

At a meeting of the Accomack County Planning Commission held on the 10th day of March, 2021, at the Accomack County Board of Supervisors Chambers, Room 104, in Accomac, Virginia, via a hybrid in-person and electronic (conference call) meeting.

1. ELECTION OF OFFICERS

Mr. Morrison opened the floor for nominations for Chairman.

On a motion made by Mr. Gayle and seconded by Mr. Onley the Planning Commission voted unanimously for Mrs. Angela Wingfield to continue as Chairwoman.

Chairwoman Wingfield opened the floor for nominations for Vice Chairman.

On a motion made by Mr. Hickman and seconded by Mr. Roberts the Planning Commission voted unanimously for Mr. Roy Custis to continue as Vice Chairman.

2. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mrs. Angela Wingfield, Chairwoman

Mr. Brantley Onley

Mr. Leander Roberts

Mr. Kelvin Pettit

Mr. Lynn Gayle

Mr. C. Robert Hickman

Mr. John Sparkman

Planning Commission Members Participating Electronically:

Mr. Roy Custis, Vice Chairman

Mr. David Lumgair

Planning Commission Members Absent:

Others Present:

Mr. Rich Morrison, Deputy County Administrator of Building, Planning, and Economic Development

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 7:00 pm.

3. ADOPTION OF AGENDA

On a motion made by Mr. Lumgair and seconded by Mr. Gayle, the Planning Commission voted unanimously to adopt the agenda as presented.

4. PUBLIC COMMENT PERIOD

Chairwoman Wingfield opened the public comment period.

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

5. **MINUTES**

February 10, 2021: *On a motion made by Mr. Roberts and seconded by Mr. Gayle, the Planning Commission voted unanimously to approve the February 10, 2021 meeting minutes as presented.*

6. **NEW BUSINESS**

A. 2021 Water Quality in Accomack County Freshwater Streams Report prepared by VIMS Eastern Shore Laboratory.

Mr. Morrison introduced the report, informing the Planning Commission that Dr. Snyder from VIMS will be at the next Board of Supervisors meeting to make a presentation. Mr. Morrison stated that the report is to see if there is impairments in the fresh stream waters due to poultry houses, which there is not.

B. Consider Amendments to the Village Development Zoning District requirements

Mr. Morrison gave a brief background concerning the Village Development Ordinance. Mr. Morrison stated that the issue with the current ordinance is the requirement for a concept plan that isn't a real concept plan, but a very detailed development plan. Mr. Morrison stated that the Planning Commission could either eliminate the request for a concept plan all together or remove the language stating it's a concept plan and just say that all the items listed are required. Mr. Morrison inquired if the Planning Commission would want a simple concept plan or a detailed plan when applying for a rezoning to Village Development.

Mr. Hickman stated that the Planning Commission has gotten into trouble in the past by requiring too much detail from developers at the beginning of a project. Mr. Morrison stated that it depends on the size of the parcel which will determine whether there would be a multi-phase plan or a detailed plan. Mr. Pettit inquired if there is a significant difference between the PUD and the Village Development. Mr. Morrison stated that yes, there is quite a difference the PUD is for major projects while the Village Development Ordinance is for a small project like within the County.

Chairwoman Wingfield inquired if the conceptual site plan should identify conservation areas, and wetlands. Mr. Morrison stated, that yes they will still have to show what is on the property including environmental areas on the conceptual plan. Chairwoman Wingfield stated that water and waste water utilities should also be listed in the concept plan. Mr. Hickman inquired if Mr. Morrison would be able to go through the items he is looking to remove from the process and Mr. Morrison obliged. Mr. Roberts inquired as to how the process is different for a parcel that is five (5) acres versus one that is forty (40) acres. Mr. Morrison stated that if the parcel is five (5) acres a full concept plan would be required, but if it is a forty (40) acre parcel the concept plan may not be as detailed when the application is submitted due to timing of the project.

Mr. Lumgair stated that he feels the items shouldn't be removed, due to receiving the detailed plan aids the Planning Commission in making decisions. Mr. Morrison stated that what he is hearing is that the Planning Commission is nervous about not seeing what Phase II looks like when approving. Mr. Roberts stated that they do not want to make it hard on the developer, but need to know what is planned for down the line. Mr. Morrison stated that the ordinance is specifically referring to what is required at submittal, and that needs to be the focus.

C. Advisory review of Mobile Home Park Application

Mr. Morrison informed the Planning Commission that the Board of Zoning Appeals (BZA) is requesting the review on larger projects as they come before the BZA. This is due to the fact that the Planning Commission is used to reviewing larger projects, whereas the BZA is used to small projects that are parcel specific. Mr. Morrison asked the Planning Commission to review the site plan submitted by an applicant looking to construct a mobile home park. Mr. Morrison stated that the Planning Commission needs to look for water, sewer, roads, and other high level items.

Mr. Gayle stated that the first issue is that the property “islands” a house due to the layout of the parcel. Mr. Sparkman inquired if the adjacent property owners have been notified, and Mr. Morrison informed him that at this time they have not. Chairwoman Wingfield inquired about the size and width of the buffers, as well as the playground required by ordinance. Mr. Morrison informed the Planning Commission that the applicant is planning to put in six (6) foot spruce trees which are approximately three (3) feet wide, and showed where the playground is located on the site plan.

Mr. Sparkman inquired about the septic and well system, and what is required for the twenty (20) units, will there be individual wells, or one (1) big one. Mr. Pettit stated that one (1) well can only serve up to six (6) units. Mr. Morrison stated that they will need to follow the Virginia Department of Health requirements of what a well needs to produce per day per person in a residence.

Mr. Lumgair inquired if the road will be built to VDOT standards. Mr. Morrison stated that if the lots are for sale then it will become a subdivision and VDOT will take over the road, but if the lots are rented then the road will be built to VDOT standards, but VDOT will not inspect it. Mr. Lumgair inquired what will happen to the buildings twenty-five (25) years from now. Mr. Morrison stated that since the money will be spent to put in the road, it seems to reason that the owner would want to keep the units nice to get the money out of the road.

Mr. Custis inquired about the subdivision that has been approved to the south of the proposed mobile home park, and if there has been any development. Mr. Morrison stated that though the subdivision is approved and active, no lots have been built on. Mr. Morrison reviewed the items that the Planning Commission felt the BZA should take a close look at:

1. The house that is getting “carved out” according to the proposed site plan.
2. Potentially relocate the sewer system, and what type of system is it?
3. The road is a dead end road which does not meet VDOT standards.
4. What will happen with the mobile homes after they deteriorate? Will they be new or old?
5. Should a setback be put in place for the buffer?

Mr. Morrison stated he would take the Planning Commission’s concerns and thoughts to the BZA and the applicant.

D. Consider scheduling a public hearing for rezoning application REZ-000094-2020

Mr. Morrison gave a brief overview of the request, informing the Planning Commission that the property is split zoned. It is currently zoned General Business on the south side of the parcel, and Agricultural on the north part of the parcel. The applicant is looking to have the whole parcel zoned General Business.

On a motion made by Mr. Pettit and seconded by Mr. Hickman the Planning Commission voted unanimously, with Mr. Sparkman abstaining, to schedule a public hearing for application REZ-0000094-2020 for the April 14, 2021 meeting.

7. OLD BUSINESS

There was no old business discussed during this meeting.

8. PUBLIC HEARING

A. Ordinance Amendments pertaining to Lighting Regulations.

Proposed amendment to the Accomack County Zoning Ordinance regarding the Lighting Regulations, specifically Section 106-139 - Industrial Zoning District; Section 106-412 - General Business Zoning District; Section 106-226 – Zoning Permits by adding a section to allow for certain building mounted lights such as wall packs; and Section 106-230 – Off-street parking, stacking, and loading.

Additionally, to consider an amendment to Article X. – General Provisions by adding Sections 106-241 and 106-242 to require Special Use Permits and Conditional Use Permits to comply with the lighting regulations, and to regulate excessive lighting in all districts.

Chairwoman Wingfield opened the public hearing at 7:30 p.m. Mr. Morrison gave a brief overview of the amendments pertaining to lighting regulations being requested. Chairwoman Wingfield closed the public hearing since there was no public present to make comments.

On a motion made by Chairwoman Wingfield and seconded by Mr. Gayle the Planning Commission voted unanimously to recommend that the Board of Supervisors consider amending Section 106-139 (Industrial District), Section 106-412 (general Business District), Section 106-230 (Off-street parking, stacking, and loading), and Section 106-226 (Zoning Permits) to allow for certain building mounted light and add provisions for other site lighting as described in Attachment 1 – Draft Lighting Ordinance Amendments.

Additional the Planning Commission recommends that the Board of Supervisors consider amending Article X by adding Section 106-241 and Section 106-242 as set forth in Attachment 2 – Draft Lighting Ordinance Amendments.

The following reasons are offered to support the amendment:

- 1. The amendment will make lawful certain building mounted lights which are already commonly used on commercial and industrial buildings.*
- 2. The amendment will provide the County with the ability to regulate excessive outdoor lighting in all zoning districts.*

9. SUBDIVISION AGENT REPORT

Mr. Morrison informed the Planning Commission that the subdivision agent report was included with the packet, and inquired if there were any questions concerning the report. The Planning Commission had no questions for Mr. Morrison

10. REPORT ON BOARD OF ZONING APPEALS UPCOMING HEARINGS

Mr. Morrison informed the Planning Commission that four applications have been filed for the April 7, 2021 meeting.

11. OTHER MATTERS

No other matters were discussed at this meeting.

12. NEXT MEETING

The next Planning Commission regular session is scheduled for Wednesday, April 14, 2021 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, Accomac. To be held as a hybrid – electronic (conference call) and in-person meeting.

13. ADJOURNMENT

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

The meeting was adjourned at 9:07 p.m.

Angela Wingfield, Chairwoman

Stephanie Woods, Administrative Assistant of Building, Planning, & Economic Development