

**APPROVED MINUTES  
TOWN OF URBANNA PLANNING COMMISSION  
MAY 13, 2025**

A meeting of the Planning Commission of the Town of Urbanna, Virginia, was held on the 13th day of May, 2025 beginning at 6:00 p.m. in the Council Chambers of Town Hall located at 390 Virginia Street, Suite B in Urbanna, VA.

**AGENDA ITEM 1. CALL TO ORDER & ROLL CALL**

Mr. Costin called the meeting to order at 6:00pm.

**AGENDA ITEM 2. APPROVAL OF ELECTRONIC PARTICIPATION**

Not necessary.

**AGENDA ITEM 3. ROLL CALL OF MEMBERS**

Mr. Costin called the roll.

**Planning Commission Members**

Susan Caskie	Absent
Merri Hanson	Present
Gari Lister	Present
Ricky Longest	Arrived at 6:28pm
Katie Wilson	Present

**Others Present:**

Ted Costin, Town Administrator  
Christine Branch, Town Clerk  
Zack Halinski, Applicant  
Members of the public

**AGENDA ITEM 4. REVIEW AND ADOPTION OF AGENDA**

**Ms. Hanson made a motion to approve the agenda as presented. Ms. Lister seconded. All were in favor with none opposed. Motion passed 3-0 with 2 absent**

**AGENDA ITEM 5. ORGANIZATIONAL MATTERS**

**Item 5.a. Election of Chair and Vice Chair**

Ms. Hanson nominated Ms. Wilson as Chair. Ms. Wilson declined. Ms. Wilson nominated Ms. Hanson for Chair. Ms. Hanson agreed

**Mr. Costin stated the motion of electing Ms. Hanson as Chair of the Planning Commission for the calendar year 2025. The members were polled. All were in favor with none opposed. Motion passed 3-0 with 2 absent**

The Chair took over the meeting.

Ms. Lister nominated Ms. Wilson as Vice Chair. Ms. Wilson agreed.

**Chair Hanson stated the motion of electing Ms. Wilson as Vice Chair of the Planning Commission for the calendar year 2025. The members were polled. All were in favor with none opposed. Motion passed 3-0 with 2 absent**

### **Item 5.b. Establish Meeting Schedule**

After discussion of member availability, **Chair Hanson made a motion to set the regular meetings of the Planning Commission to the 2<sup>nd</sup> Wednesday of each month at 6:00pm in the Council Chambers of Town Hall, currently located at 390 Virginia Street, Suite B in Urbanna, VA. Ms. Lister seconded. The Chair called for any discussion. All were in favor with none opposed. Motion passed 3-0 with 2 absent.**

### **AGENDA ITEM 6. APPROVAL OF MINUTES**

#### **Item 6.a. July 23, 2024**

#### **Item 6.b. November 12, 2024**

**Chair Hanson made a motion to approve both sets of minutes as presented. Ms. Wilson seconded. The Chair called for any discussion. All were in favor with none opposed. Motion passed 3-0 with 2 absent.**

### **AGENDA ITEM 7. PUBLIC HEARING ON 2025-SUP APPLICATION-01**

#### **Item 7.a. Staff Presentation**

Mr. Costin said the application requested construction of an Additional Dwelling Unit (ADU) above a storage area in a detached 26'x26' accessory structure, anticipating construction of a single-family primary residence on Tax Map No. 20A-27-C, located in the R-1 zoning district. Finding that the proposed use would not have an adverse effect on the surrounding neighborhood, he recommended approval of the SUP with five conditions. Mr. Costin also noted the staff report incorrectly referenced Kent Street, which should be West Avenue.

Chair Hanson asked if this were an ADU application. Mr. Costin said yes. Chair Hanson said it was her understanding that their needs to be a Dwelling Unit before you can have an ADU. Mr. Costin said the proposal is for two structures, possibly going up at the same time. Chair Hanson asked if that were permissible. Mr. Costin said there is no residence there now, therefore the first dwelling unit built would be the primary, and the second would be the additional. Chair Hanson asked if there was a square footage limit in state code. Mr. Costin said he was not aware of any.

Mr. Costin confirmed the building currently on the property was not a dwelling unit and would be removed.

#### **Item 7.b. Applicant Presentation**

Mr. Lapinski with Hallinski Properties, LLC said the Town's Zoning Ordinance dictates setbacks, which his plan complies with, and height standards not to exceed three stories or 35' in height, whichever is less. There is no square footage limit. He agreed with Mr. Costin that whatever is built first is considered the primary dwelling, and the second is considered the ADU. He said his application is to be able to add a second dwelling unit to the property, which requires a Special Use Permit. His primary residence (the first dwelling built) is a by-right use in the R-1 district. Because he is unsure of the exact timing of construction, he is addressing the SUP now so they will be able to act when ready.

(Mr. Longest arrived at 6:28pm)

Chair Hanson asked the intended use of the ADU. Mr. Lapinski said he is willing to proffer that the ADU would not be rented for less than 30-days. In other words, the ADU would not be used as a short-term rental. Mr. Costin said this should be added as Condition 4 to the current list of conditions:

1. All federal, state and local laws shall be observed at all times with particular reference to second floor ingress and egress for the additional dwelling unit.
2. No ingress/egress will be added to the Cross Street side of the property.
3. The property shall be maintained in a clean and orderly manner at all times.
4. The Additional Dwelling Unit shall not be rented out for less than 30 days (not be used as a short-term rental unit).
5. If owner and/or applicant violates any of the conditions above or fails to adhere to the representations set forth in the application and supporting materials, this special use permit may be terminated upon notice being given the applicant and hearing by the Town Council.
6. This Ordinance shall be recorded in the Middlesex County Clerk's Office by the property owner; the property owner shall provide a stamped copy of the recorded Ordinance to the Town Administrator.

Ms. Wilson asked about taxes. Mr. Lapinski said he would still be paying real estate taxes on both dwelling units, regardless of their use, because all finished square footage is taxable. He confirmed again that he would be tearing down the existing non-conforming building on the property. Mr. Lapinski said he is not willing to give up his by-right use of the primary dwelling unit as a short-term rental and said this is the same right every other R-1 land owner has. He noted that, if he did choose to use the primary dwelling unit as a short-term rental, he would have to apply for a permit and a business license and follow all other short-term rental regulations, just as any other homeowner would.

#### **Item 7.c. Open Public Comment Hearing Period**

Chair Hanson opened the Public Hearing.

Lisa Powers of 210 Colorado Avenue said she is concerned about there being a big garage with an apartment on top of it. She said she has spoken with Mr. Lapinski and was surprised by the mention of a second dwelling unit.

Lisa Wiggins of 190 Colorado Avenue said she is concerned about there being two buildings and only one parking area. She said things have changed since she first spoke to Mr. Lapinski. She said she did not receive a certified letter notifying her of this hearing.

Vicki Satterwhite of 150 Colorado Avenue said she does not agree that it will not have an adverse effect on the surrounding neighborhood because it will increase traffic. She said there are currently short-term rental properties there and the guests don't follow Town laws.

Patsy Panis of 191 Taylor Avenue said she is not an adjoining property owner but is concerned about congestion. She said the speed limit is not enforced. She said she is concerned about more rental properties and that the Town is not making any money on it. She is also concerned because the ultimate outcome is not known.

#### **Item 7.d. Closed Public Comment Hearing Period**

There being no further speakers, Chair Hanson closed the Public Hearing.

#### **Item 7.d.1 Applicant Rebuttal**

Mr. Lapinski said the minimum setback should alleviate any parking concerns and his plan meets VDOT's four car off-street parking requirement.

He noted again that he cannot use the property as an Air BnB without first coming back before Council.

He said he still has to follow state code, the Town Zoning Ordinance, and fire code when planning and building the dwellings.

Mr. Costin said the roads are state maintained and residents should contact the State Police or Middlesex Sheriff's Office to address enforcement.

Mr. Costin said there is a business license fee for STRs plus a percentage on total rental income. There is no economic benefit to the town for long-term rentals.

Mr. Costin said the county's GIS system was used to identify adjacent property owners and certified letters were sent to all. He said the code requirements are very explicit and all were followed. He noted that participation in the hearing negates not getting notice.

#### **Item 7.e. Commission Discussion**

Mr. Longest asked how many bathrooms were planned. Mr. Lapinski said 1.5. Mr. Longest said there are three large homes currently being built in town and asked if HRSD had any concerns on capacity. Mr. Costin said he contacted HRSD and other agencies for comments on this case and no comments outside routine development requirements were received. Mr. Lapinski said he also followed-up with HRSD and was told there is no problem on their end.

After additional discussion, Chair Hanson made a motion to recommend approval of 2025-SUP Application-01 granting a special use permit to Zack Lapinski, Hallinski Properties, LLC for construction of an Additional Dwelling Unit above storage area in a detached 26'x26' accessory structure anticipating construction of a single-family primary residence - Tax Map No. 20A-27-C consisting of 0.270 acres located in Zoning District R-1 with the recommended six conditions. Ms. Lister seconded. The Chair called for any discussion.

Chair Hanson said this is the first mention of a storage area. Mr. Lapinski said the approval should just be for the SUP and not all the detail. Chair Hanson withdrew her motion and Ms. Lister withdrew her second. Additional discussion clarifying the issue occurred.

**Chair Hanson made a motion to recommend approval of 2025-SUP Application-01 granting a special use permit to Zack Lapinski, Hallinski Properties, LLC for construction of an Additional Dwelling Unit - Tax Map No. 20A-27-C consisting of 0.270 acres located in Zoning District R-1 with the recommended six conditions. Ms. Lister seconded. The Chair called for any discussion. The members were polled:**

<b>Susan Caskie</b>	<b>Absent</b>
<b>Merri Hanson</b>	<b>Yes</b>
<b>Gari Lister</b>	<b>Yes</b>
<b>Ricky Longest</b>	<b>Abstain</b>
<b>Katie Wilson</b>	<b>Yes</b>

**The motion passed 3-0 with 1 abstaining and 1 absent**

**AGENDA ITEM 8. OTHER MATTERS**

Mr. Costin asked the members to review the draft bylaws submitted by the Town Clerk. He also pointed out that a contact list of members was at their seat.

**AGENDA ITEM 9. ADJOURN**

**Chair Hanson made a motion to adjourn. All were in favor with none opposed.**

**The meeting was adjourned at 7:20pm.**

Respectfully Submitted,  
Christine H. Branch

Minutes approved by the Planning Commission on September 10, 2025.

ATTEST:

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Christine H. Branch, Town Clerk