

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF APRIL 10, 2013

At a meeting of the Accomack County Planning Commission held on the 10th day of April 2013, in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

1. CALL TO ORDER

A. MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mr. Phil Hickman, Chairman
Mr. George Parker, Vice-Chairman
Mr. Leander Roberts, Jr.
Mr. Spiro Papadopoulos
Mr. Bob Hickman
Mr. Alan Silverman
Mr. Pete Onley
Mr. Tony Picardi
Mr. David Lumgair, Jr.

Planning Commission Members Absent:

None

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
Mr. Rob Testerman, Land Use Planner
Mrs. Hollis Parks, Administrative Assistant

B. DETERMINATION OF A QUORUM

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

Prior to the adoption of the agenda, Chairman Hickman announced that the Planning Commission had adopted new public hearing guidelines and informed the public that those guidelines will apply to each and every public hearing. He then read the new public hearing guidelines.

Chairman Hickman also announced that he will recuse himself from agenda items "Town Center at Wallops Island Spaceport Planned Unit Development" and "Atlantic Town Center Development Corporation Rezoning: Proffer Amendment" or as it should have been listed on the agenda as "Bridge Hill Conditional Rezoning Amendment," due to a conflict of interest and will be turning the Chair to the Vice-Chairman, George Parker. Chairman Hickman's family corporation rents land that is included in the Planned Unit Development proposal from Atlantic Town Center Properties, LLC.

Mr. Picardi and Mr. Roberts arrived for the meeting at 7:05 p.m.

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2. ADOPTION OF AGENDA

Mr. Parker suggested that the Comprehensive Plan update discussion take place after the public hearing agenda item, if time permits.

On a motion made by Mr. Parker and seconded by Mr. Silverman, the Planning Commission voted unanimously to adopt the agenda as amended.

3. PUBLIC COMMENT PERIOD (Not a public hearing)

Chairman Hickman opened the floor for public comment period and the following person(s) signed up to speak:

- **Ronnie Thomas**

Mr. Thomas signed up to speak about the letter that was submitted to Accomack County by Atlantic Town Center, at the request of the Board of Supervisors, ruling out the property on Nocks Landing Road as the site for a wastewater treatment facility. Mr. Thomas asked if a new letter was needed now that the name for the proposed Planned Unit Development has changed. Chairman Hickman asked Mr. Morrison to speak to the County Attorney about this matter.

- **Mark Baumgartner**

Mr. Baumgartner, the attorney representing the proposed Planned Unit Development applicant, signed up to inform the Planning Commission that he is available to answer any questions that the Planning Commission has regarding the Planned Unit Development.

4. MINUTES

A. **March 13, 2013**

On a motion made by Mr. Parker and seconded by Mr. Lumgair, the Planning Commission voted unanimously to approve the minutes of March 13, 2013.

5. NEW BUSINESS

A. **Emmett Taylor Conditional Use Permit: Borrow Pit**

Mr. Testerman presented the preliminary staff report and informed the Planning Commission that Mr. Taylor is requesting a Conditional Use Permit to allow for the development of a 19-acre borrow pit near the intersection of Route 679/Atlantic Road and Taylor Farm Road.

Questions were raised and the Planning Commission asked staff to look into the following prior to the public hearing: find out if this application needs to be reviewed by the Department of Forestry because of the trees that will be removed and; find out if there are regulations with respect to rehabbing if the borrow pit is not used.

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Mr. Lumgair moved, seconded by Mr. Parker, to schedule a public hearing for May 8, 2013.

Chairman Hickman moved to amend the motion on the floor; he recommended that the public hearing for this matter be held at 7:30 p.m., before the Town Center at Wallops Island Spaceport Planned Unit Development and Bridge Hill Conditional Rezoning Amendment public hearings, if scheduled for May 8, 2013 as well. The amended motion was accepted and the Planning Commission voted unanimously to schedule the public hearing for May 8, 2013 at 7:30 p.m.

B. Town Center at Wallops Island Spaceport Planned Unit Development

Chairman Hickman recused himself from this matter and turned the Chair to the Vice-Chairman, George Parker.

Mr. Parker reminded the Planning Commission that this is a discussion of whether or not this matter should be sent to public hearing. He further stated that this would be a good opportunity to make the applicant aware of any basic questions or concerns that the Planning Commission may have at the public hearing. Detailed questions or concerns should be addressed at the public hearing.

Mr. Morrison presented the preliminary staff report and discussed the two separate requests before the Planning Commission.

Mr. Morrison informed the Planning Commission that the ordinance requires that a pre-application meeting between the applicant and staff be held. He also informed the Planning Commission that final materials were submitted on March 26, 2013 and the application was deemed complete on April 1, 2013. From here, staff will basically be reviewing the application materials along with the Planning Commission.

The Planning Commission wanted to discuss the Bridge Hill Conditional Rezoning Amendment, as the two matters link to one another.

C. Atlantic Town Center Development Corporation Rezoning: Proffer Amendment [Bridge Hill Conditional Rezoning Amendment]

Mr. Morrison informed the Planning Commission that the applicant wishes to place a wastewater treatment facility on the Bridge Hill property to serve the proposed Planned Unit Development and because of the conditional rezoning for Bridge Hill that took place in 2006, an amendment is required.

The discussion will continue following the public hearing.

6. 7:30 PUBLIC HEARING

A. **New Saxis LLC/Carey Family Limited Partnership Rezoning**

Chairman Hickman returned to the Chair.

Mr. Testerman presented the staff report and reminded the Planning Commission that New Saxis LLC/Carey Family Limited Partnership is requesting to rezone approximately 14.5 acres along Route 679/Saxis Road, approximately 2,200 feet west of Route 13/Lankford Highway, from General Business to Industrial in order to expand the existing warehouse on the property and provide dry storage of rocket components and support equipment for Orbital/NASA.

Chairman Hickman opened the public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the rezoning request. No one signed up or requested to speak. Chairman Hickman then closed the public hearing.

The Planning Commission raised concerns that future tenants may come in and affect traffic impact. Staff reassured the Planning Commission that the Virginia Department of Transportation (VDOT) would have to review any new plans for traffic impact.

Concerns regarding buffering were also raised. Staff informed the Planning Commission that the existing building is non-conforming and that only new development will be required to follow Industrial requirements, including but not limited to buffers.

Currently, there are no plans for pavement but the Planning Commission requested that the applicant also proffer that permeable pavement will be used if the applicant wishes to place pavement on the property. The applicant agreed to the request.

On a motion made by Mr. Roberts and seconded by Mr. Bob Hickman, the Planning Commission voted unanimously to recommend approval of the rezoning request, with the additional proffer included, to the Board of Supervisors.

7. NEW BUSINESS (continued)

B. **Town Center at Wallops Island Spaceport Planned Unit Development**

Again, Chairman Hickman recused himself from this matter due to a conflict of interest and turned the Chair to the Vice-Chairman, George Parker.

The Planning Commission continued discussion on the proposed development application and raised the following concerns and asked the following questions to

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make the applicant aware of what will be raised at the public hearing: lack of park space; the excessive amount of pavement/parking that is proposed; the need for a phasing schedule; the need for a list of things that the applicant wishes to do differently than what is allowed under existing zoning ordinance; to what extent will this development address the need for affordable and rental housing and; an explanation why the applicant is proposing a Planned Unit Development.

On a motion made by Mr. Silverman and seconded by Mr. Papadopoulos, the Planning Commission voted unanimously to schedule a public hearing on this matter for May 8, 2013.

C. Atlantic Town Center Development Corporation Rezoning: Proffer Amendment [Bridge Hill Conditional Rezoning Amendment]

On a motion made by Mr. Silverman and seconded by Mr. Papadopoulos, the Planning Commission voted unanimously to schedule a public hearing on this matter for May 8, 2013.

8. OLD BUSINESS

A. Comprehensive Plan Update

Chairman Hickman returned to the Chair.

On a motion made by Mr. Parker and seconded by Mr. Bob Hickman, the Planning Commission voted unanimously to postpone discussion on the Comprehensive Plan until the work session scheduled for April 23, 2013.

9. OTHER MATTERS

A. Joint Land Use Study (JLUS) with the Navy

Mr. Morrison reminded the Planning Commission that the JLUS kick-off meeting is scheduled for April 11, 2013 at 10:00 a.m.

B. Disclosure

Mr. Papadopoulos wanted to disclose that in the past, his engineering company had worked with George, Miles & Buhr, LLC (GMB), which is the company listed as the “sanitary engineer” on the proposed Town Center at Wallops Island Spaceport Planned Unit Development application report.

10. NEXT MEETING

There is a Planning Commission work session scheduled for Tuesday, April 23, 2013 at 7:00 p.m. in the Accomack County Administration Building School Board Conference Room, Room 201, in Accomac.

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The next regular Planning Commission meeting is scheduled for Wednesday, May 8, 2013 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

11. ADJOURNMENT

On a motion made by Mr. Parker and seconded by Mr. Picardi, the Planning Commission voted unanimously to adjourn the meeting.

Chairman Hickman adjourned the meeting at 8:40 p.m.

E. Phillip Hickman, Chairman

Hollis Parks, Administrative Assistant