

**APPROVED MINUTES  
TOWN OF URBANNA TOWN COUNCIL  
REGULAR MEETING OF SEPTEMBER 11, 2025**

A regular meeting of the Town Council of the Town of Urbanna, Virginia, was held on the 11th day of September, 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**

Mayor Goldsmith called the meeting to order at 6:01pm.

**AGENDA ITEM 2. APPROVAL OF ELECTRONIC PARTICIPATION BY A COUNCIL MEMBER**

Not necessary.

**AGENDA ITEM 3. ROLL CALL**

|                      |         |
|----------------------|---------|
| Marjorie Austin      | Present |
| Larry Chowning       | Present |
| Alana Courtney       | Present |
| Mayor Bill Goldsmith | Present |
| Merri Hanson         | Present |
| Beth Justice         | Present |
| Robbie Wilson        | Present |

**Others Present:**

Ted Costin, Town Administrator  
Christine Branch, Town Clerk  
Andrea Erard, Town Attorney  
Michele Hutton, Treasurer  
Members of the public

**AGENDA ITEM 4. PLEDGE OF ALLEGIANCE**

The Mayor led the Pledge of Allegiance.

**AGENDA ITEM 5. MOMENT OF SILENCE**

The Mayor called for a moment of silence.

**AGENDA ITEM 6. REVIEW AND ADOPTION OF AMENDED MEETING AGENDA**

Councilmember Austin made a motion to approve the agenda as presented. Councilmember Justice seconded. The Mayor called for any discussion. All were in favor with none opposed. The motion passed 7-0 with 0 absent.

**AGENDA ITEM 7. APPROVAL OF MINUTES**

**7a. August 14, 2025 Regular Meeting Draft Minutes**

**7b. August 28, 2025 Work Session Draft Minutes**

Councilmember Austin made a motion to approve both sets of minutes as presented. Councilmember Wilson seconded. The Mayor called for any discussion. All were in favor with none opposed. The motion passed 7-0 with 0 absent.

**AGENDA ITEM 8. PUBLIC HEARING - ORDINANCE 003-2025: 2025-SUP-02 PICKETT**

Mr. Costin presented the staff report and the recommendations from the Planning Commission.

Kiersten Ladendorf, General Manager of the Urbanna Pearl Oyster Tavern, was representing Mr. Pickett. Ms. Ladendorf said the intention of the front area is to rope it off and add an additional set of chairs there. Two chairs are currently there. She said they do not want to put tables out front. Ms. Ladendorf said the rear patio is a long way away. Mr. Pickett would like a garden in the back. He decided to ask for it in this application to avoid having to come back again requesting changes. This would not be a food-serving area but a place where people could stand.

Councilmember Austin said when this SUP was originally granted, there were supposed to be games, which never materialized. She said Mr. Pickett said there wouldn't be alcohol, but there is. She also said there was supposed to be a 4 ft. fence erected but that wasn't done. She said the neighbors specifically asked for the fence.

Councilmembers Hanson and Justice said the plan was always to serve alcohol.

Mr. Costin said there is a fence in the rear of the property.

Mayor Goldsmith opened the Public Hearing Comment Period.

Kerry Robusto of Red Hill Drive said the restaurant has been an asset to the Town. She loves that they carry Virginia-made beer and wine. She also mentioned that the property they are located in used to belong to Dr. Mitchell, of the Mitchell Map. Ms. Robusto said she is glad the restaurant is here.

There being no further speakers, Mayor Goldsmith closed the Public Hearing Comment Period.

**Councilmember Justice made a motion to approve Ordinance 003-2025 granting revisions to Conditions 3 and 5 originally imposed by Special Use Permit 2024-01, as recommended by staff. Councilmember Courtney seconded. The Mayor called for any discussion.**

Councilmember Wilson asked about the condition that sounds inside should not be heard outside. He said that you can hear the bands outside and asked if Mr. Pickett is being treated differently than others with this provision. Mr. Costin said this condition was imposed due to the restaurant being located in a mixed-use area consisting of residential homes.

Councilmember Hanson went over the Planning Commission's discussion and recommendation. She said the Commission felt utilizing the front area would be beneficial both to the applicant and the Town. They did feel that there should be some sort of delineation between the patio area and the public sidewalk to discourage congestion.

Councilmember Hanson said the original SUP did not call for the area to be fully fenced. Mr. Costin read the original Condition 9. He noted there was no time condition imposed.

Ms. Ladendorf said that two of the cans in the trash area were oyster shell recycling cans.

Councilmember Austin asked why the noise condition should remain. Ms. Erard said the Council can only alter the conditions requested by Mr. Pickett and advertised for the Public Hearing.

Councilmember Wilson said it appeared that the local citizens were the greatest patrons of the restaurant.

**There being no further discussion, Mayor Goldsmith called for a vote on the motion. All were in favor with none opposed. The motion passed 7-0 with 0 absent.**

### **ORDINANCE 03-2025 (Uncodified)**

#### **SPECIAL USE PERMIT (SUP) APPLICATION 2025-SUP-02, SHAWN PICKETT TO AMEND CONDITIONS IMPOSED BY 2024-SUP-01, ORDINANCE 03-2024, REGARDING HOURS OF OPERATION AND SEATING AT THE RESTAURANT LOCATED AT 161 CROSS STREET, URBANNA, VIRGINIA 23175 TAX MAP NO. 20A-17-8 IN THE B-1 ZONING DISTRICT, +/-0.171 ACRES**

**WHEREAS** the applicant, Shawn Pickett, requests a Special Use Permit (SUP) to amend the hours of operation and seating at the restaurant located at 161 Cross Street, Urbanna, VA 23175 (Tax Map No. 20A-17-8, Zoned B-1); and

**WHEREAS** 2024-SUP-01 was granted by Town Council via Ordinance 03-2024 on May 9, 2024 allowing a restaurant, retail sale of snacks, sodas, beer, and wine for consumption, on and off premises; as well as an arcade and board games subject to twelve (12) terms and conditions; and

**WHEREAS** the applicant has complied with the terms and conditions of 2024-SUP-01; and

**WHEREAS** the Urbanna Planning Commission held a duly advertised Public Hearing pursuant to Code of Virginia §15.2-2204 on September 10, 2025 to accept comment from adjacent home owners and the general public and voted to recommend approval of revisions to Conditions 3 and 5 originally imposed on 2024-SUP-01, Ordinance 03-2024 by Town Council; and

**WHEREAS** the Urbanna Town Council held a duly advertised Public Hearing pursuant to Code of Virginia §15.2-2204 on September 11, 2025 to accept comment from adjacent home owners and the general public;

**NOW, THEREFORE, BE IT ORDAINED** by the Urbanna Town Council that Special Use Permit 2025-02 is hereby granted for Tax Map No. 20A-17-A, 161 Cross Avenue, to amend the terms and conditions of 2024-SUP-01, Ordinance 03-2024 as follows:

1. All federal, state and local laws shall be observed at all times.
2. 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.
3. Hours of operation shall be ~~between noon and 9:00PM three days a week, Thursdays through Saturdays and on Sundays between noon and 6:00PM~~ **permitted on Sundays from 9am-9pm, Mondays from noon-10pm, and Tuesdays through Saturdays from 9am-9pm.**
4. No game shall be offered that results in the award of monetary prizes of any type, including, but not limited to, cash, gift cards, or credit.

5. The uses authorized by this Special Use Permit are **permitted:** ~~only permitted on the inside of the existing structure. There shall be no outside food or drink service or consumption and no outside service seating shall be permitted.~~ **1. On the inside of the existing structure, 2. On the front patio area provided it be defined by fencing along the edge of the public sidewalk, and 3. On a rear patio area after plan review and approval by the Planning Commission within one year of the approval of this SUP. However, in no case will outside seating alter the existing occupancy limit of twenty (20) persons established by regulatory authorities and at no time shall the public sidewalk be blocked.** Likewise, no outdoor speaker system may be utilized and there shall be no noise from inside of the structure that is audible outside of the structure.
6. Outside lighting shall be utilized only to the extent necessary to allow safe egress and ingress; lighting of signage visible to the outside shall not exceed 450 lumens (40w).
7. Signage shall be limited to 100 square feet total and must be attached or painted on the structure. There shall be no other signage.
8. The property shall be maintained in a clean and orderly manner at all times.
9. Trash containers shall be stored in the rear of the property and shielded from public view. Trash cans shall be securely covered at all times.
10. All vendor service deliveries shall be performed between the hours of 8:00 AM and 6:00 PM. Delivery vehicles shall park on the street and goods shall be carried into the structure.
11. Pursuant to Section 17-6.1 and 17-6.2 (1) the use is relieved of on-site parking space requirements.
12. 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; and

This Ordinance shall take effect upon adoption.

**ADOPTED** this 11<sup>th</sup> day of September, 2025.

## **AGENDA ITEM 9. REPORTS**

### **9a. STAFF REPORTS**

#### **9a.1. Town Administrator**

Mr. Costin presented his report and provided the following updates:

- The additional bid for the museum entrance was received on September 8, 2025.
- The reimbursement for the BIG grant was received on September 2, 2025 in the amount of \$60,940.90.

Councilmember Chowning clarified what the BIG grant covered. Mr. Costin said the shoreline restoration and replacement of some decking. Mr. Chewning said there are additional repairs needed at the marina.

Councilmember Chowning asked about the road work being done. Mr. Costin said it was to address drainage issues on Virginia Street at its intersection with Prince George Street. He said the Town was not given any notice by VDOT that the work would be occurring. Councilmember Courtney said the people at the end of Cross Street have the same problem.

Councilmember Hanson mentioned an article about stormwater mitigation.

Councilmember Wilson asked about the grant for the bridge to the marina. Mr. Costin said there is a Rural Transportation Grant that he worked with the Middle Peninsula Planning District Commission (MPPDC) to enter an application. They asked for \$450,000 for preliminary engineering. He has not received any word yet on the status. He said Council would need to make a decision on whether they want to proceed once they receive the options discovered during preliminary engineering. He said the marina would have to be closed during any construction.

Councilmember Austin asked about the kayak launch. Mr. Costin said it's being worked on. The fence has been moved, the brush has been cleared, and the frame for the bench has been installed. They still need to lay down a mat to protect the vegetation, install oyster shells, and attach the seat to the bench. Councilmember Hanson said oyster shells would damage kayaks when they're dragged over them. Mr. Costin said kayaks are supposed to be carried, not dragged. Ms. Hanson said she would prefer dirt. Mr. Costin said Home Depot donated all the wood to the young man doing the project. There were no permit application fees and the labor is free. Ms. Austin said Council should give the young man some sort of thank you and recognize him when he's done.

### **9a.2. Treasurer**

Ms. Hutton presented the Treasurer's Report through July 31, 2025.

She said cigarette tax is on the decline, perhaps due to the new tobacco shop at Cook's Corner. Once the new gas station is opened in town, the amount may increase again. She also said the meals tax will increase with the addition of the Dockside Deli. Delinquent real estate is at \$2,209.00 and that property has a lien in place. Delinquent personal property tax is at \$9,833 and she has been collecting some funds from the DMV stops. She is currently working on past due business licenses and late fees are being assessed.

Ms. Hutton said she and Ms. Kimble are very close to putting out a test broadcast for the new reverse 911 system. The USDA loan for phase II is complete and monthly payments will be \$1,306. She received the Fire Grant for the sum of \$15,000 and she will cut a check to the Middlesex Vol. Fire Dept. Oyster Festival business licenses are almost complete and she is currently waiting on the escrow companies to send necessary information to update real estate accounts for tax season.

### **9a.3. Town Clerk**

Ms. Branch presented the Monthly Clerk's Report. She said she has gotten a faster scanner which is working well. The IT consultant will need to add it to the network so others can use it as well. She said the Library of Virginia has minutes from 1902-1988 on microfilm which means that we have a record of Council actions since the Town's inception.

Ms. Branch said she attended a webinar on WCAG compliance for our website and it was pointed out that all pdfs on the site must also be compliant. She said that would be a very big job and she

learned that Adobe has created some tools to help with the accessibility tagging. **She asked how long Council wished for the minutes to be on the website. The general consensus was one year.** Ms. Branch pointed out that the minutes and other records would still be available for anyone wanting them, either electronically, by print, or by reviewing the minute binders.

## **9b. COMMITTEE REPORTS**

### **9b.1. Finance Committee**

The Finance Committee did not meet since their last report. Councilmember Wilson said he applied for a grant for playground equipment.

### **9b.2. Water Committee**

The Water Committee did not meet since their last report. Mr. Costin said he is working on the withdrawal permit renewal.

### **9b.3. Events Committee**

The Events Committee did not meet since their last report. Councilmember Justice said the last Second Saturday event for the season will take place on September 13<sup>th</sup> featuring Sweet Justice and food trucks.

### **9b.4. Personnel Committee**

The Personnel Committee did not meet since their last report. They have a meeting scheduled with the Town Attorney for October 1, 2025 to receive a draft of the Personnel Manual. Councilmember Austin said she thought this had already been done. Ms. Erard said she would be presenting her draft at the October meeting and discussing changes with the Committee.

## **AGENDA ITEMS 10 & 11. PUBLIC COMMENT 1 AND COUNCIL RESPONSE 1**

There were no speakers.

## **AGENDA ITEM 12. UNFINISHED BUSINESS - NONE**

## **AGENDA ITEM 13. NEW BUSINESS**

### **13a. Middlesex Economic Development Authority (EDA) Liaison Appointment**

Mr. Costin said John Anzivino, Urbanna citizen and Chair of the Middlesex EDA, invited Council to have a member act as a liaison to attend their meets and inform Council of the EDAs work. Mayor Goldsmith said Councilmember Austin had volunteered.

**Councilmember Hanson made a motion to appoint Marjorie Austin as Council's liaison to the Middlesex Economic Development Authority for a term concurrent with her current term on Council. Councilmember Chowning seconded. The Mayor called for any discussion. All were in favor with none opposed. The motion passed 7-0 with 0 absent.**

## **AGENDA ITEMS 14 & 15. PUBLIC COMMENT 2 AND COUNCIL RESPONSE 2**

Kristi Anzivino of Howard Street said there was a car parked facing the wrong direction on Cross Street near the massage business. She said the curbs are painted yellow which means it's a no parking zone, but the paint is faded. She said the curb needs to be weeded and repainted.

Mr. Costin said it is in the process of being weeded. The contractor has applied weed killer and will come back and remove them once it's done its job.

Councilmember Chowning said Mr. Costin needs to take a look at it because once it's painted, it becomes an enforcement issue with the Sheriff. Councilmember Austin said there used to be signs but they were removed because it wasn't being enforced. Mr. Costin said he will contact VDOT.

Billy Mayo of Rappahannock Street said he and Mr. Shumer painted the curb years ago and people stopped them. He said you can't see past them when vehicles are parked there.

Ms. Hutton said she painted the curb in front of the old Town Hall and it did help.

## **AGENDA ITEM 16. COUNCIL ANNOUNCEMENTS & REQUESTS**

Councilmember Courtney read a letter to HRSD written by Pete Mansfield, which was published in the newspaper. Councilmember Hanson said she was given documentation by Mr. Mansfield to give to Council (see Attachment A) and it's worth taking a look at. Councilmember Courtney said it needs to be addressed because Urbanna Creek is condemned. They asked that this be put on a future agenda.

Ms. Erard said they need to look at the agreement between the Town and HRSD. Councilmember Wilson said he will send a link to council about a new HRSD SWIFT facility in Suffolk. (Visit <https://www.hrsd.com/swift/> for more information.)

## **AGENDA ITEM 17. CLOSED MEETING**

### **17a. Motion to Convene Closed Meeting**

**The motion was read by Ms. Erard. Councilmember Wilson made a motion to go into closed meeting pursuant to Virginia Code Section 2.2-3711 (A)(3) for the discussion of the potential acquisition of real property for a Town Hall and the reason is because discussion in an open meeting would either negatively affect the bargaining position or negotiating strategy of the Town Council. Mayor Goldsmith seconded.**

**Councilmembers present for Closed Meeting:** Austin, Chowning, Courtney, Goldsmith, Hanson, Justice, Wilson; **Absent** – none

**17b. Motion to Reconvene in Open Session & 17c. Certification of Open Meeting**

The motion was read by Ms. Erard. Councilmember Austin made a motion to reconvene in open session and certify that only the matters that were discussed to go into closed meeting were heard, discussed, or considered. Councilmember Hanson seconded. The Mayor called the roll.

Marjorie Austin ..... Certify  
Larry Chowning ..... Certify  
Alana Courtney ..... Certify  
Bill Goldsmith (Mayor) ..... Certify  
Merri Hanson ..... Certify  
Beth Justice ..... Certify  
Robbie Wilson..... Certify

**17d. Action on Closed Meeting**

No action was taken as a result of the Closed Meeting.

**AGENDA ITEM 15. ADJOURN OR RECESS**

Councilmember Austin made a motion to adjourn. All were in favor with none opposed. The meeting was adjourned at 7:45pm.

Respectfully submitted,  
Christine H. Branch, Town Clerk

Approved by Council: October 9, 2025

ATTEST:

\_\_\_\_\_  
Christine H. Branch, Town Clerk

## **ATTACHMENT A**

September 2, 2025

To: Members of Urbanna Town Council

Honorable Council Members,

I am not officially a resident of the Town of Urbanna since my home is directly across Urbanna Creek from the town. However, I would appreciate your consideration of the following major cost saving for Urbanna and eliminating the pollution of our historic Urbanna Creek.

I believe HRSD (Hampton Roads Sanitation Division) is charging the Town \$18.61 per 1000 gallons for the disposal of wastewater into Urbanna Creek. They are currently using the Urbanna Wastewater Treatment Plant and propose to continue to use this plant for the next 40 years, until they have completed a pipeline to their Williamsburg Plant. I do not consider this proposal to be in the best interest of the Town for the following reasons:

#1- Cost- using HRSD's numbers, in ground disposal costs are \$0.80/1000 gallons, and as stated above HRSD's charges are \$18.61/1000 gallons.

#2- The Urbanna Treatment Plant does not, and has never, met the environmental standards required for wastewater discharge into our waters. To keep this plant open for the next 40 years is just short of criminal, as it presents a health risk, and precludes the public's right of water sports and shell fish harvesting in our tidal waters.

Now let's look at the above total cost for the above two cost proposals. HRSD proposes to charge about \$20/1000 gallons @ 17,000 gallons per day for the next forty years totaling about **\$5,000,000**, versus in-ground disposal @ \$0.80/1000 for the forty years totaling **\$160,000**. However, there is an approximate \$2,000,000 capital cost for conversion of the Urbanna Treatment plant for use as surge capacity and pumping including construction of the drip dispersion drain field, making the total cost for the forty years with drip dispersion of **\$2,160,000**.

By my best estimate over the next 40 years it will cost Urbanna **2.3** times more for the town's wastewater disposal using HRSD plan rather than simply using a local in ground disposal site. In other words the \$2,000,000 for a 17,000 gallon per day drip dispersion wastewater disposal system could be paid off in seventeen years at HRSD's rate, after which the costs would be 1/25 of HRSD proposal.

This is not new technology as proven by the multi-millions of private and commercial septic systems located around our nation. There is no governmental oversight of in ground waste disposal. And, we might also consider multi uses for the dispersion field, such as solar energy generation, which might further increase our savings. We would also stop the pollution of our Urbanna Creek.

Sincerely,

Peter W. Mansfield