

CRAB TRAP LLC  
31 SPRING STREET  
IRVINGTON, VA 22480

Members of the Town of Irvington Planning Commission and Town Council,

While attending the planning commission meeting on March 23<sup>rd</sup>, it came to my attention that there is concern by the Planning Commission and community members that the Irvington CUP application does not include a requirement for applicants to demonstrate living proximity to their STR of one hour or less. For that reason, I am writing this letter to head off any concern about my application regarding that issue. In 2022, my husband and I bought a home in Reedville as a vacation home and a future home for our retirement. Starting this spring, I will be semi-retired and transitioning to living in Reedville. At only 25-minutes from Vineyard Grove, Reedville is an excellent location from which to manage 31 Spring Street. In addition, I plan to be very hands-on with renters, doing the cleaning myself and greeting them in person. I expect that a more personal involvement will lead to more respectful renters.

I plan to attend the meetings on next Tuesday and the following Thursday, and hope that my application will be approved without concerns regarding my proximity to a rental in Vineyard Grove, and my commitment to a well-managed property.

Respectfully,

Janice Pfund  
Crab Trap LLC

LETTER TO PROPERTY OWNER(S) WITHIN 300 FT  
OF 31 SPRING STREET

3/1/2023

Date

Dear Stacey and Stephen Moore :

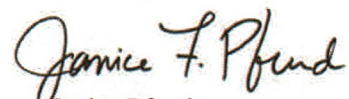
An application for Short Term Rental Conditional Use Permit (STR CUP) has been made by Janice Pfund. A copy of the application is enclosed.

The application(s) will be considered by the Irvington Planning Commission **ON TUESDAY, APRIL 4<sup>TH</sup>, 2023, AT 6:30PM at the IRVINGTON TOWN OFFICE, 4203 IRVINGTON RD, IRVINGTON, VA 22480.**

The application(s) will be considered by the Irvington Town Council **ON THURSDAY, APRIL 13<sup>TH</sup>, 2023, AT 6:30PM AT THE IRVINGTON BAPTIST CHURCH, 53 KING CARTER DRIVE, IRVINGTON, VA 22480**

As an adjacent property owner, your input to the Planning Commission and Town Council, although not binding, is considered important. If you have no objection to the STR CUP, please indicate below and return to the Zoning Administrator or appear in person at the meeting(s) scheduled above. If we have received no written response from you and you do not appear at the hearing it shall be deemed to indicate that you have no objections to the application(s). If you have any questions, please feel free to contact the Irvington Zoning Administrator, Justin Nelson, phone 804-438-6044.

Sincerely,

  
Janice Pfund  
Applicant

**YOU MAY COMMENT IN ADVANCE OF THE PUBLIC HEARING BY SENDING AN EMAIL TO THE UNDERSIGNED BY MARCH 31<sup>ST</sup>, 2023, BY 5 PM.**

**Justin Nelson, Zoning Administrator**  
[jnelson@town.irvington.va.us](mailto:jnelson@town.irvington.va.us)

1)  
**RE: STR CUP # 2023.CRABTRAP**

I have NO objection to the STR CUP application.

I have these concerns about the STR CUP application.  
Please give details.

SMoore Signature  
Stacey Moore Print Name  
11 Spring St Address  
973 626 6235 Phone  
3/7/23 Date

Moore Signature  
Stephyn Moore Print Name  
Same as above Address  
 Phone  
3/7/23 Date

**Please return this page to:**

Town of Irvington  
PO Box 174  
Irvington, VA 22480

Or

Town of Irvington Office  
4203 Irvington Rd  
Irvington, VA 22480

Irvington Zoning Administrator  
Justin Nelson, 804-438-6044 or [jnelson@town.irvington.va.us](mailto:jnelson@town.irvington.va.us)

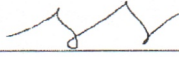


I have NO objection to the STR CUP application.

I have these concerns about the STR CUP application.

Please give details.

We are the next door neighbor to this property in Vineyard Grove. The property was previously owned and managed as a grandfathered short term rental. We purchased our home in April 2021 and have never had a negative experience with their guests. We are optimistic that this will continue with the new owners should their CUP be approved. We support this CUP application.

  
\_\_\_\_\_  
Signature  
Tara Thurston  
\_\_\_\_\_  
Print Name  
45 Spring St. Irvington, VA 22480  
\_\_\_\_\_  
Address  
215-219-0539  
\_\_\_\_\_  
Phone  
3/9/23  
\_\_\_\_\_  
Date

*Roxanne Globis Thurston*  
\_\_\_\_\_  
Signature  
Roxanne Globis Thurston  
\_\_\_\_\_  
Print Name  
45 Spring St. Irvington, VA 22480  
\_\_\_\_\_  
Address  
609-439-3419  
\_\_\_\_\_  
Phone  
3/9/23  
\_\_\_\_\_  
Date

**Please return this page to:**

Town of Irvington  
PO Box 174  
Irvington, VA 22480

Or

Town of Irvington Office  
4203 Irvington Rd  
Irvington, VA 22480

Irvington Zoning Administrator  
Justin Nelson, 804-438-6044 or [jnelson@town.irvington.va.us](mailto:jnelson@town.irvington.va.us)



From: scruzali5@yahoo.com  
Subject: Re: Application notification  
Date: Mar 9, 2023 at 12:37:47 PM  
To: Janice Pfund jfp8888@gmail.com, Justin Nelson  
jnelson@town.irvington.va.us

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Janice & Justin,  
Hello Janice & Justin  
I fully support Janice in her STR cottage  
Here in the neighborhood !  
I am two homes away from her home,  
It has been a rental of short term.  
No problems from this cottage  
I have met Janice, last week I walked over  
To welcome her to Vineyard Grove and Irvington.  
Good luck neighbor !

Alison Ross

Sent from Yahoo Mail for iPhone

On Thursday, March 9, 2023, 12:04 PM, Janice Pfund <jfp8888@gmail.com> wrote:

Hi Alison,

Justin has been receiving many negative letters from Vineyard Grove residents in response to my CUP application. He suggested I request people that I have met also write letters in support, to balance the opposition. It appears that some neighbors have decided they don't want more STRs in the community. Would you be willing to write a short note in support of my application? If yes, I would appreciate it. The meeting is tonight.



Justin Nelson <jnelson@town.irvington.va.us>

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## 31 Spring Street, Irvington

2 messages

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**Colin Clarke** <cclarke@freemansauction.com>  
To: "jnelson@town.irvington.va.us" <jnelson@town.irvington.va.us>  
Cc: Janice Pfund <jfp8888@gmail.com>

Mon, Mar 27, 2023 at 10:39 AM

Good morning ,Mr. Nelson.

I have written to you previously stating my support for a previous application for a short term rental in Vineyard Grove .My understanding is that the present application would require vetting of potential guests and careful maintenance of the property. I support this application. We have owned our property for almost two years and have never had any problems with short term renters and I am certain that this would be the case here.

Thank you .

Colin Clarke.

111 Park Place, Irvington. Va

**COLIN CLARKE, VP**

**FREEMAN'S SE**

**5401 Patterson Avenue**

**Richmond, VA 23226**

**434-409-4549**

**cclarke@freemansauction.com**

**FREEMAN'S**

**2400 Market Street**

**Philadelphia, PA 19103**

**215-563-9275**

**www.freemansauction.com**

"This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please notify the sender immediately and delete the original. Any other use of the email by you is prohibited."

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**Justin Nelson** <jnelson@town.irvington.va.us>  
To: Colin Clarke <cclarke@freemansauction.com>  
Cc: Janice Pfund <jfp8888@gmail.com>

Mon, Mar 27, 2023 at 10:58 AM

Thank you for your response.  
[Quoted text hidden]



From: Lynn Beasley widget\_lmb@yahoo.com  
Subject: STR CUP Crab Trap; 31 Spring St, Irvington, VA - Opposition  
to approval  
Date: Mar 6, 2023 at 6:02:31 PM  
To: jnelson@town.irvington.va.us  
Cc: amroberts@sandsanderson.com, dgill@lancova.com,  
bsmith@lancova.com, Lynn Beasley widget\_lmb@yahoo.com

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Good Evening Justin -

The purpose of this email is to provide concerned homeowner opposition to the Short-Term Rental (STR) application for CRABTRAP, 31 Spring Street, Irvington, VA. Although my property is not within the 300' distance from the CRABTRAP property, as a homeowner within the Vineyard Grove Association (VGA), I have a vested interest in the matter. Given that a significant portion of my property is considered to be common area (including the portion of Park Place that crosses my property), I and all other homeowners within Vineyard Grove are impacted by any STR property.

My immediate request is to place a moratorium on allowing any new STRs in VGA including those which are currently on the list and are not in operation. I have written to you and the Town Council in the past expressing my concerns the negative impacts that short-term-rental operations are having on our small community and to request your assistance in maintaining the stability of the Association as it contributes to the charm of the Town of Irvington therefore, I will not rehash all of the points again here. However, my concerns remain the same. At this point I am most concerned that the growing phenomenon of owners offering their property to the STR market in Irvington needs to be paused until we learn the true impacts to our small homeowners' association. The Town's assistance is needed. We are quickly approaching over 50% of the homes on the STR market – vastly out of line with the 10% goal for Irvington overall.

I am also very concerned with the approval process for STRs by the Town Council. Despite serious and thoughtful objections from me and several of my neighbors, the Council continues to ignore our concerns and approve every application that has been put forth for the Vineyard Grove Community. Quite frankly, some on the Town Council are making a mockery of the Short-Term Rental ordinance and the approval process. I am also concerned that at least one of the Town Council members (Dudley Patteson) may have a Conflict of Interest as he is an agent with Bragg and Company Real Estate (see attached newspaper advertisement 12/22/2022). Bo Bragg and/or his agents have sold many of the properties in Vineyard Grove that have applied for a conditional use permit to operate an STR. On at least one occasion, Mr. Bragg stood up at a Town Council meeting and advocated for the STR applicant. Mr. Bragg's demeanor was somewhat hostile towards those of us in attendance at the meeting who opposed the application.

In accordance with the Town of Irvington's Ordinance, Chapter 30 (General Provisions), Conflicts of Interest Section 30.31, Financial or Personal Interest, "No member of the governing body, Planning Commission or individuals involved in the administration of the ordinances and public business of the town shall act on any matters in which he or she has, either directly or indirectly, any personal or financial interest," and Section 30.32, Disclosure and Disqualification, "Whenever, in the performance of official duties, any official or employee is required to deliberate and vote on any matter involving a personal or financial interest, he or she shall publicly disclose the nature and extent of such interest and disqualify himself or herself from participating in the deliberations, hearings and decisions relating thereto." The financial interest arises as Mr. Patteson has a business relationship with Bragg and Company Real Estate and his vote puts dollars in both Bragg and Company and his own pocket. It is unclear how long this financial conflict has existed and there has been no recusal. Is the Council aware of this conflict? Any votes cast under this conflict should be invalidated. Every member of the Town Council must affirmatively state that they do not have a conflict of interest when they vote on the approval or denial of an STR CUP.



In the years 2020-2023, Vineyard Grove (VG) has seen at least 14 Tents turnover in ownership. Some recent purchases are for cash, with no contingencies or inspections requested. Most (~10) of those purchases were made by buyers who have also decided to participate in short-term rental (STR) businesses such as Airbnb or VRBO. The greater the number of VG STRs, the fewer the options and diversity of inventory for those who want to experience an Irvington vacation. That is, other Irvington properties that might offer unique features become increasingly blocked from the marketplace if VG is taking up an increasing number of available CUPs under the Town's ordinance (approaching 25% of Irvington CUPs).

I continue to be concerned by the potential for any increased liability to all VGA homeowners, safety and security of the community due to the significant increase in transients, trespassing and noise. While the VGA By-laws allow for STRs, that doesn't mean that every homeowner should receive an automatic green light to join the STR market. As there are already have several homes that were grandfathered by the Town's ordinance, the CUPs do not transfer with the sale of the property, and the fact that homeowners must apply for a CUP should not be a rubber stamp for approval, I respectfully request that no additional CUPs be granted to VG homeowners until the number of STRs in the VG Association has decreased substantially – to be more in line with the Town's 10% goal.

I thank you for your consideration of the concerns that I have for the quality of life in both our small VG community as well as the Town of Irvington. If you would like to reach out, I welcome meeting with you to address any questions or concerns that you may have. Please forward this letter to the Irvington Planning Committee and the Town Council.

Sincerely,

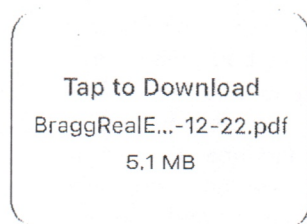
Lynn Beasley, 181 Park Place (since 2004)

Attachment: Bragg Advertisement

Cc: Andrew McRoberts, Irvington Town Attorney ([amcroberts@sandsanderson.com](mailto:amcroberts@sandsanderson.com))

Don G Gill, Lancaster County Administrator ([dgill@lancova.com](mailto:dgill@lancova.com))

Board of Supervisors – William C. Smith, 5<sup>th</sup> District ([bsmith@lancova.com](mailto:bsmith@lancova.com))





**Jud Burke**

Tue, Mar 7, 3:49 PM (2 days ago)

to me

To Planning Commission and Town Council members:

My home is also located in Vineyard Grove Association (VGA) at 155 Park Place, and:

as VGA is a home owners association, and CRAPTRAP's transient occupants would have access to all of its common areas (pool, dock and paths), and its private roads, therefore, **all other 18 VGA properties should be considered to be within 300 feet.**

**I am against** Applicant receiving permission to operate as an STR, at this time:

**Too Many STRs in VGA:** Of our nineteen properties, seven are approved STRs. That is 37%, which contrasts sharply with the 10% Irvington assigned itself.

**Limitations on STR numbers has been Public Information:** The Feb 9 STR Ordinance was updated with the new density provision, a couple days after the sale of 31 Spring St, but the need for this ordinance amendment was discussed and reflected in meetings' minutes since Dec 8th. Before that, the original Ordinance went public Sept 22, and Council discussions, have been public in the Rappahannock Record and in Marsha Chapman's summaries, since the STR Committee first met, early 2022. All of which might have given any Buyer, intent to run an Airbnb business in Irvington, pause, before making such a purchase. And whether or not restrictions on STRs were codified, Town Attorney McRoberts stated in November that Council Members may consider, in their decisions, current statements expressed in the council meeting by the public.

**Lawsuits unlikely:** The Town Council was forewarned, in the November Town Council meeting, that Irvington might be subject to a lawsuit for denying STR CUP applications like this one. But as a practicing Realtor elsewhere in Virginia, I always advise my clients that Virginia is a buyer beware state. That is, Virginia puts the onus on the Buyer to discover, not on their Realtor or Broker.

**Those with Conflicts of Interest must recuse themselves from voting:** Council Member Dudley Patteson appears to have a financial conflict of interest in this matter. His photo appeared in a Bragg & Co Real Estate Ad in the Rappahannock Record, Dec 22, identifying him as one of that company's Realtors. Bragg & Co represented both the Seller and Buyer of 31 Spring St. In the November Town Council meeting, Bo Bragg strongly supported VGA's LANDER's STR Cup application, whom his company had represented, so his feelings about this Application are likely the same. Therefore, Mr

Patteson must recuse himself. And if he was associated with Bragg RE, during the LANDER's application, then that vote should be voided and revoted.

Jud Burke  
Vineyard Grove Association, 155 Park Place, Irvington, VA 22480  
[jud@judburke.com](mailto:jud@judburke.com)  
703-966-8343



From: Shauna Alonge salongelaw@gmail.com  
Subject: Objection to STR CUP application Crab Trap, 31 Spring Street  
Date: Mar 6, 2023 at 5:21:48 PM  
To: jnelson@town.irvington.va.us  
Cc: mcroberts@town.irvington.va.us, dgill@lancova.com,  
bsmith@lancova.com

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**Planning Commission and Town Council Leadership:**

**As the owner of 221 Broadway, Irvington, please accept the following as my objection to the above CUP application.**

Density Issues

I object to yet another CUP application for a short term rental in Vineyard Grove, a 19-home small residential community that includes common areas, including roads, pathways, kayak dock, and pool. No other community in Irvington is like Vineyard Grove. Vineyard Grove is unique to Irvington; our homes are close together, have no natural sound barriers, forbid fences, have only a single narrow road for entering/exiting the community, and all homes are situated on three narrow cul de sacs. For the reasons stated in my December 4, 2022 letter objecting to the two VGA CUP applications, our community is already overrun by STRs -- we are already experiencing increases in noise, vehicle traffic, and dogs off leash. Safety, quiet enjoyment, and maintaining the unique character of Vineyard Grove are already compromised by the current number of STRs. Yet another STR will only further damage our community. I also note that while some VG STRs claim to be "part time" operators of STRs, the Crab Trap application mentions that the owner lives elsewhere and operates other STRs.

Last month, the Town amended its STR ordinance to expressly permit consideration of density issues in reviewing STR CUP applications (2022-10)

"related to the health, safety, welfare and good zoning practice." Although my actual home is not within 300 feet of 31 Spring Street, I am a "neighbor" within the meaning of the ordinance because of my shared ownership interest in the common areas that include all of the roads in Vineyard Grove. All transient occupants staying in Vineyard Grove by necessity must travel on the commonly owned roads.

I urge the Town to deny the above STR application on the basis that the density of existing STRs in Vineyard Grove is already at capacity. Approval of yet another STR in our small community would be an abuse of discretion given the unique character and geography of VG.

The Town's own STR survey and its public FAQs recognize the importance of minimizing transient noise and trespass issues (FAQ 23). Increasing the density of STRs in Vineyard Grove would render meaningless the STR CUP review process.

#### Financial Conflict of Interest

Good government requires that citizens have the utmost faith that their elected officials will make decisions free from personal or financial conflicts of interest. The Town's conflict of interest ordinance requires elected officials to disclose their financial or personal interests and to recuse themselves where a conflict exists. Chapter 30 (General Provisions), Conflicts of Interest Section 30.31, Financial or Personal Interest, "No member of the governing body, Planning Commission or individuals involved in the administration of the ordinances and public business of the town shall act on any matters in which he or she has, either directly or indirectly, any personal or financial interest," and Section



30.32, Disclosure and Disqualification, "Whenever, in the performance of official duties, any official or employee is required to deliberate and vote on any matter involving a personal or financial interest, he or she shall publicly disclose the nature and extent of such interest and disqualify himself or herself from participating in the deliberations, hearings and decisions relating thereto."

A number of us who own homes in Vineyard Grove recently became aware that an elected Town Council official, Dudley Patteson, has a business arrangement with local realtor Bragg and Company. This interest goes back at least to late December 2022. On December 8, 2022, in his capacity as an elected official, Mr. Patteson voted in favor of an STR CUP application where Bragg and Company was one of the involved agents. The vote was 3 to 2 in favor of granting the CUP. Patteson's vote was crucial in the final outcome.

Bragg and Company are involved in the sale/purchase of the CrabTrap application now under consideration. We ask for assurance that all Town business is conducted impartially and fairly, in accordance with state and local laws, and that any conflicts of interests be identified and appropriate steps taken, including remediation where warranted, to assure the public that Town business is conducted free from conflicts of interest, including the appearance of conflicts.

Thank you.

Shauna Alonge, JD  
221 Broadway  
Irvington, VA



cc: Andrew McRoberts, Irvington Town Attorney

([microberts@town.irvington.va.us](mailto:microberts@town.irvington.va.us))

Don G Gill, Lancaster County Administrator ([dgill@lancova.com](mailto:dgill@lancova.com))

Board of Supervisors – William C. Smith, 5 th District ([bsmith@lancova.com](mailto:bsmith@lancova.com))

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[salongelaw@gmail.com](mailto:salongelaw@gmail.com)

[703/795-6188](tel:7037956188)

Hi Justin,

We are property owners in Vineyard Grove. We have been notified that 31 Spring Street (Tent 8), which is within 300 feet of our property, has applied for a CUP to be used as a short-term rental. We oppose this motion on the basis that it is unfair, statistically, that the Irvington cap on STRs is 35 and 8 of those would be in the very small Vineyard Grove neighborhood. If this property gains CUP approval, nearly 50% of our small community would be STRs. It does not seem fair to have roughly 25% of the Irvington STRs concentrated on two neighboring, dead-end streets. It should be noted that the property is currently available for rent on Airbnb despite it not being approved for STR use.

Thank you for your time and attention to this issue.

Sincerely,  
Ann and Martin Harrell  
159 Broadway

TO: Irvington Planning Commission and Town Council  
FROM: John Grieco & Dorothy Key, 131 Park Place (Tent 16)  
RE: STR CUP Application #2023.Crabtrap at 31 Spring Street (Tent 8)  
DATE: 3 April, 2023

**We are submitting our opposition to this CUP application as we believe this and any additional STR operations in Vineyard Grove (VG) will do the following:**

- have an adverse impact on our quality of life and safety
- not be compatible to the surrounding use, which is primarily second homes
- diminish the value of the community's common use areas, especially the pool

**FACTS:**

- As I have expressed in the past, we have been VG owners for over 15 years, during which time VG was primarily a **second home** community, with only 7 Hope & Glory STRs that were rented on a very limited basis.
- As our Tent was once one of those 7 STRs, we do not object in principle to the operation of a **reasonable** number of STRs in VG.
- Although our home apparently was not considered to be within 300' of 31 Spring Street, the **attached proximity map** indicates that our rear property line (along with Tents 3-15) is within this distance. Regardless, the activities at this proposed STR operation **will impact our quality of life** from its use of our common areas, especially our community pool and kayak dock, which most other Irvington STRs do not have access to.
- Currently, **37% of the VG Tents (7 of 19) are active STRs** as indicated on the **attached density map**. Except for one, all were purchased since 2020, and were used as investment properties immediately upon settlement and **not** primarily as second homes.
- This property title of this particular CUP application is identified as an LLC., which further confirms this property was always intended to operate primarily as an **STR business** and NOT a second home, which is not compatible to our residential community. In fact, we understand rental listing have already been made.
- This additional approved STR will raise the number of VG STRs to 8, which is **42% of a community of only 19 homes**.

**REASONS FOR OPPOSITION:**

- If this STR CUP is approved, VG's total of 8 STRs would account for about **26% of the 31 active STRs in Irvington**. We feel it is inherently unfair for VG to bear the brunt of over one-fourth of the town's STR business operations, which we and others believe is incompatible with the character of a small residential neighborhood.
- You are well aware of our previous objections to the Landers and Wert STR CUPs. However, there is now a major difference between those applications and this one, as those two were purchased **prior** to the Irvington STR ordinance was effective. Presumably, these buyers had every expectation to operate their homes as an STR when they purchased them, whereas this applicant should have known their STR operation would be subject to the review of the town council (i.e., "buyer beware").
- At the time of the Council's review of the Landers and Wert CUPs, it acknowledged that **density** was indeed a consideration that **should** be made going forward. It appears that time may be now, as it is our understanding that an amendment to the ordinance is now considering this.
- The **density** of the STRs in our community is greater than we think is reasonable and may not be **proportional to other neighborhoods in Irvington**. No amount of effort on the part of VG HOA can limit this density as that would require a 2/3 affirmative vote (13 of the



19 owners) to change the covenants. Given the current number of VG STR operators who are **adamantly** opposed to ANY restrictions on STRs, it appears the VH HOA will not be able to limit the number of future STRs now or in the near future.

**We do not wish for the Council to resolve our HOA's issues with STRs. However, we simply request that you not approve yet another VG STR CUP in consideration of the Council's previously stated STR density concerns.**

Respectfully,

John Grieco & Dorothy Key  
131 Park Place (Tent 16)  
Irvington, VA 22480  
[jagkey@comcast.net](mailto:jagkey@comcast.net)  
(c) 703.850.7970

# DENSITY OF VINEYARD GROVE'S **7 ACTIVE STRS** & **31 SPRING STREET (TENT 8's) APPLICANT**

