

1 **New Market Planning Commission**

2 **December 1st, 2025**

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4 **CALL TO ORDER AND ESTABLISHMENT OF A QUORUM**

5 The regular meeting of the New Market Planning Commission was held on Monday, December 1st,
6 2025, at 6:30 p.m. The following Planning Commission members were in attendance: Chairman Larry
7 Hale, Vice Chair Sherri Erbaugh, Bob King, Harry Wine , Tom Linski, Jr., and Sonny Mongold. Commission
8 member George Daugharty was absent.
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10 Mr. Hale requested Mrs. Erbaugh run the meeting as he was still recovering from health issues. Mrs.
11 Erbaugh agreed to proceed and opened the meeting at 6:30 p.m. and established a quorum with 6
12 members present.
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14 Mrs. Erbaugh led all in attendance in the reciting of the Pledge of Allegiance.
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17 **APPROVAL OF MINUTES:**

18 Mrs. Erbaugh entertained a motion to approve the minutes. Mr. Wine made a motion to approve the
19 minutes of the November 3rd, 2025, meeting of the New Market Planning Commission as written. Mr.
20 Linski seconded the motion. The motion passed with a unanimous voice vote 5-0.
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22 **JOINT PUBLIC HEARING:** none
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24 **OLD BUSINESS:**

25 Ms. Barden reported that zoning permits were approved for a shed at 182 Clark Street, a fence at 119
26 Courtyard Terrace, and a home occupation permit for an in-home office at 1 Tee Court.

27 **NEW BUSINESS:**

28 Ms. Barden presented a PowerPoint presentation, of which a copy will be filed with the minutes, for the
29 conditional use permit request for 9361-9365 North Congress Street. She noted that this is the same
30 conditional use permit that was presented in previous meetings and was the subject of the joint public
31 hearing in November. Ms. Barden explained that it was brought to their attention that not all property
32 owners were properly notified of the joint public hearing, therefore the process had to begin again.

33 Ms. Barden presented the conditional use permit information for the property at 9361-9365 North
34 Congress Street. The property is two commercial spaces on the first floor, and one residential space on
35 the second floor. The proposed use of the property would maintain the two commercial spaces but
36 increase the residential space from one to two. The conditional use permit is required per Section 70-
37 146 Multi-Family Regulations, under Additional Requirements #2, as well as Section 70-51 Permitted
38 Uses with a Conditional Use Permit, under section B. Ms. Barden explained that there would be a small
39 addition of a stairwell on the back side of the building to give access to the residential units. There are
40 about 18 parking spaces that could be created with a minimum of four parking spaces for the residential
41 units. She noted that the planning commissions' previous requests for designated residential parking

spots with signage were communicated to the property owner. The property owner was fine with this request. There are no changes to the setbacks, and area regulations are met with the requirement being 10,000 square feet and this property is approximately 15,000 square feet. Ms. Barden address topics of concern that have been brought to staff. The first being stormwater on the back side of the property if it were to be paved in the future. Shenandoah County's Erosion and Sediment Control Program Administrator confirmed that the proposed plans do not raise any storm water concerns due to the size of the property. He explained to her that any land disturbance over 10,000 square feet would require review by the county, and any disturbance over 1 acre would require a review from DEQ. He noted that if the property owner paves the property later and it creates a runoff issue and impacts on a neighboring property it would be considered a civil matter. The second concern was about ADA compliance and building codes. She explained that once the permit was received, she spoke with the county about their building codes and shared the site plans, current use and the proposed use, as well as the fact that the commercial spaces were currently gutted. They stated there were no red flags for them in reference to the building codes. Ms. Barden followed up with the county and inquired if these plans would trigger any ADA compliance issues that would need to be addressed. They advised that there weren't any issues with the site plans for ADA compliance. When the property owner goes through the county's building permit process, this will be reviewed by the county again. Another concern was the entrance to the parking area in the rear of the property. Ms. Barden showed a photo, in the PowerPoint presentation, that depicted the side alley on the north side of the building which is accessed from Congress Street. She stated that there is no access to the parking area from the rear of the building. There was discussion about the different access points for the commercial units. Mrs. Erbaugh inquired if the property owner has any businesses interested in the commercial units. Ms. Barden stated that she did not know, but he is also waiting to get the conditional use permit approved before moving forward. Ms. Barden proceeded with her PowerPoint presentation to explain the existing site plans as well as the proposed site plans for the first and second floor. She provided a photo to show the back of the property with the proposed site plans with the staircase. Mrs. Erbaugh asked if another joint public hearing would need to be scheduled. Ms. Barden stated that if they want to move forward with the conditional use permit process, that would be the next step. Mrs. Erbaugh noted that the motion needs to include the residential parking spaces being designated. Ms. Barden stated she would contact the attorney to inquire if a condition can be made to say that the entrance can only be from Congress Street.

Mr. King inquired how we require people to have trash removal and stated he noticed that some places have the town trash bins, but others have dumpsters. Ms. Barden explained that our ordinance dictates what is required per the use of the property and how much trash is produced, such as restaurants.

Mr. Linski inquired if there was a building permit on Shenvalee Drive, as he noticed stakes placed for a building. She stated that it was approved and meets the setbacks.

Mrs. Erbaugh redirected the conversation back to the conditional use permit and asked if anyone would like to make a motion to move forward with the process.

Mr. Links made a motion to move the conditional use permit for a joint public hearing with the New Market Town Council. Mr. Wine seconded the motion. With no further discussion, the motion passed unanimously with a 5-0 voice vote.

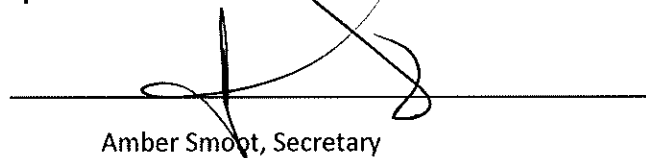
Ms. Barden stated that with that motion the joint public hearing will be at the January meeting of the planning commission.

84 Mr. Mongold informed the planning commission of a citizen's comment and concern about the
85 increased traffic on Clicks Lane due to the new homes built at Courtyard Terrace and believes they need
86 to be widened. Mr. Mongold expressed his concern about the homes that are along Clicks Lane that are
87 not considered in-town and that those properties should be annexed before any work is done on the
88 road. Mr. King asked Mr. Mongold what the benefits would be for the town to do that, as the cost of the
89 sewer connections would be expensive and the function of the sewer system. Mr. Mongold asked then
90 how do you widen the road, and Mr. King stated that it would be a VDOT issue since they manage the
91 roads. Ms. Barden stated that the State did not allow us to manage our own roads. There was discussion
92 about a sidewalk on Clicks Lane. Mr. Linski asked if the town has run the numbers on annexing those
93 houses into town, and what the revenue would be over several years. Mr. King stated that the topic has
94 never been brought up in a serious conversation. After discussion, Ms. Barden said that she would do
95 some research on what annexing would look like and how much it would cost, and the potential
96 revenue.

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98 **ADJOURNMENT**

99 With no further business to discuss, at 6:57 p.m., Mr. Linski made a motion to adjourn the
100 meeting. Mr. Wine seconded the motion which passed on a unanimous 5-0 voice vote.
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Amber Smoot, Secretary