

At a meeting of the Accomack County Planning Commission held on the 25th day of January, 2022, 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, Chairman

Mr. John Sparkman

Mr. Kelvin Pettit

Mr. Leander Roberts

Mr. Glen 'Adair' Tyler

Mr. Lynn Gayle

Mr. Brantley Onley

Planning Commission Members Absent:

Mr. C. Robert Hickman

Mr. Roy Custis, Vice Chair

Others Present:

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

Mr. Paul Seltzer, Deputy Director of Building, Planning, and Economic Development

Mrs. Stephanie Woods, Administrative Assistant of Building, Planning, and Economic Development

DETERMINATION OF A QUORUM

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

2. ELECTION OF OFFICERS

Mr. Morrison discussed with the Planning Commission if they would like to elect officers at this meeting or wait until its February 9, 2022 meeting. The Planning Commission opted to elect officers at this meeting.

Mr. Morrison opened the floor for nominations for Chair, Mrs. Wingfield was nominated with no other nominations being made.

On a motion made by Mr. Onley and seconded by Mr. Sparkman the Planning Commission voted unanimously to elect Mrs. Wingfield as Chairwoman for the 2022 calendar year.

Chairwoman Winfield opened the floor for nominations for Vice Chair, Mr. Custis was nominated with no other nominations being made.

On a motion made by Mr. Roberts and seconded by Mr. Gayle the Planning Commission voted unanimously to elect Mr. Custis as Vice Chairman for the 2022 calendar year.

3. ADOPTION OF AGENDA

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

4. OLD BUSINESS

A. Review and discuss studies and reports submitted by CCG Note to support its rezoning and conditional use permit applications.

Mr. Morrison informed the Planning Commission that the reports and analyses submitted by CCG Note LLC are required under the Village Development District Ordinance. Mr. Morrison reviewed the summary and findings of the Traffic Study, stating that according to the study there are no off-site improvements required. Mr. Morrison informed the Commission that the study has been submitted to VDOT for approval.

Chairwoman Wingfield inquired if it has been determined if Captains Corridor is a private or public road. Mr. Morrison stated that staff believes it is a private road. Chairwoman Wingfield inquired about the right for this development to use the private road. Mr. Morrison stated that the developer owns the private road so yes they will be able to utilize it.

Mr. Roberts stated that the proffers seem to be insufficient. Mr. Morrison stated he would like to go into this further during the discussion on the Fiscal Analysis. Mr. Morrison reviewed several items in the Fiscal Analysis. Mr. Morrison clarified that building permits for this project will not count as revenue towards the County. After review of the Fiscal Analysis and the potential impact on the County's public school system. Mr. Morrison inquired if the Commission felt that the proposed donation of \$10,000 is enough. Chairwoman Wingfield clarified that the donation would be going to the Cal Ripken Foundation, and inquired what happens to it then. Mr. Morrison stated that yes it does, but that they will then set the funds aside for the County.

Mr. Morrison reviewed the project Road Maintenance Plan, stating it hits all minimal requirements. Chairwoman Wingfield inquired if the stated \$30,000 for road maintenance was strictly for this project or if it would include Captains Cove as well. Mr. Morrison stated that it is strictly for the internal roads in the development. Chairwoman Wingfield inquired about the ability for them to have the funds to maintain the private road, and Mr. Morrison verified that yes they will.

Mr. Morrison reviewed the Offsite Utility Map. Mr. Onley inquired if the County is satisfied that the proposed six inch (6") main will accommodate the development. Mr. Morrison stated yes and Public Works will need to review the plan, but that staff feels that it should be good. Mr. Morrison opened the floor to the Planning Commission to see if it felt the studies satisfied the requirements or if there is something more needed. Chairwoman Wingfield stated she had a list of questions for the developer.

B. Review and discuss studies and reports submitted by Scout Energy/Jupiter Power to supports its rezoning and conditional use permit applications.

Mr. Morrison stated that the Acoustic Assessment calls for a 16 foot wall to contain the sound. Mr. Morrison stated that the decibel level is noted. Chairwoman Wingfield stated that the air conditioner in the room is more than likely more than 50 decibels. Mr. Morrison suggested that the storage units that are closest to residential areas have additional noise containment. Mr. Gayle stated his concern is not necessarily the decibel level, but the duration of the noise. Chairwoman Wingfield inquired if the fence would be a concrete wall and Mr. Morrison stated yes. Mr. Morrison stated that staff needs to check at what height the decibel level was measured.

Mr. Morrison stated that the Emergency Action Plan is an internal document for Scout Energy staff, and not required for the application. Mr. Morrison and the Commission had discussion pertaining to safety and various scenarios. Chairwoman Wingfield inquired if they should hold a bond, in case of clean up. Mr. Morrison stated that they have submitted a draft decommissioning plan and that there will be security for if operations cease.

Chairwoman Wingfield inquired about the proffers and if they would be reviewed. Mr. Morrison stated that the current proffers are based off the 80 megawatt application and that could potentially change if Scout Energy/Jupiter Power decides to reduce it to a 40 megawatt application.

Mr. Pettit inquired about the fact that all the reports seemed to be created internally and expressed concerns about impartiality. Mr. Morrison stated that is due to the fact that the submitted reports are not required for the application and that they were submitted by the applicant for knowledge and understanding of the project.

Mr. Onley inquired if they were to only put in 40 megawatts at this time would they then have to come back before the Commission to add another 20 or 40 megawatts, and Mr. Morrison verified that is correct.

Mr. Morrison reviewed the Economic & Fiscal Analysis with the Planning Commission. Mr. Morrison verified for the Planning Commission the Legal Notices that had run for two consecutive weeks prior to the January 12, 2022 meeting and notified the Commission it will run another two consecutive weeks prior to its February 9, 2022 meeting.

C. Discuss zoning questions the Commission may have regarding agenda Items 4A and 4B.

Mr. Morrison reviewed several zoning items with the Commission related to items that were brought up by residents during the Public Hearings at its January 12, 2022 meeting. Mr. Morrison stated he will review the Comp Plan related items at a later date.

Mr. Morrison informed the Planning Commission that CCG Note LLC has submitted an updated site plan so that each Townhome will now be on its own individual lot, and the applicant will go through a subdivision which will satisfy the fee simple aspect of the

Townhome definition. Chairwoman Wingfield inquired if CCG Note LLC has submitted a list of waiver they are requesting. Mr. Morrison stated that the applicant is working on them and should have them submitted prior to the Commission's February 9, 2022 meeting. Mr. Morrison reviewed several items from a memo previously submitted to the Planning Commission concerning water and sewer. Mr. Pettit called to question about moving forward with the CCG Note LLC application and what is the reason for or against it. Mr. Morrison stated that first thing is to make sure there are no technical issues, and then to look at the proposal on its merit based on the Comp Plan.

Mr. Roberts stated that the intention of the Comp Plan is to keep developments in close proximity as to avoid having to take away from farming land and the Agricultural business within the County. Mr. Gayle stated a point of clarification that the Commission does not approve or deny, they recommend to the Board of Supervisors to approve or deny. Chairwoman Wingfield inquired if they would get additional time for review with the proposed changes. Mr. Morrison stated no, but staff is suggesting that the Commission hold another Work Session in February to speak specifically about the CCG Note LLC applications.

5. NEXT MEETING

The next Planning Commission regular session is scheduled for Wednesday, February 9, 2022 at 7:00 p.m. in the Metompkin Elementary Cafetorium, 24501 Parksley Road, Parksley.

6. ADJOURNMENT

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

The meeting was adjourned at 9:00 p.m.

Angela Wingfield, Chairman

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