

At a meeting of the Accomack County Planning Commission held on the 8th day of May, 2019, at the Accomack County Board of Supervisors Chambers, Room 104, in Accomac, Virginia.

1. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mrs. Angela Wingfield, Chairwoman
Mr. Roy Custis, Vice Chairman
Mr. David Lumgair
Mr. James Arnold
Mr. Lynn Gayle
Mr. Brantley Onley
Mr. C. Robert Hickman
Mr. Kelvin Pettit

Planning Commission Members Absent:

Mr. Leander Roberts

Others Present:

Mrs. Katie Nunez, Deputy Director of Planning and Zoning
Mrs. Stephanie Woods, Administrative Assistant to the Deputy County Administrator

DETERMINATION OF A QUORUM

There being a quorum, Chairwoman Wingfield called the meeting to order at 7:01 pm.

2. ADOPTION OF AGENDA

On a motion made by Mr. Lumgair and seconded by Mr. Custis, the Planning Commission voted to adopt the agenda.

3. PUBLIC COMMENT PERIOD

Chairwoman Wingfield opened the public comment period.

There being no public comments; Chairwoman Wingfield closed the public comment period.

4. MINUTES

April 10, 2019: *On a motion made by Mr. Custis and seconded by Mr. Lumgair, the Planning Commission voted to approve the April 10, 2019 meeting minutes with the correction to the grammar error on page three.*

5. NEW BUSINESS

No new business was discussed.

6. PUBLIC HEARING

Mrs. Nunez informed the Planning Commission that due to an oversight by staff the required advertising for the public hearing for case REZ-2019-002 for the conditional rezoning for Waterside Village by Ms. Kirkwood was not placed in time. Mrs. Nunez informed the Planning Commission that she had spoken with Ms. Kirkwood already and made her aware

that the public hearing would be moved to June 12, 2019 upon the Planning Commission's approval.

On a motion by Mr. Hickman and seconded by Mr. Gayle, the Planning Commission voted to approve the staff request to advertise for the previously approved public hearing on the Rezoning Application for Waterside Village for public hearing on Wednesday, June 12, 2019 at 7:30 p.m.

7. OLD BUSINESS

A. Discussion of Revisions to the Tasley Future Land Use Map/Development of a new Land Use Designation Group

Mrs. Nunez opened the discussion by informing the Planning Commission that staff is proposing the creation of a new Future Land Use Map Category called "Developed Areas". These areas have several different characteristics: Primarily they are areas that have been identified historically by an identifying name and may be adjacent to towns but not located in the incorporated town. A mix of residential, business and agricultural uses, located in close proximity to each other. Two or more elements that signify a community identity, such as a post office or fire station. Secondly they have some industrial development which developed due to proximity to railroad access or Route 13. Other characteristics would be a large intensely developed and undeveloped intensely platted area. Some mix of uses, such as a restaurant, marina, or golf course. Portions served by sewer and water. Mrs. Nunez stated the areas the staff has looked at are: Mappsville, Nelsonia, Oak Hall, New Church, Tasley, and Captains Cove.

Mrs. Nunez clarified that this is in reference to the Future Land Use Map, not Base Zoning. Mr. Pettit asked if an area adjacent to an incorporated town limits could be amended to include that area in the incorporated town. Mrs. Nunez informed Mr. Pettit that the County is unable to make changes to the incorporated town limits without the town seeking or requesting said expansion.

Mr. Custis inquired if Trails End in Horntown should be included. Chairwoman Wingfield stated that Trails End is technically considered a camp ground. Mrs. Nunez stated that Trails End can be added to this list for consideration if the Planning Commission would like it to be. Mr. Custis inquired as to what would happen if the Future Land Use Map was switched. Mrs. Nunez explained that it should not be an issue since this is not base zoning but future land use. Mr. Custis also inquired if Trail's End could be contained and does the Planning Commission want to contain it. Mr. Onley stated that Trail's End is now a gated community. Mr. Arnold verified stating that he is positive that they have water and septic and that there is restricted access into Trail's End by a guard house. Mr. Lumgair stated that Trail's End is a situation where it should not have been built the way it is in the first place, and he would hate for the Planning Commission to legitimize its existence. Mrs. Nunez stated that the staff will go back and look at it and bring it back to the Planning Commission at their next meeting.

Mrs. Nunez informed the Planning Commission that the staff needs their help in defining the following areas and discussed each by evaluating the displayed maps.

a. Mappsville

The Planning Commission discussed different land marks and businesses and if those areas should be included in the "Developed Area" context. Mr. Lumgair stated that in order to keep the areas fluid it would be better to keep it smaller.

Mr. Custis stated that the bottom area should go just past the business known as Stuckey's. Chairwoman Wingfield verified that the "Developed Area" does include Agricultural Areas and Mrs. Nunez confirmed for her. Mrs. Nunez stated staff will bring an updated map for Mappsville to the next Planning Commission meeting.

b. Nelsonia

Mr. Onley stated that the south side designated line was well drawn and that there is currently nothing developed any further south. Mr. Hickman stated that it should stay to the compact area as the "Developed Area" and Mr. Lumgair stated his agreement. Mr. Arnold inquired concerning small development. Mrs. Nunez stated the staff focused on growth surrounding Route 13. Mr. Pettit voiced his disagreement that the north side designated line should be kept further north but the consensus of the Planning Commission was to keep the area smaller to only include the dense development. Mrs. Nunez stated staff will bring an updated map for Nelsonia to the next Planning Commission meeting.

c. Oak Hall

Mr. Custis inquired as to why Oak Hall is being included in this "Developed Area" discussion. Mrs. Nunez stated that the Oak Hall area has several uses and the staff was trying to incorporate all of them, but if the Planning Commission doesn't think it should be included then the staff will not include it. Mr. Lumgair inquired as to if it should be included with the area known as T's Corner. Mr. Custis stated to make T's Corner a bigger Commercial Area to include Oak Hall. Chairwoman Wingfield stated that there are still a lot of houses in-between Oak Hall and T's Corner. Mrs. Nunez stated that the staff will remap the area to include T's Corner and Oak Hall as a whole for the next Planning Commission meeting.

d. New Church

Mr. Hickman stated that the New Church area has no commercial businesses located along Route 13. Mrs. Nunez stated that the Future Land Use Map for New Church includes Commercial, Residential, and some Industrial Areas. Chairwoman Wingfield stated that New Church seems like the same situation as Mappsville. Mr. Pettit stated that it should stay the way it is currently. Mr. Lumgair inquired if this was all tied to the Railroad. Mrs. Nunez verified that new tracks are being put in for the Railroad and then inquired to the Planning Commission if they felt the designation for New Church should be changed. Mr. Custis stated that New Church should stay as it is currently designated and the Planning Commission agreed.

e. Tasley

Mrs. Nunez started the conversation by stating that the area known as Tasley has a little bit of each designation on the current Future Land Use Map and is a perfect example of a potential "Developed Area". Mr. Lumgair inquired if the solar farm project was still moving forward. Mrs. Nunez stated that the solar farm project does still have an active approval from the County. Mr. Gayle stated that, since the new Tasley Fire Department building is going in by Route 13, the north line should go up to the light at Route 13 and 126. Mrs. Nunez noted the recommendation then inquired to the Planning Commission as to how far south they would like to see it go. Mr. Gayle stated down to the overpass of Route 13.

Mrs. Nunez stated that the staff will remap the area to go from the light at Rt. 13 and Rt. 126 to the overpass of Rt. 13 for the next Planning Commission meeting.

f. Captains Cove

Chairwoman Wingfield inquired if Captains Cove should be considered Village Development instead of a “Developed Area” because it doesn’t seem to fit in that designation either. Mr. Lumgair stated that maybe it should be considered Rural Residential. Mr. Pettit inquired as to the difference between Trail’s End and Captains Cove. Mrs. Nunez stated that there doesn’t seem to be any but staff hadn’t thought to include Trail’s End but will do more research and create a map to bring back for the next Planning Commission for Trail’s End. Mr. Lumgair then questioned why Captains Cove doesn’t become its own incorporated town. Mrs. Nunez stated that the staff definitely has its homework to do on both areas. Mr. Arnold inquired if staff is looking to do away with the Village Development designation and Mrs. Nunez confirmed that yes they are. Mrs. Nunez stated she will also bring an updated map of Captains Cove for further discussion during the Planning Commissions next meeting.

8. SUBDIVISION AGENT REPORT

Nothing to report on at this time.

9. REPORT ON BOARD OF ZONING APPEALS UPCOMING HEARINGS

Mrs. Nunez stat that there are five applications for the June 5, 2019 meeting.

1. Special Use Permit Application from Cellco for a Verizon Tower – this was filed last month but we are still awaiting additional documentation from applicant relative to FAA compliance with the Airport Overlay District. Mrs. Nunez stated that this application will not be advanced at the June 5th meeting and instead will be moving to the July 3rd meeting.
2. Special Use Permit Application from Belarmino Bedoya Alvarez to operate an auto repair business in the Agricultural District.
3. Special Use Permit Application from Mark Miller to operate an auto repair and associated auto businesses in the Agricultural District.
4. Variance Application for Gary Ulmer to construct a deck in the Chesapeake Atlantic Preservation Area (CAPA) Resource Protection Area (RPA).
5. Variance Application for Sandra Van Scoy to subdivide a lot into two legal non-conforming lots with an existing residence on both that do not meet the density & other setbacks requirements for the Agricultural District.
6. Variance Application for Hochschild to put a dwelling on top of a garage.

Mr. Lumgair stated that he had some concerns about potential “junkyards” in the County, specifically in Craddockville – possibly Tax Map number 118-A-75A, at the corner of Boston Rd. and Nandua Rd. in Pungoteague Tax Map number 109A-A-11, and on Wachapreague Rd. – Tax Map number 113B-A-14. Mrs. Nunez stated these matters are investigated by the Building Department and she will inform them of these complaints. Mr. Onley then inquired about a property that is on the south side of Arcadia Nursing Home and Gargatha Landing, Mr. Henry Johnson. Mrs. Nunez informed him that this property is already on the list of investigations.

10. OTHER MATTERS

Mrs. Nunez stated that due to time, the staff would give the Planning Commission a tour of Sawmill Park at a later date. Mrs. Nunez then updated the Planning Commission on the

RFP's for both the new Accomack County Library and new Emergency Operation's building. The bids for both had been opened and are on for the Board of Supervisors to review and approve for the May 15, 2019 meeting.

11. NEXT MEETING

The next Planning Commission Work Session is scheduled for Tuesday, May 21, 2019 at 7:00 p.m. in the Accomack County Administration Building, School Board Conference Room #201.

On a motion from Mr. Hickman and seconded by Mr. Arnold, the Planning Commission voted unanimously to cancel the Work Session scheduled for Tuesday, May 21, 2019.

The next Planning Commission regular session is scheduled for Wednesday, June 12, 2019 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, Accomac.

12. ADJOURNMENT

On a motion made by Mr. Custis and seconded by Mr. Hickman, the Planning Commission voted to adjourn the meeting.

The meeting was adjourned at 8:11 p.m.

Angela Wingfield, Chairwoman

Katie H. Nunez, Deputy Director of Planning & Zoning