

At a meeting of the Accomack County Planning Commission held on the 5th day of May, 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. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mrs. Angela Wingfield, Chairwoman

Mr. Lynn Gayle

Mr. Leander Roberts

Mr. John Sparkman

Mr. Kelvin Pettit

Mr. C. Robert Hickman

Planning Commission Members Participating Electronically:

Mr. Roy Custis, Vice Chairman

Mr. David Lumgair

Planning Commission Members Absent:

Mr. Brantley Onley

Others Present:

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

Mrs. Stephanie Woods, Administrative Assistant to the Deputy County Administrator

Mr. Tom Brockenbrough, Accomack County GIS Coordinator/Floodplain Administrator

Mr. Nathan Overby, Virginia Space

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. Hickman, the Planning Commission voted unanimously to adopt the agenda as presented.

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 14, 2021: *On a motion made by Mr. Gayle and seconded by Mr. Sparkman, the Planning Commission voted unanimously to approve the April 14, 2021 meeting minutes as presented.*

5. OLD BUSINESS

A. Review of amendments to the Village Development Zoning District regulations that were voted on during the April 14, 2021 meeting and consider scheduling a public hearing for May 25, 2021.

Mr. Morrison stated that staff incorporated all the items that the Planning Commission voted on during the April 14, 2021 meeting into the Village Development Zoning District Regulations. Mr. Morrison inquired if the Planning Commission wanted to have any further discussion or if it was ready to schedule a public hearing.

On a motion made by Mr. Roberts and seconded by Mr. Hickman, the Planning Commission voted unanimously to schedule a public hearing for its next regular meeting on Tuesday, May 25, 2021.

6. NEW BUSINESS

A. Comprehensive Plan conformance review for Hacks Neck Parking. The Commission's review is required under Section 15.2-2232.

Mr. Morrison gave an overview of the need for the review as well as the purchase of the land. Mr. Morrison opened the floor for any follow-up questions from the Planning Commission. Mr. Hickman inquired if there is currently an actual boat ramp at the location now. Mr. Morrison stated that it is currently considered an unimproved launch, and is historically used by Watermen versus recreational boaters. Chairwoman Hickman inquired if the County owns the ramp, and Mr. Morrison confirmed that the County does.

On a motion made by Mr. Hickman and seconded by Mr. Gayle the Planning Commission voted unanimously finding that the Hacks Neck Parking location, character, and extent are in substantial conformance with the Comprehensive Plan and that the Board of Supervisors pursue the construction of the parking lot as planned.

B. Comprehensive Plan conformance review for Eagles Sound Subdivision Roads, Oyster Cove Lane and Sandpiper Lane to go to VDOT. The Commission's review is required under Section 15.2-2232.

Mr. Morrison gave an overview of the need for the review and stated that it is an unusual circumstance due to the history of the two streets. Mr. Morrison stated that the roads were originally supposed to be turned over to VDOT, but were unable to and that the Home Owners Association has maintained the roads and are now able to get them turned over to VDOT.

On a motion made by Mr. Sparkman and seconded by Mr. Gayle the Planning Commission voted unanimously finding that the Oyster Cove Lane and Sandpiper Lane streets in the Eagles Sound Subdivision, character, and extent are in substantial conformance with the Comprehensive Plan and that the Board of Supervisors take the required steps necessary for VDOT to accept the streets into the VDOT system.

C. REZ-000166-2021: VA Space – Tax Map # 56-2-4A

Consider scheduling a public hearing for the May 25, 2021 regular meeting on a request to conditionally rezone approximately 28 acres of land from Agriculture to Industrial. The property is located at 32355 Wallops Island Road (Tax Map# 56-2-4A). The request is being made by the Virginia Commercial Space Flight Authority. The intended use of the property is for assembly, integration, and test purposes with buildings and development to support the same.

Mr. Morrison gave an overview of the request from Virginia Commercial Space Flight Authority (VCSFA) also known as Virginia Space, informing the Commission that Mr. Nate Overby from Virginia Space was at the meeting to answer any questions.

It is noted at this time that this item was discussed in tandem with the Commercial Use Permit applications from Virginia Space (VA Space), Agenda Items D and E.

Mr. Morrison informed the Planning Commission that VA Space closed on the property with plans to build a large building in excess of 100,000 square feet for integration. Mr. Morrison showed the Planning Commission photos of the completed building that VA Space built within the Wallops Research Park. Mr. Sparkman inquired about the demolition of the poultry houses, which prompted Mr. Hickman to inquire if the poultry houses were still in production. Mr. Morrison informed the Planning Commission that the houses are no longer in production and that VA Space plans to remove them from the property.

Chairwoman Winfield inquired about the hazard material arcs that are depicted on the proposed site plan. Mr. Overby stated that the arcs on the plan are showing that they are keeping all material on the property. Mr. Gayle inquired about a fence. Mr. Overby stated that yes at least a portion of the property will be fenced if not the whole property. Chairwoman Winfield inquired if there will be a quantity listed on the hazard material list. Mr. Overby stated that VA Space plans to do their best to give that information, and though they may not be specific quantities but will at least give an estimated amount.

Mr. Hickman informed Mr. Overby that there is a river that runs through the back of the property and to pay close attention to it. Mr. Overby stated that VA Space is planning to do large stormwater preparation. Mr. Lumgair expressed his concern for having explosive material on site.

On a motion made by Mr. Roberts and seconded by Mr. Hickman the Planning Commission voted to schedule a public hearing on REZ-000166-2021 for the application from VCSFA for the conditional rezoning of parcel 56-2-4A from Agricultural to Industrial at the May 25, 2021 meeting.

D. CUSE-000167-2021: VA Space – Tax Map #56-2-4A

Consider scheduling a public hearing for the May 25, 2021 regular meeting for Conditional Use Permit pursuant to Section 106-128 (1) site greater than 10 acres. The property is located at 32355 Wallops Island Road (Tax Map# 56-2-4A). The request is being made by the Virginia Commercial Space Flight Authority. The intended use of the property is for assembly, integration, and test purposes with buildings and development to support the same.

This Agenda Item was discussed in tandem with Item C and voted on during that time.

On a motion made by Mr. Roberts and seconded by Mr. Hickman the Planning Commission voted to schedule a public hearing on CUSE-000167-2021 for the application from VCSFA to obtain a Conditional Use Permit to develop more than 10 acres of land pursuant to Section 106-128(1) of the Industrial Zoning District regulations.

E. CUSE-000168-2021: VA Space – Tax Map # 56-2-4A

Consider scheduling a public hearing for the May 25, 2021 regular meeting for Conditional Use Permit pursuant to Section 106-128 (9) storage of hazardous chemicals. The property is located at 32355 Wallops Island Road (Tax Map# 56-2-4A). The request is being made by the Virginia Commercial Space Flight Authority. The intended use of the property is for assembly, integration, and test purposes with buildings and development to support the same.

This Agenda Item was discussed in tandem with Item C and voted on during that time.

On a motion made by Mr. Roberts and seconded by Mr. Hickman the Planning Commission voted to schedule a public hearing on CUSE-000168-2021 for the application from VCSFA to obtain a Conditional Use Permit to develop for the storage of hazardous materials pursuant to Section 106-128(9) of the Industrial Zoning District regulations.

F. Review and discuss Ordinance Amendments pertaining to the Flood Hazard Overlay District provisions of the Zoning Ordinance. The proposed amendments are specifically for Ordinance Section 106-364 and Section 106-366. Consider scheduling a public hearing for the June 9, 2021 regular meeting.

Mr. Morrison introduce Mr. Tom Brockenbrough the Floodplain Manager to the Planning Commission. Mr. Brockenbrough gave an overview of the changes required and requested to the Flood Hazard Overlay District regulations. Mr. Brockenbrough informed the Commission that the regulations cannot go below the FEMA minimum requirements and that the changes being made are to bring the ordinance in line with the Virginia State Building Code.

Mr. Brockenbrough informed the Commission that in September of 2019 there became a disparity between the State Building Code standards and the Zoning Ordinance due to “Coastal A Zone” now being required to be treated as a VE Zone. Mr. Sparkman inquired about the potential impact of the changes on flood insurance premiums. Mr. Brockenbrough stated that due to the fact that staff is making the standards tougher, it should lower premiums as it will require people to build higher than FEMA requirements.

Mr. Brockenbrough reviewed the required changes in depth with the Commission. Mr. Sparkman inquired if someone were to purchase a house that was built before these standards have been put in place, would they be required to elevate the house. Mr. Brockenbrough stated that there are two cases where a person would be required to elevate a house built prior to the ordinance. The first is if they were doing substantial improvement to the residence, the building and zoning code would require the house to be elevated. The second is if there is substantial damage to the building which would require substantial improvement and therefore require the building to be elevated to meet current standards.

Mr. Pettit inquired about the actual number of changes being made. Mr. Borckenbrough stated that there are only two changes being made, but that they are listed in several areas of the ordinance.

On a motion made by Mr. Hickman and seconded by Mr. Gayle the Planning Commission voted unanimously to schedule a public hearing for June 9, 2021 for the

*proposed amendments to the Flood Hazard Overlay District Zoning Regulations;
specifically to Section 106-364 and 106-366.*

7. PUBLIC HEARING

There were no public hearings held at this meeting.

8. SUBDIVISION AGENT REPORT

Nothing to report on at this time.

9. REPORT ON BOARD OF ZONING APPEALS UPCOMING HEARINGS

There are five applications that have been filed at this time for the June 2, 2021 meeting.

- A Special Use Permit application request by Brooke Rodgers to use a travel trailer for habitation while her house is rebuilt after a fire. The parcel is at Tax Map # 103A-3-2A located at 28025 Drummondtown Road, Onley, and is zoned Residential.
- A Special Use Permit application request by Steven Story to place a 12'x 24' pre built shed without a main residence on the parcel to store items to maintain the property while a house is being built. The parcel is at Tax Map # 42-11-9 located on Bogues Bay Drive, Temperanceville, and is zoned Agricultural.
- A variance application request by Rick Hall from the frontage requirement to split an old farm house from an existing parcel. The parcel is at Tax Map # 95-A-13 located at 27005 Drummondtown Road, Onley, and is zoned Agricultural.
- A variance application request by Bobbie Wert from the setback requirements to for a replacement home to be placed on the parcel. The parcel is at Tax Map # 101C-A-10 located at 30082 Lankford Hwy, Melfa, and is zoned Agricultural.
- A variance application request by Dawn Hurley from the frontage requirements to place a replacement mobile home on the parcel. The parcel is located at Tax Map # 56-A-36A located at 32408 Holland Farm Road, Temperanceville, and is zoned Agricultural.

10. OTHER MATTERS

A. Flood Insurance Risk Rating Changes

Mr. Brockenbrough informed the Commission that the risk rating for flood insurance will be changing, and that replacement costs will now be looked at more closely. Mr. Brockenbrough stated that these changes are set to be enacted as of October 1, 2021 for new policies, and policies renewing after April 1, 2022 will convert at the time of renewal.

B. Meeting Space Proposal

Mr. Morrison stated that he feels it would be good for the upcoming public hearings, for all Commission members to be able to attend in person. Mr. Morrison suggested the use of the pavilion at Sawmill Park, and if so the meeting would potentially need to moved to an earlier time due to it being outside. Chairwoman Wingfield deferred to Mr. Custis and Mr. Lumgair as they have been attending meetings virtually. Both Mr. Custis, and Mr. Lumgair approved of the idea of meeting at Sawmill Park Pavilion. The Planning Commission unanimously agreed to have the May 25th meeting at Sawmill Park Pavilion at 5:30 p.m.

11. NEXT MEETING

The next Planning Commission meeting is Wednesday, May 25, 2021 at 5:30 p.m. at the Sawmill Park Pavilion located at 24387 Joynes Neck Road, Accomac.

12. ADJOURNMENT

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

The meeting was adjourned at 8:40 p.m.

Angela Wingfield, Chairwoman

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