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**Minutes of the New Market
Town Council
Special Called Meeting-Joint Public Hearing
Monday, February 3rd, 2025
6:30 pm**

The New Market Town Council met in the Council Chambers of the Arthur L. Hildreth, Jr. Municipal Building with the Planning Commission on Monday, February 3rd, 2025, with the following members present: Mayor Peter Hughes, Vice-Mayor Peggy Harkness, Bob King, Larry Bompiani, and Janice Hannah. Council members Daryl Watkins and Scott Wymer were absent.

The Planning Commission Chairman, Mr. Larry Hale invited the mayor to open their meeting. Mayor Hughes established that there was a quorum and called the meeting to order at 6:33 p.m. and opened the joint public hearing.

Ms. Barden gave a power point presentation to discuss the text amendments proposed to implement a Tobacco, Smoke, and Vape Shops ordinance. Ms. Barden introduced a clear definition for a Tobacco, Smoke and Vape Shops under the zoning ordinance. The definition if approved would be a business primarily engaged in the sale or sampling of tobacco products, nicotine vapor products, alternative nicotine products (including both natural and synthetic sources), and hemp products, as defined in the Code of Virginia §18.2-371.2, along with any kratom products as regulated by the Code of Virginia §59.1-200. This includes establishments whose primary purpose, defined as having most of their sales or display space devoted to these items, is the sale of cigarettes, cigars, vaping devices, electronic cigarettes, and other products containing tobacco or nicotine, hemp, or kratom products, as well as accessories and smoking-related paraphernalia. All sales and sampling within these establishments must comply with applicable age restrictions per Virginia law.

She also explained that Tobacco, Smoke and Vape Shops are being proposed as a conditional use in zones B-1 and B-2. There would be updates to the wording for retail stores by changing the word “drug store” to “pharmacy” and add the phrase “excluding tobacco, smoke, and vape shops” to clarify the exclusions. She explained the new ordinance will not impact on the current operating businesses, but they will be classified as nonconforming or grandfathered. If these businesses close there is a two-year sunset period during which time another similar business could open without requiring a conditional use permit. She explained that any expansion or addition to the current business would require a conditional use permit to be considered conforming.

Mr. Hale opened the floor for public comment. Mr. Jon Henry, citizen and business owner at 9383 N. Congress Street, stated he was at the last planning commission meeting he felt the information presented was helpful, and there was discussion about setbacks, but feels that a required 1,000-foot set back should be considered from schools, religious places, and historic landmarks. Also, with news in the Northern Virginia Daily about all the drug busts in the northern part of the valley. He stated he was hoping there would be a review of the current businesses and how they are using their signs, as he feels they may be exceeding their sign ordinance use.

As there were no more public comments, Mayor Hughes closed their joint public hearing at 6:36 p.m., and Mr. Bompiani moved to close the special-called meeting with a second from Mrs. Hannah. With no further discussion the meeting was closed on a unanimous voice vote of 4-0 at 6:36 p.m.


N. Garrison, Town Clerk


Peter Hughes, Mayor