shall comply with the Virginia Statewide Building Code.
6. There shall be no signs, displays or alterations to the exterior of the building that would distinguish it as being devoted to any nonresidential use.
7. No mechanical equipment or machinery shall be used or maintained on the premises, other than that which is customarily used for domestic or household purposes and might normally be found on residential premises.
8. All trash shall be placed in trash receptacles.
9. The property owner shall ensure that the premises are free of any type of pests such as insects and rodents.
10. The property owner shall provide the Town with proof of residency at 620 22<sup>nd</sup> Street and a phone number where the property owner can be reached at all times.
11. In the event of a complaint regarding the homestay from a neighbor, the property owner shall use best efforts to address the complaint. If more than two complaints are received by the Town in a six-month period of time, this special use permit may be revoked by the Town.
12. SUP shall be specific to the current owners and shall not convey with the property.

Mr. Daniel seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried.

2.) Case# SUP2022-03, Thomas Gertin, Homestay

Vice-Chairman Ball opened the public hearing.

Ms. McGowan stated an application was submitted by Thomas Gertin to operate a homestay located 320 Main Street. A homestay is a permitted use in the R-4 Zoning District provided a special use permit shall be required. Mr. Gertin submitted a narrative with his application stating the maximum occupancy will be nine, (9).

Mr. Gertin stated he currently is renovating the property. After renovations, foundation, and plumbing repairs are complete his intention is to live on the premises. The location will be available for short term rental. Mr. Gertin believes his homestay will revitalize the community and contribute to the character of Main Street. The location is currently still in the renovation process. Mr. Gertin decided to receive approval for special use permit prior to beginning operation.

Vice-Chairman Ball closed the public hearing.

Mr. Pruett made a motion to recommend approval to Town Council for special use permit SUP2022-03 submitted by Thomas Gertin for operation of a homestay located at 320 Main Street in the R-4 Zoning District with the following conditions:

- 3.) There shall be no off-premises directional signs advertising this homestay.
- 4.) No live music or amplified noise allowed outside.
- 5.) Outdoor gatherings shall be limited to 9 people.
- 6.) Overnight guest shall be limited to two (2) per bedroom.
- 7.) Shall comply with the Virginia Statewide Building Code.
- 8.) There shall be no signs, displays or alterations to the exterior of the building that would distinguish it as being devoted to any nonresidential use.
- 9.) No mechanical equipment or machinery shall be used or maintained on the premises, other than that which is customarily used for domestic or household purposes and might normally be found on residential premises.
- 10.) All trash shall be placed in trash receptacles.
- 11.) The property owner shall ensure that the premises are free of any type of pests such as insects and rodents.
- 12.) The property owner shall provide the Town with proof of residency at 320 Main Street and a phone number where the property owner can be reached at all times.
- 13.) In the event of a complaint regarding the homestay from a neighbor, the property owner shall use best efforts to address the complaint. If more than two complaints are received by the Town in a six-month period of time, this special use permit may be revoked by the Town.
- 14.) SUP shall be specific to the current owners and shall not convey with the property.

Ms. Glidewell seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried.

## **V. Old Business**

The Community Development Office received a plan of development from P.W. Development, Inc., 11-2021-POD-01, Magnolia Meadows, Section 3 prepared by Wilson Engineers, LLC. The plan is for the development of a vacant site into a 43-lot subdivision consisting of two common areas within the R-2, Medium Density Zoning District located west of Mattaponi Avenue, east of O.D.I. Street, north of Bagby Street, and south of Magnolia Avenue. The Planning Commission received copies of plans submitted by Hampton Roads Sanitation District, West Point Public Works, Virginia Department of Health Office of Drinking Water, Virginia Department of Environmental Quality, US Army Corps of Engineers, and Virginia Department of Transportation with staff and agency comments about the plan.

Mr. Daniel made a motion to recommend approval to Town Council for plan of development 11-2021-POD-01 submitted by P.W. Development, Inc., Magnolia Meadows, section 3, prepared by Wilson Engineers, LLC dated October 14, 2022.

Mr. Pruettt seconded the motion. All in favor responded, "Aye."

Ms. Glidewell abstained from the vote.

Motion carried.

## **VI. Committee Reports**

Mr. Pruettt reported Town Council met October 31, 2022. The Larkin Garbee and Erin Beebe special use per for a homestay located on 10<sup>th</sup> Street is still under review. There were some additional criteria the applicants were asked to address. The Town has acquired the Mooney residence located at 1315 Main Street will be demolished. The Police Department had a pay study performed. There was discussion for elevator repair versus elevator replacement and which would be the best option. A decision has not been made.

## **VII. Adoption of Minutes**

Ms. Glidewell made a motion to adopt the general minutes from the August 3, 2022, Planning Commission meeting presented. Mr. Daniel seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried.

Mr. Daniel made a motion to adopt the verbatim minutes from the August 3, 2022, Planning Commission meeting presented. Ms. Glidewell seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried.

Mr. Vadas made a motion to adopt the minutes from the September 7, 2022, Planning Commission meeting presented. Mr. Pruettt seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried.

**VIII. Motion to Adjourn**

Ms. Glidewell made a motion to adjourn the meeting. Mr. Daniel seconded the motion. All in favor responded, "Aye." No one opposed. Motion carried. Vice-Chairman Ball adjourned the meeting.

  
Vice-Chairman Britney Ball  
West Point Planning Commission

Commissioner's Terms

Britney Ball(VC)	843-7438	6/30/23	<a href="mailto:britney.ball@gmail.com">britney.ball@gmail.com</a>
Stuart Daniel	843-3082	9/30/25	<a href="mailto:sddaniel14@msn.com">sddaniel14@msn.com</a>
James M. Pruett	832-1185	12/31/22	<a href="mailto:jpruett@west-point.va.us">jpruett@west-point.va.us</a>
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