

1 **New Market Planning Commission**

2 **October 2, 2023**

3 **CALL TO ORDER AND ESTABLISHMENT OF QUORUM**

4 The regular meeting of the New Market Planning Commission was held on Monday, October 2, 2023 at  
5 6:30 p.m. The following Planning Commission members were in attendance: Chairman Larry Hale,  
6 Sonny Mongold, Sherri Erbaugh, Bob King, George Daugharty, Tom Linski, Jr. and Harry Wine, Jr.  
7 Mr. Larry Hale opened the meeting at 6:30 p.m. and established a quorum with six members present.

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9 **APPROVAL OF MINUTES:**

10 Mr. Hale entertained a motion to approve the minutes. Mr. Daugharty noticed a discrepancy in the  
11 minutes that did not show Mr. Linski absent for that meeting. Mr. Wine made a motion to approve the  
12 minutes, and Mr. Mongold seconded the motion. Motion passed with a unanimous vote 6-0.

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14 **PUBLIC HEARING:** none

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16 **OLD BUSINESS**

17 Mr. Garrison reported a sign permit was approved for 9406 S. Congress St, a foundation permit for 138  
18 Stewart St., a sign permit was approved at 9485 S. Congress St., an approval of replacement stairs to a  
19 front porch at 9862 Woodbine Way.

20 **NEW BUSINESS**

21 Mr. Hale started the discussion for reducing the setback requirements for accessory buildings or  
22 structures. Mr. Hale asked if the request is to reduce the setback from 10 foot to 5 foot.

23 Mr. Garrison stated it was more of a discussion about what other localities are doing for their setbacks.  
24 Mr. Garrison explained the current setback requirements make it hard for some of our citizens to add  
25 accessory buildings to their lots. He noted that this was a request from a citizen at a previous Town  
26 Council meeting. That request was actually for it to be changed to a 3 foot setback. Mr. Linski talked  
27 about how decreasing the setback would make it easier for citizens, and would help keep yards cleaner.  
28 Mr. Daugharty noted that currently the setbacks change per district, and that changing it to 5 feet across  
29 the board would make it more universal and easier for the citizens. Mr. King asked if this setback would  
30 include the front yard. Mr. Daugharty stated the front yard setbacks are set by VDOT regulations, and  
31 this applies to the back yard, or side yards. Mr. Garrison explained that this request is for accessories in  
32 the back yard. Mr. King stated he agreed with Mr. Linski that it would allow for cleaner yards, and better  
33 appearances. Mr. Mongold agreed with Mr. King, but noted that it needs to specify. Mr. Hale asked if  
34 the Planning Commission needed to make a motion of recommendation. Mr. Garrison explained it  
35 would be a simple text amendment. Mr. Garrison stated that the next step would be to hold a joint  
36 public hearing with the Town Council at the next Planning Commission meeting. Mr. Daugharty made a  
37 motion to allow Mr. Garrison to move forward with implementing the change in the regulations to have  
38 a 5 foot setback in the residential districts. Motion seconded by Mr. King, with no discussion the motion  
39 passed with a unanimous vote of 6-0. Mr. Garrison asked for clarification as the motion stated  
40 residential districts, but the M-1 Industrial district also has a 10 foot setback and wanted to know if they  
41 wanted to include that too, as they talked about changing it across the board. Mr. Daugharty asked Mr.

42 Garrison his thoughts and experiences on that setback. Mr. Garrison explained that this is not unusual,  
43 and read the code for the M-1 setbacks. Mr. Mongold asked if they were to address the residential  
44 setbacks only, could the other districts request a variance if needed. Mr. Garrison stated that it could be  
45 done that way. Mr. Garrison asked if they would want M-1 districts to be the only one with a 10 foot  
46 setback, and reminded the members of Planning Commission that this is for accessory buildings only and  
47 does not address a primary building. Mr. Daugharty added that although he is for industry, some  
48 industrial buildings can be unsightly, odorous or unsightly and would like to see it kept as a 10 foot  
49 setback. Mr. King noted that the M-1 district is very small. Mr. Garrison thanked them for the  
50 clarification.

51 Mr. Garrison asked Mr. Hale if he could speak on a different subject that was not on the agenda, and Mr.  
52 Hale approved. Mr. Garrison informed the members that he received a phone call from Mr. Todd Carr  
53 with Creek Village Investments (Courtyard Terrace). He stated that this isn't for a vote, but Mr. Carr  
54 requested feedback. Mr. Garrison explained that in court yard homes the setback allows one side of the  
55 structure to be on the property line with a 0 foot setback, but the other side there would have to be a  
56 minimum 10 foot setback. Mr. Carr has an interested developer, but the developer was concerned  
57 about building directly on the property line. The product that could be built is 40 foot wide home, and  
58 the lots are 50 foot wide. Mr. Carr wanted their feedback on a request to change the set back to 5 foot  
59 setbacks on each side. Mr. Wine stated he liked the idea, but his concern would be that the current  
60 structure on the property line. He said having two houses that close is dangerous, and would like to see  
61 them adjust the lots sizes to accommodate to allow for the 10 foot setback. General discussion was had  
62 to clarify what that looks like, and Mr. Garrison stated that the developer has the option to make that  
63 first structure be smaller than the rest to accommodate the setbacks. Mr. Mongold asked if this  
64 developer is essentially wanting to use the original concept versus the townhomes. Mr. Garrison stated  
65 that Mr. Carr's townhome concept is still in play, but he is talking to a different developer and this could  
66 be an option. Mr. King said he would encourage him to do this, but would like to see a plan before giving  
67 change any setbacks. Mr. Wine stated that he agreed with Mr. King. Mr. Garrison stated that Mr. Carr  
68 may be able to show the product that is being discussed. Mr. Garrison will relay the Commission's  
69 response. Mr. Garrison explained that if he wants to move forward this may be on the agenda for  
70 November. Mrs. Erbaugh stated that she thinks lots of people are looking for patio homes.

71 Mr. Daugharty asked Mr. Garrison to tell them a little bit about himself since he is the new Zoning  
72 Administrator. Mr. Garrison introduced himself, his experience, and hobbies. The Planning Commission  
73 welcomed him aboard.

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75 Mr. Mongold inquired about the VSA and where the Town is with that process. Mr. Garrison explained  
76 that the Town is working on how the Town can revisit this topic with Shenandoah County. Mr. Mongold  
77 talked about his time on the board, and stated there is a discrepancy with the VSA now is not the VSA  
78 that was signed in 2012. Mr. Daugharty inquired if the density was a concern. Mr. Garrison gave a brief  
79 summary of some of the concerns brought up in the community meeting. Mr. Garrison explained what  
80 the requirements are in the current VSA. He said the area could be annexed today, but the developer  
81 would have to adhere to the current VSA requirements. Mr. Hale asked if a developer could go to the  
82 County and ask for permission. Mr. Garrison said that they could not, because the agreement between  
83 the County and the Town. Mr. Garrison explained that the plans people are talking about were only a

84 concept and not agreed upon. Mr. Wine stated that he believes this allows us to start educating our  
85 community on growth by forming a committee that will help communicate and receive feedback as to  
86 what the citizens would like to see. This would give both sides a better understanding moving forward.  
87 Mr. Wine talked about the unfortunate misinformation that was spread to citizens which we couldn't  
88 turn around. Mr. Garrison agreed that is unfortunate what happened, but we are still going to work on  
89 this and not giving up. Mr. Garrison agreed with Mr. Wine's idea of forming a committee. Mr. Linski  
90 asked if the 80 acres that is available, would that be a way to move forward or is it subject to the same  
91 criteria. Mr. Garrison responded that he is trying to contact the property owner of that land, and that is  
92 something he has thought about. Mr. Wine brought up the positive that we no longer have to go  
93 through the state to work with the County solely, and we can just focus on working with the County. Mr.  
94 Wine brought up that the Shenandoah County Supervisors were getting a lot of phone calls from citizens  
95 opposing the VSA amendment because they had the wrong information. Mr. King added that they  
96 shouldn't be discouraged.

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98 Mr. Mongold encouraged the Planning Commission to attend the New Market Fire and Rescues Open  
99 House. He talked about the volunteer's hard work fundraising to be able to purchase equipment.

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101 **ADJOURNMENT**

102 **With no further business to discuss, at 7:17 p.m., Mr. Linski made a motion to adjourn the**  
103 **meeting. Mr. Wine seconded the motion which passed on a unanimous 6-0 voice vote.**

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Amber Smoot, Secretary