

**Northumberland County Planning Commission**  
**April 16, 2026**  
**Minutes**

The regular monthly meeting of the Northumberland County Planning Commission was held on April 16, 2026 at 7:00 p.m. in person at the Northumberland Courts Building and using Zoom (telephonic meeting), with the following attendance:

Chris Cralle	Present	Roger McKinley	Present
Vivian Diggs	Present	Patrick O'Brien	Present
Allen Garland	Absent	Garfield Parker	Present
John Kost	Present	Heidi Wilkins-Corey	Absent
James Michel	Present	Charles Williams	Present
James Brann	Present		

Others in attendance:  
Stuart McKenzie (County Planner)

**RE: CALL TO ORDER**

The meeting was called to order by Chairman Parker at 7:08 pm, and he led the commission in the invocation, and the Pledge of Allegiance.

**RE: AGENDA – April 16, 2026**

Mr. Kost made a motion to accept the April 16, 2026 agenda, seconded by Mr. O'Brien. The Commission unanimously voted to accept the meeting agenda.

**RE: MINUTES – March 19, 2026**

Mr. Michel made a motion to accept the March 19, 2026 minutes, seconded by Mr. O'Brien. The Commission unanimously voted to accept the March meeting minutes.

**RE: COMMISSIONERS' COMMENTS**

There were no commission member comments.

**RE: STAFF MEMBERS' COMMENTS**

There were no staff member comments.

**RE: CITIZENS' COMMENTS**

There were no citizens comments.

**RE: PUBLIC HEARINGS**

Chairman Parker asked staff about the public hearings scheduled. Mr. McKenzie stated the first public hearing is a request by Graydon Hester, owner, for a Conditional Use Permit to allow a multi-unit dwelling on property zoned R-1, Residential General. The property is shown as Tax Map Parcel # 36-(1)-31-A1 and is located at 731 Old Glebe Point Road. Chairman Parker asked the applicant to describe the project. Mr. Danny Hester, the father of the applicant stated his son could not attend, and he will fill in. Mr. Hester stated he owns Horn Harbor Restaurant, and the home at 731 Glebe Point Road. Mr. Hester stated he built the home to house employees of his restaurant. Mr. Hester stated the house has 2 bedrooms on the top floor and one bedroom on the bottom floor, two kitchens to house employees. Mr. Hester stated he had the electric company install two electric meters, one for each floor. Mr. Hester stated he did not know he had to rezone the property in order to accommodate his restaurant employees. Mr. Kost corrected Mr. Hester, stating this is not a rezoning, but a conditional use application. Mr. Kost asked Mr. Hester if the need to house restaurant employees had to do with (affordable) housing problem, distance to work, availability, or both? Mr. Hester replied a combination of the above. Mr. Hester stated it is hard to retain restaurant employees, and he hopes housing them will help with that. Mr. Kost asked if Mr. Hester had any plans to expand? Mr. Hester stated that no more improvements are planned. Mr. Michel asked Mr. Hester if this house is brand new? Mr. Hester replied yes. Mr. Michel continued, so you built this house for two people to live as a duplex? Mr. Hester replied yes. Mr. O'Brien asked if there are two septic fields installed? Mr. Marston replied there is a septic system installed, for a three bedroom house. Mr. O'Brien asked if that was sufficient? Mr. Marston stated it is sized for a three bedroom house, and this structure has three bedrooms. Mr. Michel asked how many bathrooms the house has. Mr. Hester replied two bathrooms. Mr. O'Brien asked if there is parking available? Mr. Hester stated there is a ten parking spaces around back. Mr. Kost asked if this was off road parking, and Mr. Hester replied yes. Mr. Michel asked when you submitted our plans for your building permit, were there two kitchens? Mr. Hester replied yes. Mr. McKinley asked Mr. Hester, when you proposed this, did anyone inform you that you needed a conditional use permit? Mr. Hester replied the inspector noticed the two electric meters installed. Mr. O'Brien then asked what prompted you to fill out the conditional use permit application? Mr. Hester replied he wanted to make sure everything was legitimate, as he was doing it for his son. Zoning Administrator Philip Marston clarified the issues by stating that original building permit was issued for a single family residence, and it was brought to his attention there were two electric meters installed on the house, Mr. Marston contacted Mr. Hester and told him he would have to get a conditional use permit for a multi-family dwelling unit. Mr. O'Brien asked if his son lives in the house? Mr. Hester replied no, the house is for employees only. Chairman Parker asked Mr. Hester if he talked to his neighbors about his intended use of the property? Mr. Hester replied he understands that opposition to the permit is here, however, no one approached him about the proposed use. Mr. O'Brien asked if there were any golf carts involved? Mr. Hester stated no. Chairman Parker asked how far the restaurant is from the aforementioned house? Mr. Hester stated ½ mile. Mr. O'Brien stated that Google maps says it is 1 ½ miles. Chairman Parker opened the public hearing at 7:20 pm. The first citizen to speak was Mr. Tom Giannasi, who owns 641 Old Glebe Point Rd. Mr. Giannasi asked who is going to enforce if more than six persons live in that house? Mr. Williams stated that there are other properties in the county that have those conditions as well. Mr. O'Brien said the Sheriff's Office would enforce. Mr. McKinley stated he thought it would go back to the Board of Supervisors, to explain why there are more than six persons in the structure. Mr. Giannasi asked if the persons residing in the property are related by blood or marriage? Mr. Giannasi stated the reason he is asking the question is that some county limit the number of unrelated persons living in a structure to four. Mr. Kost stated the question regarding the proposed

occupants has already been answered, restaurant employees. Mr. Giannasi asked if this is approved would you expand this use in the future? Mr. Hester replied he owns the lot adjacent to his house and that houses the well for the property, and he has no plans to expand. Mr. Giannasi asked if the structure meets a building codes? Zoning Administrator Mr. Marston stated one of the conditions of the conditional use permit is that the structure must meet all building codes. Mr. Marston stated that the final inspection still needs to be done. Mr. Giannasi asked if there was adequate parking, and what constitutes a parking space? Mr. Marston replied yes there is adequate parking and he defines a parking space as a 10 foot by 8 foot area. Mr. Giannasi asked if cars can park behind another car. Mr. Marston stated that is up to the occupants on how they would work that out. Mr. Giannasi summarized his comments by stating that he was opposed to the project.

The next citizen to speak was Lee Self from Lottsburg, who stated he bought the vacant lot across the street when it was a farm field. Mr. Self stated he bought it to create a subdivision of single family homes in the \$300,000 to \$400,000 range. Mr. Self said that when Mr. Hester was asked why the employees are housed far away from the restaurant, Mr. Hester said he did not want them too close. Mr. Self stated that Mr. Hester applied for a single family home. Mr. Self stated he opposed this permit, as Mr. Hester bought the property knowing it was zoned R-1. Mr. Self stated he is asking the Planning Commission to deny Mr. Hester's request. Mr. McKinley asked Mr. Self how do you think this project is going to affect your property? Mr. Self stated it depends on who lives there, if Mr. Hester's son maintains ownership, that would be advantageous. Mr. Self commented that he heard Mr. Giannasi's questions, and he feels those are legitimate questions. Mr. Self stated he developed a single family subdivision across the street, and wants to protect its value, adding I am sure the applicant is a nice person, but I am worried what happens with the next owner of the property. Mr. McKinley addressed Mr. Self and said do you know you live across the street multiple apartment buildings, with at least 12 persons per building. Did those apartments adversely affect your property? Mr. Self replied there were no apartment buildings when I bought the property, adding that they did not affect his property. Mr. Self stated that Mr. Hester said he didn't want employees living too close to the restaurant, why are these people (in the subdivision) less than him? Mr. Hester responded that he does have a couple of buildings that house employees near the restaurant.

The next citizen to comment was Gary Jackson who stated he lives at 702 Glebe Point Rd. Mr. Jackson stated he and his wife just moved from Williamsburg, VA March 9<sup>th</sup>, and while they were living in Williamsburg, they lived around a lot of multi-unit apartment buildings. Mr. Jackson stated that when there are rentals, you can't control who comes in. You may think you know these people, but sometimes they turn out differently. Mr. Jackson stated he and his wife moved because they wanted peace and quiet, and noted that everyone is friendly here. Mr. Jackson stated they love it here, and don't want to see the area change. Mr. Jackson said he did not want to see what happened in Williamsburg here. Mr. Jackson stated he had nothing against the applicants, but would like to keep it single family residential. Mr. Kost asked Mr. Jackson if it makes any difference that the intended occupants are Horn Harbor Restaurant employees? Mr. Jackson reiterated that he wants the area to be single family residential. Mr. McKinley asked Mr. Jackson if he thinks an additional three people will affect you? Mr. Jackson stated that if you have the wrong people there, yes. Mr. Jackson stated he is worried about future tenants. Mr. McKinley stated that the tenants will be employees of the restaurant, and that these employees work with the public, the employer vets the person before he hires them, so they are trustworthy. Mr. McKinley stated he believes there are two types of comments, #1 real concerns, and #2 imagined concerns or

“what if” concerns. Mr. McKinley stated he does not see how it will affect you with an apartment building with 12 people at least per building and no limits on who they rent to nearby. Mr. Jackson stated before he retired he was the store manager of a Lowes and managed 200 employees. Mr. Jackson continued these employees were vetted and drug tested before they were hired. Mr. Jackson reiterated that some people are not who they seem to be, and he is worried about future residents.

Mr. Cralle asked if there is a way to add a condition that residents have to be an employee of the restaurant? Mr. Marston stated that if the Planning Commission wanted to, they could add that as a condition. Mr. Kost stated the condition should state that the use is only valid while Mr. Hester owns the property.

Mr. Hester stated the property is set up as a single family home. Mr. Michel stated that to be classified as a single family, it has to be connected. Mr. Hester stated there is an interior stairway. Mr. Michel asked if Mr. Hester’s son knew the property was zoned R-1? Mr. Hester replied his son knew. Mr. O’Brien stated that nothing in the zoning code prohibits multi-unit residential uses. Mr. Hester stated they wanted two units, the electric service is separate, but the house could be sold in the future as a single family home. Mr. Kost asked if Mr. Cralle wants to add a condition for the house? Mr. Williams stated he thinks the condition needs to make sure it is worded correctly. Mr. Michel stated he was not sure what Mr. Williams means. Mr. Williams said that he is not sure what that does when you sell the property in the future. Mrs. Diggs stated that she thinks we don’t need a duplex there, are there other multi-family residences nearby. Planning Commission members stated yes, but not sure if any of them were available to rent. Mr. Marston suggested adding a condition that makes this conditional use non-transferrable. Mr. Marston continued, if Mr. Hester would like to proffer that only employees of the restaurant will occupy the multi-unit residence, that would be his decision. Mr. Cralle stated the house was built with a use that is not allowed, he (Mr. Hester) has a problem. Mr. O’Brien stated he has a problem with the permit request, adding that it seems to be a bait and switch, if Horn Harbor Restaurant maintains a supervisory role, he stated he would be OK with that. Mr. O’Brien asked if the property is owned by the Horn Harbor Restaurant. Mr. Hester replied, no, the property is owned by my son. Mr. O’Brien asked if the duplex was his son’s idea? Mr. Hester replied it was his son and his idea for the duplex. Mr. Hester commented that there are plenty of properties in the county with too many people living there. Mr. Hester added that he is OK with a condition that the conditional use permit is tied to the present owner. Mr. Michel stated the structure was built as a duplex from day one, adding that that intention was there in the beginning. Mr. Michel stated this should be handled differently that a request when the person has not built a structure yet. Mr. Kost proposed the condition this conditional use permit shall be revoked if they property is not owned by Mr. Hester, and then amended the condition to replace Mr. Hester with the Hester Family, as someone could die. Mr. O’Brien added if they die, there should be a will. Mr. McKinley asked if we could use the term present owner? Mr. Kost said what if the son moves away? I assume he still would want employees to use it. Mr. McKinley asked Mr. Hester if he was OK with the condition. Mr. Hester replied if the property was for sale, I would sell it as a single family home. Mr. Williams stated that he can sympathize with finding reliable labor in the county, and it is definitely a plus if you have a place for your employees to stay to retain their services for your restaurant. Mr. Williams stated he remembers when the duplexes were put in nearby to this house, he stated he has not heard of any problems with the existing renters in the neighborhood. Mr. Williams stated the county is growing, we need to make a little room for them here, as the restaurant business is tough, if the county has businesses, we need to keep those business here. Mr. Williams stated he did not think the

property will depreciate. Mr. McKinley asked if the Building Code treats apartments differently than single family residences? Mr. Marston replied that one unit apartments and two unit apartments (duplexes) are not treated any differently than single family residential buildings, however, once you go to three unit apartment, the building code has additional regulations. Mr. Lee Self stated that if the Planning Commission is going to recommend approval of Mr. Hester’s conditional use, having a condition that ties it to the current applicant or his father would be reassuring. Mr., Self stated he was not sure how the county would go about it, but you have a county lawyer that might be able to help. Mr. Self concluded that if the conditional use permit is tied to employees of Horn Harbor Restaurant and Mr. Hester and his son that would be good in his opinion.

Chairman Parker asked if anyone else would like to speak on the Hester Conditional Use Permit for a multi-unit residential use, hearing no one in person or online, Mr. Parker closed the public hearing at 8:01 pm. Mr. Kost made a motion to add a sixth condition to the list of draft suggested conditions that Mr. Marston proposed that states “This conditional use permit shall be revoked if ownership changes from the Hester Family.” Mr. Kost’s motion was seconded by Mr. McKinley. The Planning Commission voted unanimously to add Mr. Kost’s proposed condition to the list of suggested conditions for Hester’s conditional use permit.

Mr. Kost made a motion that the Planning Commission recommend approval of the conditional use permit, with the addition of the aforementioned condition to the suggested conditions stating that this motion is made in due consideration of the administrative record before the body, including the planning commission’s deliberations and recommendation, the information received via the public hearing, including statements offered by staff, the applicant, and members of the public, the public health and safety, the general welfare of the community, public necessity, convenience, in the exercise of good zoning practices and the body’s legislative prerogative, and pursuant to the body’s statutory authority. Mr. McKinley seconded the motion. The vote was as follows:

Chris Cralle	Aye	Roger McKinley	Aye
Vivian Diggs	Aye	Patrick O’Brien	Aye
Allen Garland	Absent	Garfield Parker	Aye
John Kost	Aye	Heidi Wilkins-Corey	Absent
James Michel	Nay	Charles Williams	Aye
James Brann	n/a		

The vote was seven to one, and the motion passed.

Mr. Brann stated he would like Fire Chief Phillip Keyser to review the plans for the structure as well as look over the completed duplex for fire safety. Mr. Brann stated he appreciated Mr. Hester for doing this as the county needs more affordable housing, and Mr. Hester’s restaurant needs employees. Mr. Kost stated that the uniform building code is what the building inspectors use, but that is not the same as the fire code. Mr. O’Brien asked Mr. Brann how would he get the fire chief to do this? Mr. Marston stated he could ask the fire chief to do a walk through of the building. Mr. Brann stated that he was for the project, but he also wants to make sure everyone is safe. Mr. Michel remarked that he wished Mr. Brann would have brought up the fire code during the public hearing, as he was concerned the building might not meet the fire code, and had asked Mr. O’Brien about it earlier. Mr. McKinley asked if the Building Code treats apartments differently than single family residences? Mr. Marston replied that one unit apartments and two unit apartments (duplexes)

are not treated differently than single family residential buildings, however, once you go to three unit apartment, the building code has additional regulations. Mr. Brann stated that the county does not have a fire code, because the county does not have a Fire Marshall, as many of the rural counties in Virginia are in the same situation. Mr. Michel asked Mr. Brann that since the county does not have a fire code, then the State fire code covers the county. Mr. Brann stated that the only time the county can push fire safety is during construction, and he believes fire safety is important. Mr. Brann stated that for a building to meet code, it needs two exits, and he was not sure if Mr. Hester's duplex meets that criteria. Mr. Brann wondered if there is a firewall between the two units, so if there was a fire in the bottom unit, what protection is there for the 2<sup>nd</sup> floor unit. Mr. Brann stated he would like this project to go through smooth, however, there may be some questions later in the process.

Chairman Parker asked staff about the second scheduled public hearing. Mr. McKenzie stated the second public hearing was consideration of the Northumberland County Capital Improvement Plan for the period FY 2027-2031. Mr. McKenzie stated that the Commission had discussed the CIP at the last meeting, and most members were comfortable with the information presented. Mr. Parker opened the public hearing at 8:13 pm, and asked if anyone would like to comment on the Draft CIP plan for the next five years. No one responded, so Mr. Parker asked if anyone online would like to speak. Hearing no one, Mr. Parker closed the public hearing at 8:14 pm. Mr. Kost made a motion for the Planning Commission to approve the CIP as presented. Mr. Michel seconded the motion, and the motion passed unanimously.

## **RE: WORK SESSION ITEMS**

Mr. McKenzie noted that the Board of Supervisors sent a memo to the Planning Commission on April 10, 2026 stating that the Board, at their April 9, 2026 monthly meeting, voted to send the zoning ordinance back to the Planning Commission for further discussion in relation to cell phone towers and monopoles to see what other counties have in place and bring that information back to the Board.

Mr. Kost asked Mr. Brann for clarification of the memo. Mr. Brann stated we recently had a cell phone tower application that was too close to residences, and if the tower broke at the base, it would go across someone's residence. Mr. Brann noted that the tower is supposed to break into 50 ft sections if compromised. Mr. Brann noted in addition that there are noise issues associated with a cell phone tower (the standby electric generator runs weekly tests where the engine makes noise when it is cycling). Mr. Brann noted that the county attorney noted that radio interference could not be used a reason for denial of the cell phone tower permit, because the FCC has ruled that radio emissions from cell towers are safe for the public. Mr. Kost asked Mr. Brann if the Board only cares about setbacks? Mr. Brann stated yes, he wants cell phone towers to be safer, and the setback should be the height of the tower to be safe. Mr. Michel stated that the Board has a problem with the cell towers engineered to collapse on itself even though the engineer approves it? Mr. Brann stated the Verizon representative could not answer if a tower could break at the base before it breaks into 50 foot sections, they could not (or would not) affirm that. Mr. McKinley asked if the Board approved the cell phone tower. Mr. Brann stated that yes, the Board did approve the tower in question, as the tower is needed. Mr. McKinley asked if the representative couldn't guarantee the tower would

break at the base? Mr. Brann stated that the Verizon representative stated that no monopole cell tower had ever broken. Mr. Brann did note that Verizon was very responsive to other inquiries, bringing additional information requested back, and meeting with 3 different Board members on three different dates on site. Mr. O'Brien asked if there are any incident history on monopole cell phone towers? Mr. Brann said no history at all, adding what we are looking at is more safety in residential areas. Mr. O'Brien stated he does not believe that Verizon does not have monopole cell tower failure history.

Mr. McKenzie stated he has information on neighboring county telecommunications tower zoning ordinances differ from ours, as the memo asks, if the Commission would like to hear that. Mr. McKenzie stated that Northumberland County does not have a stand-alone cell phone tower ordinance, and the only location towers are mentioned in our zoning ordinance is in the usage table stating that under 100 ft they are permitted and if over 100 feet they require conditional use permit for approval. Next, staff stated that Richmond and Lancaster County's telecommunication tower zoning ordinances are more than 20 pages each, and nearly identical, commenting that likely one was copied from the other. Mr. McKenzie stated that Westmoreland County's telecommunication tower zoning ordinance is more manageable at 7 pages long, and might be more appropriate for our county.

Mr. Kost stated that the way 5G cell tower transmission works, you need more towers closer together, so we will be getting more towers in the future. Mr. Cralle asked what is the service area a 5G cell phone tower covers? Verizon stated at the last conditional use hearing, about 3 miles, depending on topography and vegetation. Mr. Marston stated that he would suggest to the commission to separate out telecommunications towers versus just generic towers or poles. Mr. McKenzie stated that the Board memo states to gather information on other counties and bring it back to the Board, and asked if the Board wants more than zoning setbacks from property lines. Mr. Brann stated yes, because after the Board talks about setbacks, there will likely be other changes the Board wants to make to the zoning ordinance, and we could get ahead of those other questions by drafting a complete, stand-alone cell tower ordinance.

Chairman Parker asked if the Commission would need to schedule a special meeting to work on the telecommunication tower zoning ordinance? Mr. McKenzie stated he did not think special meetings were warranted, and confirmed that fact with Mr. Brann. Staff suggested we work on the telecommunication tower zoning ordinance at the next regularly scheduled Commission meeting.

Mr. Brann stated he would like to make a comment on behalf of the Board of Supervisors, that the Board appreciates the time and effort that the Planning Commission puts in to benefit the county, and added that the Board could not take care of the county if the Planning Commission didn't do a great job.

**RE: DISCUSSION ITEMS**

There were no discussion items on the agenda.

**RE: PUBLIC COMMENTS**

There were no public comments.

**RE: BOARD OF SUPERVISORS REPORT**

Chairman Parker asked for a Board of Supervisor’s meeting report. Mr. McKenzie stated that the cell phone tower conditional use permit in Callao was approved by the Board of Supervisors. Mr. McKenzie stated there were two Chesapeake Bay Act Exception public hearings, but both were withdrawn. Mr. McKenzie then stated that the Board approved of the newly revised Comprehensive Plan as the last public hearing on the agenda for April.

**RE: ADJOURNMENT**

Mr. O’Brien made a motion to adjourn, which was seconded by Mr. Kost and the meeting ended at 8:45 pm. The adjournment vote was as follows:

Chris Cralle	Aye	Roger McKinley	Aye
Vivian Diggs	Aye	Patrick O’Brien	Aye
Allen Garland	Absent	Garfield Parker	Aye
John Kost	Aye	Heidi Wilkins-Corey	Absent
James Michel	Aye	Charles Williams	Aye
Janes Brann	n/a		