

Accomack County Planning Commission Minutes of July 11, 2012

Virginia: At a meeting of the Accomack County Planning Commission held on the 11th day of July 2012, in the Accomack County Administration Building Board Chambers, Room #104, Accomac.

1. **CALL TO ORDER:**

A. MEMBERS PRESENT AND ABSENT

Planning Commission Members Present

Mr. E. Phillip Hickman, Chairman
Mr. C. Robert Hickman
Mr. Alan Silverman
Mr. Pete Onley
Mr. Tony Picardi
Mr. David Lumgair

Members Absent:

Mr. Leander Roberts
Ms. Toni Trepanier
Mr. George Parker, Vice-Chairman

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
Mr. Robert Testerman, Land Use Planner
Ms. Hollis Fate, Administrative Assistant

B. DETERMINATION OF QUORUM

There being a quorum, Chairman Hickman called the meeting to order at 7:00 p.m.

2. **ADOPTION OF AGENDA:**

The Planning Commission voted unanimously to adopt the agenda.

3. **PUBLIC COMMENT PERIOD (Not a public hearing):**

Chairman Hickman opened the floor for the public comment period.
No one signed up or requested to speak.

4. **OLD BUSINESS:**

A. Route 13 Discussion

Mr. Testerman noted the changes that he made as requested by the Planning Commission at the June 13, 2012 meeting.

Mr. Parker wrote an email addressed to Mr. Morrison on July 11, 2012 with some suggestions because he was not going to be able to make the meeting. In that email, Mr. Parker noted that the first page mentions "lighting and landscaping" and then further mentions that "lighting and signage" were addressed in the latest amendments. Mr. Parker suggested that the landscaping amendments that were passed should also be mentioned.

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Mr. Silverman recommended an amendment to the very last sentence that would read "...instead the issues that were to be targeted within a Route 13 Overlay district will be addressed in *amendments* to the existing zoning districts for the County." (The change is italicized)

Mr. Picardi asked if a list of what Accomack County can enforce be listed in this report.

On a motion made by Mr. Silverman and seconded by Mr. Lumgair, the Planning Commission voted unanimously for Mr. Morrison to present the report to the Board of Supervisors.

5. NEW BUSINESS (Part I):

A. **Riverside Hospital Conditional Use Permit**

Mr. Testerman gave an overview of the Conditional Use Permit (CUP).

Mr. Testerman informed the Planning Commission that the VDOT traffic study was received.

A more detailed staff report will be presented at the public hearing (if scheduled).

Mr. Morrison noted that he has requested the applicant to do an additional traffic analysis: one that would study peak traffic in the area during the summer months.

Mr. Morrison also pointed out differences in the current site plan that was submitted as opposed to the one the applicant presented during the rezoning request.

Some of the most significant differences are: smaller medical office, the Market Street entrance has been moved to the west, and the Route 13/Lankford Highway entrance has moved to the north.

Mr. Silverman voiced his concern that the applicant spoke about later build-out on the property facing Market Street and a fast-food restaurant with a drive-thru may possibly be built eventually. Mr. Silverman asked if the Planning Commission has any "say so" in the matter.

Mr. Morrison responded that the Planning Commission can limit approval to what the applicant is currently proposing on the site plans.

Mr. Lumgair suggested that access for internal buildings (medical offices) not be from Market Street or Route 13 but from access roads inside the property.

Mr. Picardi suggested that a condition for approval be made that the proposed bike trail be joined to Market Street in hopes that it would be connected into Onancock sidewalks.

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Mr. Picardi also discussed recharge issues. He would like to know the applicant's rationale for using ponds instead of semi-permeable pavement.

On a motion made by Mr. Lumgair and seconded by Mr. Picardi, the Planning Commission voted unanimously to schedule a public hearing on this matter for the August 8, 2012 meeting.

6. 7:30 PUBLIC HEARING:

A. Zoning Ordinance Amendments – Regarding the Chesapeake Atlantic Preservation Area

In June, the Department of Conservation and Recreation (DCR) and Chesapeake Bay Local Assistance Department (CBLAD) conducted an audit. Amendments that are listed are required to keep Accomack County in compliance.

Mr. Robert Hickman asked what the rationale between 2,500 square feet and 3,500 square feet is.

Mr. Testerman answered that the bayside is under state requirements and the seaside is under county requirements. The 2,500 square feet limit on the bayside was very restrictive so when the County expanded the Bay Act to the seaside, it was changed to 3,500 square feet.

Mr. Silverman asked what the connection between Section 106-226 Zoning Permits and Article 16 is. He pointed out that there doesn't seem to be a cross reference that references each other's provisions.

Mr. Morrison replied that there is a connection between the two but they are not codependent and does not recommend there being a provision.

Mr. Silverman asked for a distinction between a site development and a minor site plan; he asked why can't the additional requirements under 'q' be done, why not delineate the buildable area even for the minor site plan?

Chairman Hickman answered that it was done to save money; he pointed out that if the additional requirements were necessary, it would cost home owners doing minor projects more money. They could draw their plans out themselves instead of having to hire an engineer.

Phil said it was done to save money; a home owner could draw that for a minor thing and for a bigger one you'd have to get an engineer.

Mr. Silverman noted a typing error in Section 106-226 – Zoning Permits under (p). It should read, "A stormwater management plan, where required" instead of "A stormwater management plan, where require."

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On a motion made by Mr. Lumgair and seconded by Mr. Picardi, the Planning Commission voted unanimously to recommend approval of the Zoning Ordinance amendments presented by staff to the Board of Supervisors.

7. NEW BUSINESS (Part II):

A. Wal-Mart Conditional Use Permit (Subway)

Mr. Testerman stated that Wal-Mart would like to place a 26" x 110" "Subway" sign on the front of the building. Due to the wording of the original Conditional Use Permit for Wal-Mart, an amendment to the Conditional Use Permit is needed to make place this sign on the building.

On a motion made by Mr. Silverman and seconded by Mr. Picardi, the Planning Commission voted unanimously to schedule a public hearing on this matter for the August 8, 2012 meeting.

8. OTHER MATTERS

A. Joint Land Use Study

Mr. Morrison informed the Planning Commission that staff has been working on a grant application for the Joint Land Use Study. This Land Use Study may do an examination for the Comprehensive Plan for a lot of the northern part of the County.

Mr. Picardi asked what they are doing for data research.

Mr. Morrison responded that they will be doing field studies, researching trends, land use, inventories, etc. He also noted that there will be public participation in this study; the County is proposing a website be created for this and that it be updated regularly.

Mr. Picardi suggested we get some kind of upper and lower bounds of their assumptions (of what could happen) – impact, job creation, etc.

Mr. Morrison said the application needs to be filed first then get the consultant hired. He stated that once the consultant is hired, we will ask the consultant how to approach those questions.

Mr. Silverman asked what the timing between the Joint Land Use Study and the Comprehensive Plan is.

Mr. Morrison replied that the schedule for the Joint Land Use Study is about a year once the consultant is selected and the Comprehensive Plan update is programmed for 2013.

Mr. Morrison informed the Planning Commission that he wants to transition the next Comprehensive Plan update from paper to digital copies that would have graphics, pictures, definitions, links, etc.

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B. Board of Supervisors Public Hearing – Future Land Use Plan Amendment

The Board of Supervisors is holding a public hearing to discuss Atlantic Town Center's request to amend the Future Land Use Plan. The public hearing will be held at Metompkin Elementary School in Parksley for August 1, 2012 at 7 p.m.

9. MINUTES

A. June 7, 2012 Minutes

On a motion made by Mr. Onley and seconded by Mr. Picardi, the Planning Commission voted unanimously to approve the minutes of June 7, 2012.

B. June 13, 2012 Minutes

Mr. Parker wrote an email addressed to Mr. Morrison on July 11, 2012 with some suggestions because he was not going to be able to make the meeting. In that email, Mr. Parker suggested the following be changed:

- Item 5B on page 3 – Should state that a change from “no” to “negligible” was suggested.
- Item 8A on page 5 – Gives a very brief overview of each Commissioners comments and the comment made to Mr. Baumgartner and his answer concerning if they were proposing any industrial uses is not noted.

On a motion made by Mr. Picardi and seconded by Mr. Silverman, the Planning Commission voted unanimously to approve the minutes of June 13, 2012 with Mr. Parker's suggested changes.

10. NEXT MEETING:

The next regular Planning Commission meeting is scheduled for Wednesday, August 8, 2012 at 7:00 P.M. in the Accomack County Board Chambers, Accomac.

11. ADJOURNMENT:

The Planning Commission voted unanimously to adjourn the meeting.

Chairman Hickman adjourned the meeting at 8:25 p.m.

E. Phillip Hickman, Chairman

Hollis Fate, Administrative Assistant