

At a meeting of the Accomack County Planning Commission held on the 10th day of July, 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. Leander Roberts

Planning Commission Members Absent:

Mr. Kelvin Pettit

Others Present:

Mr. Rich Morrison, Deputy County Administrator of Building, Planning, and Economic Development
Mrs. Katie Nunez, Deputy Director of Planning and Zoning
Mrs. Stephanie Woods, Administrative Assistant to the Deputy County Administrator
Mr. Tom Brockenbrough

DETERMINATION OF A QUORUM

There being a quorum, Chairwoman Wingfield called the meeting to order at 7:00 pm.

2. ADOPTION OF AGENDA

On a motion made by Mr. Roberts and seconded by Mr. Gayle, the Planning Commission unanimously 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

June 12, 2019: *On a motion made by Mr. Onley and seconded by Mr. Gayle, the Planning Commission unanimously voted to approve the June 12, 2019 meeting minutes as presented.*

5. NEW BUSINESS

No new business was discussed.

6. PUBLIC HEARING

No Public Hearing was held.

7. OLD BUSINESS

A. REZ-2019-001 – Withdrawal of application for Hector Hernandez

Mrs. Nunez informed the Planning Commission that Mr. Hernandez, who submitted a rezoning application in March, was withdrawing his application. Mr. Hernandez's site plan was incomplete and staff had continued to work with him to address the deficiencies. However, after repeated meetings and conversations, Mr. Hernandez realized the expense that he needs to incur to provide a proper site plan would be too much. Therefore, Mr. Hernandez he withdrawn his rezoning application and will be looking for property that is zoned for auto sales by right.

B. Continued Discussion of revisions to the Future Land Use Map and Development of a new Land Use Designation called "Developed Area"

a. Trail's End Revised Map

Mrs. Nunez informed the Planning Commission that staff had revised the Trail's End Map so that it no longer included the Marsh Conservation Area. Mr. Arnold inquired about the subdivision that is just to the side of Trail's End. Mr. Brockenbrough informed Mr. Arnold that it is considered a separate subdivision with its own covenants. Mr. Gayle inquired as to how many lots there are in Trail's End and Mr. Brockenbrough informed him there is 3,000 lots.

Mr. Morrison indicated that at this time the Planning Commission is strictly changing the designation of the Future Land Use Map in the Comprehensive Plan. That this will not affect the current zoning. Mr. Gayle inquired if Trail's End has a Home Owners Association. Mr. Morrison stated that yes they do and that they are responsible for their own zoning reviews according to their covenants.

b. Captains Cove Map

Mrs. Nunez opened the discussion by showing the map to the Planning Commission. Mr. Morrison informed the Planning Commission that staff wanted to include Captains Cove in the Developed Area designation due to the fact that there is housing, the marina, and a restaurant in the area. Mr. Morrison stated that Captains Cove also handles their own zoning according to their covenants.

Chairwoman Wingfield stated that she is good with the Developed Area designation for the areas discussed. Mr. Lumgair stated his apprehension with this idea due to the fact that it may give the community the idea that area's like Trail's End and Captains Cove are standard. Mr. Morrison informed him that these areas predated the County Zoning Ordinance.

The Planning Commission came to a consensus to accept the maps as they were presented, and to create a new designated are called Developed Area for the Future Land Use Map

C. Coastal Resiliency Discussion

Mr. Morrison presented to the Planning Commission that the term Coastal Resiliency means a lot of things to a lot of people, and that it is a large umbrella that many things fall under. He stated that many areas such as storm related recurrent flooding, storm preparation and sea level rise are already being monitored by other agencies. Mr. Morrison spoke to the Planning Commission concerning vulnerabilities in the county:

failing septic systems, road/street segments, loss of shoreline, housing, island communities, and property damage.

Mr. Brockenbrough presented the NOAA model of potential water rise over time to the Planning Commission. He also presented a map that showed detail as to what areas in Accomack County are the most vulnerable to water rise.

Mr. Morrison stated there are two tracks for the County; what do we do with people who want to build new construction in these areas, and what are we doing with existing construction. Mr. Custis stated that we need to start getting this information out to the community. Mr. Morrison referenced Appendix C of the Comprehensive Plan that states “It is now generally accepted that water levels are increasing relative to ground level on the Eastern Shore. Given the sizeable land mass of the County, particularly on the Bayside of Accomack County that is less than 10 feet above sea level, additional review and analysis of data is warranted. Staff has data based on modeling that shows recurrent flooding due to water level rise, under a number of scenarios. The recommended next step is to review the modeled data and identify the number of structures and properties affected. After appropriate review, action items are likely outcome. Examples of such action items are advisory statements for new construction and planning for voluntary relocations of residents.” He stated that with this already in place it give the Planning Commission time to create a plan of action and complete it in stages.

Mr. Hickman stated that the County is going to have to be aware of the roads. Mr. Lumgair agreed stating that with the potential water rise it will cause issues getting kids to school. Mr. Morrison stated that the School Board will need to be involved concerning vulnerable areas by giving them the data and providing them with support.

Mr. Morrison stated that they also need to pay attention to houses in low level areas not just in the flood plain for the intense rain events that we have been having. Mr. Arnold agreed stated that staff and the Planning Commission need to define where the baseline is.

On a motion made by Mr. Lumgair and seconded by Mr. Roberts, the Planning Commission unanimously voted to adopt and address the following items: rising water levels relative to land, shoreline erosion, and intense rain events (flooding and response) as discussed and presented by Mr. Morrison.

8. SUBDIVISION AGENT REPORT

Nothing to report on at this time.

9. REPORT ON BOARD OF ZONING APPEALS UPCOMING HEARINGS

Mrs. Nunez stated that there are three applications for the August 7, 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.
2. Variance Application from Sandpiper Marine at 21530 Taylor Rd. Tasley, VA on the size restriction for a business sign.
3. Variance Application from Paul Kozak at 39052 Church St. Greenbackville, VA on setback restriction for a garage.

10. OTHER MATTERS

Mr. Roberts inquired as to the status of the Solar Project in Tasley. Mr. Morrison informed him they were granted two years for their Conditional Use Project, and have not started any construction at this time

Mr. Gayle asked for an update on the Whispering Pines demolition. Mr. Morrison informed him that it should be finished by the end of next week. Mr. Morrison stated that they had originally planned to be done this week, but unfortunately had some mechanical and weather issues.

11. NEXT MEETING

The next Planning Commission regular session is scheduled for Wednesday, August 14, 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. Lumgair, the Planning Commission unanimously voted to adjourn the meeting.

The meeting was adjourned at 8:35 p.m.

Angela Wingfield, Chairwoman

Katie H. Nunez, Deputy Director of Planning & Zoning