



County of Surry Virginia Planning Commission Meeting Minutes July 24, 2023

MEETING CONVENED: The meeting of the Surry County Planning Commission was called to order at 7 PM on Monday, July 24, 2023, in the Surry County General District Courtroom, 45 School Street, Surry, VA by Mr. Eddie Brock, Chair.

ATTENDANCE: The following members responded to Roll Call Present:

Mr. Eddie Brock, Chairperson
Mr. Giron Wooden, Jr.
Mr. Theodore Lunsford
Mr. Thomas Hardy
Mr. Stephen Berryman
Ms. Dianne Cheek
Ms. Carmen D. Judkins

Absent:

Ms. Judy S. Lyttle
Mr. David Coggin
Mr. Earl Newby, Sr.
Mr. William Seward, IV

Also present were Mr. Horace Wade, Director of Planning and Community Development, Ms. Regina Hilton, Administrative Assistant, Mr. Lorenzo Turner, Planner I, Ms. Lola Perkins, County Attorney, Mr. Andy Vasquez, applicant, Ms. Charity Kuebler, and Mr. Evan Sommerfeld.

PLEDGE OF ALLEGIANCE: All

ADOPTING OF AGENDA: Chair Brock entertained a motion to adopt the meeting's Agenda. It was moved by Mr. Wooden and seconded by Mr. Berryman.

In favor: (7) Brock, Hardy, Berryman, Lunsford, Cheek, Judkins, Wooden

Opposed: 0

Abstain: 0

APPROVAL OF CONSENT ITEMS: Chair Brock asked the Commissioners for the disposition of the minutes for May 22, 2023. A motion to approve was made by Mr. Hardy and seconded by Mr. Lunsford.

In favor: (7) Brock, Hardy, Berryman, Lunsford, Cheek, Judkins, Wooden

Opposed: 0

Abstain: 0

OLD BUSINESS: None

NEW BUSINESS

1. **Conditional Use Permit Application No. 2023-02**

The applicant, Tidewater Dirt Riders, seeks a Conditional Use Permit to permit a multiyear Commercial Outdoor Recreational event, as permitted by Article III, Section 3-302, Permitted Uses (C) of the Surry County Zoning Ordinance. The subject property is zoned Agricultural Rural District (A-R), consists of 916 acres, located on the north side of Pipsico Road, beginning 6,000 feet west of the intersection of Pipsico Road/SR 610 and Southwark Road/SR 618 with an average depth of 6,800 feet and commonly known as 79 Pipsico Road, the Pipsico Scout Reservation. The Tax Parcel is identified as 13-6.

Mr. Wade stated that tonight's public hearing is being held for Conditional Use Permit 2023-02. The Tidewater Dirt Riders are seeking a permit for a multi-year, commercial, outdoor, recreational event as permitted by Article 3, Section 3-302 Permitted Use (C) of the Surry County Zoning Ordinance. The property is zoned Agricultural Rural, consisting of 916 acres located on the north side of Pipsico Road, state Route 610, and Southwark Road, state Route 618. Commonly known as 79 Pipsico Road, the Pipsico Scout Reservation, Tax Map 13-6.

The project was first approved by the Board of Supervisors in 2005 for a one-time permit. It was approved by the Planning Commission and the Board of Supervisors in 2006 for six years. In 2012, the Planning Commission and the Board of Supervisors approved the project for another five years. In 2017, the Planning Commission and the Board of Supervisors approved the project for six years.

Mr. Wade stated that the past Conditional Use Permit that was approved, is recommended. The clear wording explains what outdoor gatherings are and what has transpired at the last two events.

Mr. Andy Vasquez, president of the Tidewater Dirt Riders, is a retired naval officer with 22 years of service and has been a member since 2000. He presented the background and duties of the organization.

- The organization works with the Virginia Champion Hare Scramble Series, which is a racing circuit that promotes good clean health and fun for the young and old alike.

- Multiple events throughout the state of Virginia.
- The Tidewater Dirt Riders and Hampton Roads focus on family involvement, motorbikes, foot-powered vehicles, bicycles, and small electric bicycles.
- The club was established in 1976, and is financially stable and governed by official bylaws, with elected officers and their finances and activities are always monitored.
- Tidewater Dirt Riders is comprised of blue and white-collar members, including doctors, accountants, police officers, firefighters, military members, both active and retired business owners, construction workers, mechanics, contractors, and retirees.
- The Club membership has fluctuated between 50 to 200 families and is currently down to 75 to 80 members ranging from five to 70 years of age.
- The Club activities are fundraisers, public telethons, WHRO-supported events on television to help needy families, the Boy Scouts of America, a fundraiser for Coach Joesph Ellis, and has donated money to the American Cancer Society.
- The Club does family fun days which are designed to promote family activities, and barbecues and teach the youth safety and the maintenance of motorcycles.
- Safety is the main concern any time a vehicle is in motion. A helmet must be worn along with goggles and safety gear.
- A family riding practice and pace riding are done at least four to five times a year. There are also Hare Scramble Races. The events are shared with two other properties in the state of Virginia, which are maintained.
- A Fall wood-based racing yearly since 1976. This year it will be scheduled at the Boy Scout Reservation. Tracks are set up, trails are cut, and after two to three weeks, the trails are clean which would then be used by the Boy Scouts as a walking and riding trail training for their badge earning.
- The Club was voted best track of the year for 2014, 2015 and 2016 by the Virginia Champion Hare Scramble Series established in 1984. They were developed as the top amateur organization in the United States.
- The Club has a trike riding competition for five-year-olds. Trikes are foot-powered bikes. When someone falls, the other five-year-olds will get off their bike to assist them, which teaches balance and sportsmanship.
- 2023 has 15 events throughout the state of Virginia. Also, Arrington, Randolph Virginia, Martinsville, Bristol Tennessee, and Pipsico Boy Scout Camp in September.
- The September 10th event would probably have a crowd of 700 to 900 and 300 to 450 riders. There will be porta-johns located throughout the property. There will be camping on the property in the Qantas area. The trails will have three levels. The smaller for the five-year-olds, the bigger for the adult riders. All events are sponsored by the American Motorcycle Association.
- For a typical race lineup, a survey by a foot of the property is done, and the course is laid out. Two weeks ahead of the events, arrows, which are biodegradable, are placed throughout the area so that the riders will stay on a particular course and then removed at the end of the event.

The course is then ribboned and marked by the trail boss. Hazardous material is removed to prevent accidents.

- Trails are checked for safety and integrity and are patrolled by marshals. During the events, an ambulance is on site.
- On race weekends, the team arrives on Friday, and out-of-town guest stays at the local hotels. On Saturday, the marshals recheck the trails to ensure the course and trail conforms and no changes have been made. Saturday afternoon is the little tyke's event.
- Sunday is the race day. The mini-race starts at 8:30 until 10. The horizon events are the four- to 11-year-olds. The main event is from 1:30 until 3:30. During the events, trophies are given and, afterward, there is a joint clean-up with the Boy Scouts.
- After Sunday's events, cleanup is done, going through picking up ribbons, arrows, and trash, to ensure that the trails are nice and smooth and great for walking.

Chair Brock asked if there were any questions from the Commissioners. Ms. Cheek asked if the event is for five years and if there is one every year. Mr. Wade stated yes and it's one event for the duration of the two days. Ms. Cheek asked if there is any verbiage if the organization chooses not to do all five years, that the permit is dissolved, and Mr. Wade answered no.

Ms. Cheek asked if the application would remain open. Mr. Wade answered that it would be open until 2027 and asked Ms. Cheek the question in reference to if the applicant decides not to hold a race. Ms. Cheek said if the applicant decides not to come back to Surry. Mr. Wade answered no. Typically the conditional use permit is done for uses that are continuous and that the last statement states, if not used within two years, then it will expire.

Chair Brock asked if the event was for their name only and could not be sold to someone else and Mr. Wade answered correct.

Mr. Berryman asked about the emergency services. Mr. Wade stated that Mr. Phelps had a conversation with Ms. Charity to work out that situation. Ms. Charity Kuebler, the club's treasurer stated that she spoke with Mr. Phelps Thursday. He is working with the Boy Scouts' EMS, and they are working through it. They will get back with her to confirm. She asked if the situation didn't work out with the Boy Scouts and the trucks if she could call in some of the neighboring counties and see if she could get one of their volunteer rescue squads to come. She would "rather pay a volunteer rescue squad versus paying a paid service" and Mr. Phelps was very open to that as well.

Mr. Wade pointed out that Mr. Phelps indicated in tonight's meeting, that if there is a vote, it is supposed to be on the Board of Supervisors' agenda for next Thursday's meeting. Mr. Phelps plans to attend and answer questions or any concerns regarding emergency personnel.

Mr. Hardy stated that a few years ago, there may have been some discrepancies with some of the adjacent landowners. Some of the dirt bike riders were off course and doing their own thing. Mr. Hardy asked Mr. Vasquez if that had been addressed. Mr. Vasquez answered yes. Mr. Hardy stated that the concerns of who would be liable for their property and if someone was hurt. Mr. Vasquez stated that there are now signs posted.

Chair Brock asked about the ambulance services and if there would be a rescue squad on site. Mr. Wade stated that it says, "on-site security and emergency personnel must be available on-site during the entire event and that the applicant is required to submit evidence demonstrating compliance with this requirement no less than 30 days prior to Surry County by registered mail". Mr. Vasquez stated that they were not allowed to start an event unless they had ambulance services on site.

Chair Brock agreed with an ambulance service being on site, instead of waiting for the rescue squad to arrive. If approved tonight, should it be approved with that stipulation? Mr. Wade stated that tonight's conditional use permit has been approved four times previously and asked if the Commission would have anything to add. There were a couple of words that he and Ms. Perkins looked to make clearer or corrected relative to having ambulance services on site. Trying to be flexible, "because if it's not the County EMS, it's going to have to be some type of EMS service on the site and if Mr. Phelps is able to sign off".

Mr. Sommerfeld the Park Ranger and Property Manager for the Pipsico Scout Reservation stated that he had been in contact with Mr. Phelps. There are several positions that must be maintained either professionally or through volunteer support, for the Boy Scouts of American accreditation to comply. There is a health and safety officer who is a credentialed EMS out of Virginia Beach. They have been in communication with Mr. Phelps about accommodating the standards of the conditional use permit. The standards of the Tidewater Dirt Riders about ambulance and emergency personnel differ, but we are trying to follow everyone's standards. There are several credentialed EMS personnel in Chesapeake, Carrollton, and Virginia Beach who are willing to be volunteers for the Surry EMT and follow the series protocols. They would be able to drive the ambulance, which they are now driving, in Virginia Beach, Chesapeake, and Carrollton. Virginia Beach is professionally managed but they have volunteers that are not part of the rescue squad.

Chair Brock stated that we do not have a volunteer rescue squad in the County to have a rescue vehicle on site and would there be multiple certified EMTs there. Ms. Perkins then provided the background on the status of the EMS in the County. "It was previously stated and that is correct, we no longer have the Surry Volunteer Rescue Squad, but we are creating and have created as part of the County our own volunteer rescue squad. We now have two medics who are titled under the County's name. One has been fully licensed, the other is in the process of being licensed and Mr. Phelps is working on that. They should be licensed by September 10th. That means that our volunteers and our paid staff, because we do, in the county, have paid staff, can use both those medics. We'll have two medics available to us to provide support in the case of an emergency". Ms. Perkins stated that there are situations where we can bring volunteer squads from other jurisdictions to assist, especially if the Boy Scouts have worked something out with Tidewater Dirt Riders and Mr. Phelps has approved it. She is working with Mr. Phelps in terms of developing our volunteer organization, the county's volunteer organization, and "if anything needs to be done in an expedited fashion to ensure that there are ambulance services available at this event", she will work with Mr. Phelps.

PUBLIC HEARING OPEN:

PUBLIC HEARING CLOSED:

Mr. Brock entertained a motion to approve, deny, or table Conditional Use Permit Application No. 2023-02. Ms. Perkins asked, just to clarify, did the Commission wishes to amend condition seven to make it clear that the preference would be that an ambulance be on site or if the Commission is comfortable with the existing language of emergency personnel. Ms. Cheek said that it would be helpful to have that, because if it is referenced, this would be a future model for all clubs.

Mr. Wooden made the motion to recommend approving Conditional Use Permit No. 2023-02 with the clarification of condition number seven to state that an ambulance must be on site in addition to personnel. It was seconded by Mr. Berryman.

In favor: (7) Brock, Hardy, Berryman, Lunsford, Cheek, Judkins, Wooden

Opposed: 0

Abstain: 0

PUBLIC COMMENTS: None

COMMITTEE UPDATES:

Ms. Cheek stated that she and Mr. Wade discussed having a Zoning subcommittee meeting. Mr. Wade mentioned possibly having a meeting the week of August 20th between the hours of 10:00 AM and 2:00 PM. All agreed, Wednesday the 23rd.

ADJOURNMENT:

Chair Brock entertained a motion to adjourn at 7:43 PM until the August 28th meeting. It was moved by Mr. Wooden. All those in favor signify by saying Aye.

Commissioners: Aye