



Town of Mineral Planning Commission
Wednesday, September 20, 2023

Members Present

Lauren Ball
Jolyn Bullock
Ed Kube
Nicole Washington

Others present

Mayor Edwin Jarvis

Due to a lack of a chairman for the commission, Mayor Jarvis called the meeting to order at 6:40 PM. All in attendance stood for the Pledge of Allegiance.

The mayor asked for a motion to adopt the agenda, which was made by Ed Kube and seconded by Jolyn Bullock.

Lauren Ball – Yes

Jolyn Bullock – Yes

Ed Kube – Yes

Nicole Washington – Participating only

Motion Passed 3-0-0

Introduction of Commission Members

The Mayor asked for members to introduce themselves. Ed Kube introduced himself and told those present that he had been on the commission for three months and had attended two meetings. He said he had previously served on council for three years. He told commission member that he had served in other capacities for Louisa County.

Nicole Washington introduced herself and said that she was currently renovating a house in town that they are moving to. Said she currently worked in Orange County as Director of Development for Planning and Zoning.

Jolyn Bullock introduced herself and said she worked for the Louisa County Library. She said she had been on the planning commission for a year. She said she had lived in Louisa for over thirty years.

Lauren Ball said she had lived in Mineral for about eight years. She said she taught preschool in the town of Louisa. She also serves as a cub master.

Members not in attendance was Tony Williams.

Electing a Temporary Chairman

The mayor asked for nominations for Chairman.

Ed Kube said that he had talked with the town manager and he had said that they needed to appoint a Chairman, Vice Chairman and secretary. He said he did not think that most planning commissions have a Vice Chairman but he did not think it was a bad idea. He said in the event that the chairman could not attend there would be a substitute. He also asked if they would want to elect the permanent Chair tonight or elect a temporary chairman and wait until all five members were present?

The Mayor said that in the past he had tried to recruit Commissioner Williams to serve as Chairman but due to his religious beliefs he did not accept.

Commissioner Kube said that was the reason Commissioner Williams was not in attendance. He said the normal meeting night was Thursday and even though they were not at that time in the meeting a set day needed to be determined.

Kube asked what the commission wanted to do with four of the five members present and one not voting. Did they want to elect a chairman and set the day for regular meetings or elect a temporary one?

Mayor Jarvis told the group that legally the reason Commissioner Washington was not voting was that she was not a resident of the Town yet.

Commissioner Ball said that she was fine with deciding tonight as long as it did not put Commissioner Williams out. She said that she thought that they could vote for a temporary chairman and when they were all together they could vote for the permanent one.

Commissioner Ball made the motion for Ed Kube to serve as the temporary Chairman, which was seconded by Commissioner Bullock.

Lauren Ball – Yes

Jolyn Bullock – Yes

Ed Kube – Yes

(He said he would normally abstain but because there were only three people voting he would vote.)

Nicole Washington – Participating only

Motion Passed 3-0-0

The Mayor turned the meeting over to Kube.

Chairman Kube asked if the commissioners wanted to vote for a vice chairman or wait. It was the consensus to wait.

Establish Meeting Date and Time

The Chairman moved on to setting the date for the meetings.

Kube told the commissioners that the regular meeting date was Thursday. He suggested to have an keep it on the third Thursday for the October meeting. He also suggested that the commission get the Thomas Jefferson Planning District involved in the comprehensive plan process because of their expertise and ability to produce a professional document. He said the current plan could be tweaked but the commission did not need to start over.

Commissioner Washington said Mondays were best for her and she could not attend on the third Thursday of the month. Commissioner Ball agreed that she could attend on Monday. Commissioner Bullock said she was unavailable, that she had to work.

With four members present and no consensus as to a meeting date. Kube said the group needed to decide as a whole and maybe they could come to a consensus by email.

Conditional Use Permit Request

Chairman Kube said that a conditional use permit had been requested by Millers Market to add gas pumps to their business. He acknowledged AJ Singh, the owner who was in attendance. Kube said that on August 22, Mr. Singh had submitted an application to the town manager.

He read the application for a conditional use permit, pursuant to section 425-56 of the Mineral Town Code, which was received by the zoning administrator and forwarded to the planning commission for action to be taken within 30 days.

The request is attached to these minutes.

Opened Public Comment Period

Tony Henshaw, 607 Louisa Avenue, spoke in favor of the request. He said he had heard so much negativity and he did not understand why. He said Singh had a business there now and there was traffic there now. He has the rest of his lot that he would like to grow his business. He said he didn't think adding to his business was going to change a lot. He said that there is already traffic coming and going during the night. He said he has coke machines and Red Box and people come and go all night to use them. He said he didn't see anything changing. Henshaw said he thought it would be a positive. He thought it would free up the intersection at the Exxon Station. He said people trying to get gas there tie up the intersection for through traffic. As far as the well, he said it was up to the environmental people to say if the ground is good it was up to the town to just say if they wanted the man's business. He said he lived right next door and he had no problems with it. However, he had one request, which was that if

approved the lights on the store now would be incorporated under the new code where you would have to have dark sky lighting. He said some people complain about the current lights.

Edwin Jarvis, Mayor, addressed the issue for Tommy Runnett.

Jarvis said he had Tommy Runnett approach him at the post office. He wanted to convey that Runnett supports AJ putting in the gas pumps. Jarvis said Runnett had no objection. Tommy has lived here longer than any of us and at one time there was a lot more pumps on Mineral Avenue. He said we shouldn't try to keep a person from improving their livelihood.

Commissioner Ball asked if the gas pumps would include ethanol free gas. Singh confirmed that it would.

The Chairman closed the public comment discussion and asked Mr. Singh if he had any remarks.

AJ Singh

Mr. Singh introduced himself and said that he was the owner of Miller's Market. He said he was mainly here to address any questions the planning commission had. Singh confirmed again that he would have ethanol free gas, regular plus premium, diesel and may have kerosene. He said kerosene would require a separate pump so he was not sure. The underground terminals will be set up with conduits under ground for electric vehicles. They will be in place but not installed above ground for future use so that there is no re-digging. He said he had someone lined up to test the well and that it had to be done by a third party obtained by Anderson Oil. He did not know the name of the company but he said that they were used by Anderson for all their environmental testing and that they were licensed in Virginia and the United States for environmental testing.

Singh asked for any questions. Commissioner Kube asked if the testing was done and there were things that needed to be addressed, or corrected or retro fits would he be prepared to do those things? Singh answered that he would. It would be his top priority.

Commissioner Washington stated that the application was for a conditional use permit and asked the commission if there were any conditions they would like to implement for the property owner to establish, for instance the lighting. She was concerned with the traffic in the area. She said people drive more than 35 miles per hour and wondered if VDoT had looked at the area. She said the way the gas pumps were laid out she did not know if the entrance needed widening?

Singh explained exactly where the pumps would be located.

Mayor Jarvis said that maybe VDoT should come out and look at the entrance. The roads in town are wide and maybe something like what is done at the Exxon entrance could be done where they temporarily move to the far-right lane.

Commissioner Washington said that normally when you have a site plan looked at you have outside agency's take a look at it and approve it. It would be nice to have VDOT look at the distance and the road.

Mayor Jarvis interjected saying that it was different. All the applicant needs is for the commission to say yes or no. Knowing that that will be the beginning of the water testing and VDOT regulation may be another of those things. Then the applicant goes to the County and they have some things he may be required to do. Jarvis asked, is it within the code or not.

Commissioner Kube said that he needed to real it back a bit. He said that tonight's meeting was not a public hearing. It was not advertised as a public hearing. He said that what the town manager was looking for is that whether we agree or disagree that is was worthy of allowing a conditional use permit. He said the commission only has 30 days to do it and it is close to that right now. Then it would go to town council. So at this meeting we do not have to approve or deny or come up with conditions.

Kube continued, but if it proceeds and it gets to council they will have to hold a public hearing as well as the commission. He continued saying that yes, the conditions that Mr. Singh is offering need to be considered and see if the commission is satisfied with things or if they need to be adjusted. He said he thought that the meeting tonight was a good opportunity to flush out and that it should help the applicant as well as council. He said the purpose of the planning commission was to raise issues so that the council would be better prepared. And so the applicant is better prepared. He told Singh, it is so we don't have to go through everything and then go through it again. However we get a better idea of what's transpired with you being here. We will wait to see what the council decides in the end.

Singh responded that he did have a fair number of testimonials from local businesses and community members and a petition at the store. He said he had 200 signatures.

Commissioner Ball told the applicant that he had cleaned up the store and that she shopped there now. She said it looked great compared to what was there before. She told him he was serving the community in a much better way. She said she didn't see a problem with it. The lighting and other concerns could be addressed and worked through.

Commissioner Bullock said she did not see a problem with the pumps However, she did not live directly in the area. She said it would be a benefit if it cleared some of the congestion on the corner.

Singh asked Commissioner Washington since she owned the house across the street, would that affect her in any certain way?

Washington responded, that she did not know that anything would bother her but she said she would suggest the dark sky lighting.

Singh said the lighting could be customized when they are installing the pumps. He said they would be starting from scratch. He said Anderson Oil is remodeling their pumps so they would be brand new gas pumps.

Commissioner Washington told the applicant and the commission that when getting into the gas business it is not to make money but to give back to the community.

Commissioner Kube said he wanted to make a comment. He said if you read the light commercial regulations 425-23 it says; the primary purpose of this district is to establish and protect a limited business district that will serve the surrounding residential districts. Traffic and parking congestion shall be held to a minimum to protect and preserve property values in the surrounding residential districts, and, insofar as possible, all neighborhood business development shall take place in a limited business district. Water and sewer shall be provided.

He said there were five classifications and the gas pumps were listed in general commercial not in light commercial. He said anything permitted in the residential was also permitted except the townhomes which would need a CUP.

He further quoted 425-24 Retail businesses, which includes retail stores and service establishments such as bakeries, food shops, drugstores, branch laundries, and dry-cleaning shops (but not dyeing plants), beauty parlors, barbershops, tailor and shoe repair shops He said the food shop would be the closest thing. He said that the light commercial district stretched up as far as second St where it becomes general commercial and all the existing other gas stations were in general commercial.

Kube said that the way he interpreted the code was that if it did not include the pumps that they were not allowed.

Commissioner Ball asked How Duke Oil was classified. The mayor answered that it was General Commercial. He said it was interesting that at one time all of Mineral Avenue was zoned general commercial but it was changed in the 70's.

The Mayor asked if the applicant were to do away with the U-Haul's would that make it more palatable?

Commissioner Kube said that the applicant had stated in his submission that the decision on the U-Hauls would be decided on the perception of the community, town council and the commission would all be included in that. He said the applicant had addressed that they all need to mesh together if he does all of them. Commissioner Kube said they needed a motion to either send the application to council or not.

Singh said, addressing the U-hauls, that they could be limited or terminated. He said that he currently has 33-37 parking spaces and that most of the time there were less than 10 cars. He also said the parking lot was going to be re-done. Sing told the commission that he was in the top 100 in Canada and the US in U-Haul rentals.

Commissioner Ball made the motion to recommend sending the application to council for consideration. The motion was seconded by Commissioner Bullock.

Lauren Ball – Yes
Jolyn Bullock – Yes
Ed Kube – No
Nicole Washington Abstain.

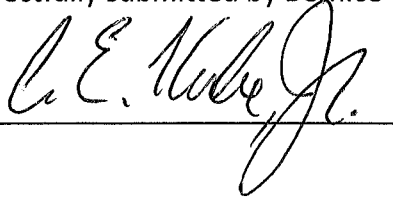
Motion passed 2-1-1 and will be passed to the Council.

Kube moved to the next item, the comprehensive plan. There was a consensus that the Thomas Jefferson Planning District is needed to assist with the comprehensive plan preparation. Kube gave council members a copy of items that he had prepared that he thought should be addressed in the plan and could be discussed at the next meeting. He said some may not agree but it was a starting point to have some ideas to incorporate in it.

Kube called for a motion to adjourn.
Motion to adjourn Commissioner Bullock. Second Commissioner Ball.
Lauren Ball – Yes
Jolyn Bullock – Yes
Ed Kube – Yes
Nicole Washington - Abstain
Motion Passed 3-0-1

Minutes respectfully submitted by Bernice Wilson Kube

Chairman



Clerk

