

Planning Commission
May 9, 2022 at 6:00 p.m.

Commission

Members: Denis McCarthy
Allen Queen
Tom Watkins
Edwin Nash
Nathaniel Miller

Staff Present: Philip Vannoorbeeck
Jennifer Daniel

Chairman McCarthy called the meeting to order at 6:00 p.m.

PUBLIC HEARINGS:

Conditional Rezoning – Jan’s Residential – High Street

*NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE*

*The Town of Blackstone Planning Commission shall hold a Public Hearing on May 9, 2022 at 6:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a Conditional Rezoning request from **Jan’s Residential** to accommodate a currently operating Assisted Living Facility. The Conditional Rezoning request asks that the property be rezoned from the R-2, Residential District to the R-B, Residential Business District. The subject property is located at 307 N. High Street and is designated as Nottoway County Tax Map Number 50A27-1-M-38. The Planning Commission may make a recommendation following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.*

Chairman McCarthy opened the Public Hearing and asked Manager Vannoorbeeck to go over the background of the request.

Manager Vannoorbeeck said this request was brought as a modification to the R-2 District. He said the State says eight or fewer people, under certain conditions, is considered single family. He said the first time this was brought to the Planning Commission it was for a modification for more than eight, and did not get a vote.

Chairman McCarthy said we did not want to allow this all through the R-2 District.

Manager Vannoorbeeck said Crossroads had not been complimentary about the care, and there have been some police reports.

Commission Member Watkins said if we change the zoning, this will also allow others to have in the Business District. He said we may want to consider sticking with State guidelines.

Manager Vannoorbeeck said to exceed the eight residents in a single family home, it requires approval from the Planning Commission and Council. He said Ms. Judy Bennett advised him she had 11 residents in her establishment.

Commission Member Miller said Ms. Bennett has had several opportunities to let us know what is going on, and she is not here tonight. He said we have no evidence or an agreement to even compromise.

Manager Vannoorbeeck said this request is for 12 residents.

Commission Member Watkins said making an exception, and taking into a business setting is almost carving it out, we need to be careful.

Commission Member Queen asked if the building was sufficient and safe for 12 people. Manager Vannoorbeeck said Jan's Residential is inspected by Social Services, and has a valid permit. Commission Member Queen said how do we reward someone by breaking the zoning.

Manager Vannoorbeeck said this is the third time trying to meet on this, and this time we were going to discuss conditionally rezoning Ms. Bennett's parcels to Residential Business.

Commission Member Miller said if I know you are trying to rezone my property, I would be here or have a representative here, and nobody is here tonight.

Commission Member Queen said the property is zoned for eight, Ms. Bennett is breaking that by going to 12, there are negative feelings among the community about how people are treated there, and police reports are showing some troubling things.

Manager Vannoorbeeck said he received correspondence from a resident at 305 N. High Street, that did not agree with Jan's Residential having 12, they wrote, it has too little space to accommodate people, and they do not treat the people well or provide proper care.

Commission Member Miller asked if we make a decision on this request, can it be brought back up. Manager Vannoorbeeck said Ms. Bennett can reapply in two years if turned down for her request. Commission Member Miller said we don't have a choice; we can only go by what information we have tonight.

Commission Member Watkins believed the State guidelines were there for a good reason, and had done enough studies. Commission Member Queen agreed.

Manager Vannoorbeeck said if the Planning Commission and Council deny this request, she can appeal to the Circuit Court.

Commission Member Queen made a motion to recommend to Council to deny the Conditional Rezoning request for Residential Business Zoning from Jan's Residential. The motion was seconded by Commission Member Miller.

VOTE:

Chairman McCarthy	–	Aye
Commission Member Nash	–	Aye
Commission Member Miller	–	Aye
Commission Member Watkins	–	Aye
Commission Member Queen	–	Aye

Conditional Use Permit – Jan's Residential – High Street

**NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE**

The Town of Blackstone Planning Commission shall hold a Public Hearing on May 9, 2022 at 6:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a Conditional Use permit request from Jan's Residential to permit an Assisted Living Facility. The Conditional Use permit, if approved would allow more than eight adults to reside in a congregate living arrangement. The location of an Adult Living Facility is permitted in the R-B, Residential Business District as a conditional use. The subject property is located at 307 N. High Street and is designated as Nottoway County Tax Map Number 50A27-1-M-38. The Planning Commission may make a recommendation following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.

This request was moot because the Conditional Rezoning request was denied.

Flood Plain Ordinance

**NOTICE OF PUBLIC HEARING
TOWN OF BLACKSTONE**

The Town of Blackstone Planning Commission shall hold a Public Hearing on May 9, 2022 at 6:00 p.m., in the Town Council Chambers, 100 W. Elm Street, Blackstone, Va. The purpose of the Public Hearing is to consider a Zoning Ordinance Amendment that would establish a Flood Plain Overlay District along with terms and conditions applicable to construction within the proposed district. The Planning Commission may make a recommendation following this public hearing. Any person desiring to speak for or against the request should attend the Public Hearing at the above stated date and time.

Manager Vannoorbeeck said FEMA has done a survey, and designated two locations in the Town of Blackstone. He said one is in the Taylor Bottom area and the other is on Jason Walker's property.

Manager Vannoorbeeck said someone would have to purchase flood insurance from the Federal Government in order to cover development in these areas. He said the Department of Conservation and Recreation demanded the Flood Plain Ordinance be adopted by May 3, 2022, so this will ratify what has already been submitted. He said DCR told us the residents of the Town could risk not making a FEMA claim in the future if this was not approved.

Commission Member Watkins made a motion to recommend to Council to adopt the Flood Plain Ordinance as presented. The motion was seconded by Commission Member Nash.

VOTE:

Chairman McCarthy	-	Aye
Commission Member Nash	-	Aye
Commission Member Miller	-	Aye
Commission Member Watkins	-	Aye
Commission Member Queen	-	Aye

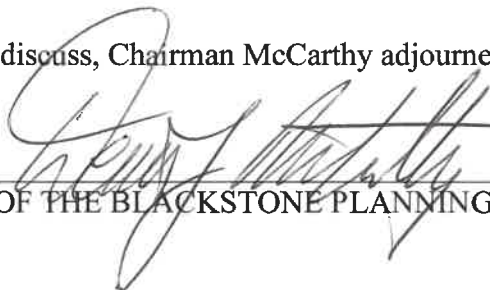
There was discussion on various projects going on.

Ms. Judy Bennett entered the meeting.

Manager Vannoorbeeck explained to Ms. Bennett that the Planning Commission denied her request, and it would be referred to Council on May 16, 2022. Ms. Bennett said she would not be here that night.

Manager Vannoorbeeck said at this point Ms. Bennett needed to consider how she can make it with eight residents.

There being no additional business to discuss, Chairman McCarthy adjourned the meeting at 6:26 p.m.


 CHAIRMAN,
 OF THE BLACKSTONE PLANNING COMMISSION

April 1, 2024 APPROVED AND ADOPTED


 TOWN CLERK
 OF THE TOWN OF BLACKSTONE, VIRGINIA