



Accomack County Planning Commission

John Sparkman, District 1
Angela Wingfield, Chair, District 2
Harold White, District 3
Kelvin Pettit, Vice-Chair, District 4
Shelia Connor, District 5
Glen "Adair" Tyler, District 6
Lynn Gayle, District 7
Myra Riley-Taylor, District 8
Berran Rogers, District 9

County Administration Building, Board Chambers, Room 104, 23296 Courthouse Avenue, Accomac, VA

Minutes for Wednesday, March 12, 2025, at 7:00 PM

1. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

- Mrs. Angela Wingfield, Chairwoman
- Mr. Kelvin Pettit, Vice Chairman
- Ms. Myra Riley-Taylor
- Mr. Adair Tyler
- Mrs. Sheila Conner
- Mr. Berran Rogers
- Mr. John Sparkman
- Mr. Harold White

Planning Commission Members Absent:

- Mr. Lynn Gayle

Others Present:

- Mr. Leander "Lee" Pambid, Deputy County Administrator
- Chontese Ridley, County Planner I
- Pamela Dix, Administrative Assistant II

DETERMINATION OF A QUORUM

With a quorum present, Chairwoman Wingfield called the meeting of the Accomack County Planning Commission to order at 7:00 p.m. Mr. Rogers arrived at 7:07 p.m.

REMOTE PARTICIPATION

None

INTRODUCTION OF NEW PLANNING COMMISSIONERS

Ms. Myra Riley-Taylor, Mrs. Sheila O'Conner, and Mr. Harold White.

2. ADOPTION OF AGENDA

The Planning Commission unanimously adopted the agenda on a motion by Commissioner Tyler, seconded by Commissioner Sparkman.

3. MINUTES

On a motion made by Vice Chair Pettit and seconded by Commissioner Tyler to adopt January 8, 2025, minutes as written.

45 *On a motion made by Commissioner Tyler and seconded by Vice Chairman Pettit to adopt*
46 *February 12, 2025, minutes as written.*

47

48 **4. PUBLIC COMMENT PERIOD**

49 No public comments.

50

51 **Chairwoman Wingfield**

52 Mr. Pambid, would you like to move on to the Public Hearing or go through Old Business?

53

54 **5. OLD BUSINESS**

55 **Mr. Lee Pambid**

56 It's up to you, Madam Chair, which order you want me to go in. Our slide deck is prepared in
57 agenda order, but we're more than capable of switching to the Public Hearing if you wish to
58 dispense with that.

59

60 **Chairwoman Wingfield**

61 Okay, we'll move to Old Business amendment to Chapter 78 Subdivision and Chapter 106
62 Zoning, regarding the definition of subdivisions.

63

64 **Mr. Lee Pambid**

65 Thank you, Madam Chair, Members of the Commission, Lee Pambid, Deputy County
66 Administrator for Community and Economic Development. I'd first like to, on behalf of the
67 staff, welcome the new Planning Commissioners, Myra, Sheila, and Harold, for being here.
68 The staff met individually with the three new Planning Commissioners and gave them about
69 an hour to an hour and a half briefing on as much information as we could fit. But again,
70 welcome. Thank you for choosing to serve, and we look forward to working with you. These
71 next couple of items are items that we've been working on for quite some time now, and the
72 staff is ready to request public hearings. The briefings for these two items are not going to be
73 very long for the rest of the evening. We hope to keep our briefings short because we know
74 there's a lot on the agenda, but we will answer any questions and try to explain anything that
75 needs explaining. So when we first started our conversation several months ago, actually going
76 on over a year ago. We brought to you four different proposed ordinance amendments. We've
77 dispensed with two, one being the environmental or the Chesapeake Atlantic Preservation
78 Area, and the other being the Poultry Special Use Permit ordinance amendment that has left
79 two. As you had mentioned, Madam Chair, we are proposing an amendment to the definition
80 of subdivision, and we also want to specify how long an approval for a site plan is good for.
81 The Board of Supervisors issued a resolution on February 21 of last year to amend the
82 definition of subdivisions, subdivision approvals and the requirements for the adjustment of
83 boundary lines, vacation of lot lines, and other divisions of land. I think we've got the wrong
84 slide deck on here. Can we come back? I see what's happened. I think we've got it. We've got
85 some. There we go. Okay. Starting here two resolutions, covering, oh, hang on a second now
86 this is going to advance. Okay, we'll go ahead and continue on with what we've got. I think I
87 can work with this. I apologize. For the subdivisions, the main thing right now is the definition
88 of subdivision is currently a split of one lot into three lots, and that has indeed created some
89 gray area for us on staff and what that has meant is a lot of subdivisions going straight to
90 recordation without staff review or approval. We've got a lot of plats in the courthouse that
91 come back for permits, we say it's not a proper lot. It doesn't meet the ordinance, and there is
92 a whole other litany of issues that go with not having the staff review a subdivision before it
93 goes to recordation. This gray area, by reducing the number of lots that go into a subdivision,

94 from one lot into three lots or one lot into two lots, will eliminate that gray area. So, any
95 subdivision action will be subject to staff review. You have been looking at the materials for a
96 few months now, and the staff is requesting a public hearing for next month, April 9. The
97 Terms of Validity on that same evening, the Board of Supervisors issued a resolution on
98 February 21, 2024, and the issue there is the ordinance is silent on how long certain approvals
99 are valid, particularly site plans and development plans. It has been specified by staff and
100 policy, and what we need to do is to provide that very specifically and encode that in the
101 ordinance. And what we are proposing for site plans and development plans is a five-year Term
102 of Validity. So, it is in conjunction with state code and with the lack of language in the
103 ordinance; we can't say in an approval letter how long their approval is good for. So we are
104 trying to close that loophole, and likewise, we are requesting a Public Hearing for April 9 on
105 some language that we've been presenting over the last several months. Of course, you will
106 have that in your packet next month. There were several months over the past year or so where
107 you have had that language, and that language has remained largely the same since you first
108 saw it. With that being said, that concludes the staff's comments on these two ordinance
109 amendments that we've been discussing over the past several months. I can try to field any
110 questions you have at this time on that.

111

112 **Commissioner Pettit**

113 I have a question. What happens to the Administrative Approval of the subdivision? Was that
114 not a provision that the staff could approve without a public hearing?

115

116 **Mr. Lee Pambid**

117 Yes, sir. So, the state code was amended several years ago, and our code is now catching up
118 with the amendments we're proposing. The state code was changed to allow any subdivision
119 of less than 50 lots to be reviewed and approved administratively without a preliminary plat.
120 One example of the Planning Commission getting involved in a subdivision or a detailed
121 preliminary plat. We're having a public hearing tonight on one. Of course, their proposal is for
122 130 lots, which is well in excess of the 50 for an administrative approval, but that is the
123 threshold, essentially, for what the Planning Commission would see and what could be done
124 administratively with just the staff.

125

126 **Chairwoman Wingfield**

127 Any other questions? So how would one go about splitting a lot into two lots?

128

129 **Mr. Lee Pambid**

130 We have been requesting that they contact a surveyor and have it drawn up, bypassing the staff
131 and going straight to circuit court. We have asked the circuit court not to record anything that
132 does not have our signature on it. But if someone were to press hard enough, they could go
133 straight to the circuit court, but we do have that agreement with the circuit court.

134

135 **Commissioner Tyler**

136 Okay, thank you. Can you give me an example of where it's been a problem?

137

138 **Mr. Lee Pambid**

139 Well, let's see.

140

141

142

143 **Commissioner Tyler**
144 Where somebody cuts one into three, and then they come to you for a permit. Can you walk
145 me through that? What is the problem?
146

147 **Mr. Lee Pambid**
148 So going from one to three isn't an issue because most of the surveyors and attorneys know
149 that they have to come to us. It's the lot splits, and there are several real-world examples that
150 we could show you. I should say, back in 2023, shortly after I arrived, the Planning
151 Commission and this ordinance amendment was in process before I even got here. But there
152 was a situation here in the county where someone had taken a large piece of property and
153 subdivided it, but it did not have road frontage. All new lots must have road frontage of some
154 kind, but this one did not. So they went to circuit court and recorded their plat, came in for a
155 permit to build a house, and the staff put a hold on it because the lot didn't have the necessary
156 frontage. That's what the issue is with not having the staff take a look at these subdivisions. A
157 family may say you can have that piece back, and we'll just let you go through here with or
158 without an easement. An easement, typically, is not sufficient to comply with the road frontage
159 requirement. So that's just one of several different kinds of issues. A lot of the issues that we
160 deal with, aren't it could be that the lot was too small, that they subdivided it too small if there's
161 a five acre minimum, and if it wasn't a family subdivision, which allows for smaller lots in in
162 Ag, for example, that's also another issue is lot size. Lot size frontage, lack of road frontage
163 those are probably the three main issues that we have with not being able to see a plat before
164 it's recorded
165

166 **Commissioner Tyler**
167 You can stop that subdivision from occurring?
168

169 **Mr. Lee Pambid**
170 Yes.
171

172 **Commissioner Sparkman**
173 I have a question. You said that an easement is not sufficient. Suppose a family member wanted
174 to put an in-law quarters in the back of their house and build something there, and willing to
175 give them easement in and out of the road, would you block that?
176

177 **Mr. Lee Pambid**
178 We would try to provide some options there, Mr. Sparkman. There are provisions for having
179 more than one house on a lot. So if the end goal is simply to have an in-law suite or a granny
180 flat, or whatever you want to call it, there are options in the zoning ordinance for doing that.
181 It's just that if you wanted to subdivide that off, it would be problematic.
182

183 **Commissioner Tyler**
184 What's the remedy now for you when that occurs?
185

186 **Mr. Lee Pambid**
187 In Mr. Sparkman's scenario, or just any scenario.
188

189 **Commissioner Tyler**
190 Any of those.

191 Those of us on the administrative side are basically umpires. We call the balls and strikes. If
192 it doesn't comply with the ordinance, that's where we start. And then we do try to find other
193 options in the ordinance that the surveyor has not considered. We would try to bring those to
194 light. We try to provide solutions, but at the end of the day, if there are no solutions, they may
195 have to buy additional property or rethink the plan. Sometimes the answer is no, unfortunately.

196

197 **Commissioner Tyler**

198 Do you need a motion for us to have a public hearing?

199

200 **Mr. Lee Pambid**

201 Yes sir.

202

203 **Chairwoman Wingfield**

204 I have one comment. On line 467, page 12, I want to go back to the five-day notice for
205 conditional use permits. I'd like to see that change back to 10 days. I don't know if everybody
206 else would, but five days just isn't enough. On the right, Subdivisions, Chapter 78, of
207 subdivision definitions.

208

209 **Commissioner Tyler**

210 What line?

211

212 **Chairwoman Wingfield**

213 467.

214

215 **Commissioner Tyler**

216 What page?

217

218 **Chairwoman Wingfield**

219 12.

220

221 **Commissioner Tyler**

222 Well, I only have eight pages under this heading.

223

224 **Chairwoman Wingfield**

225 So it's a notice of adjoining land owners. Five days.

226

227 **Commissioner Tyler**

228 In the packet online, I only have eight pages.

229

230 **Mr. Lee Pambid**

231 So if it was subject to a, first of all, we'll take a look at that. I think that we had this discussion
232 previously. Now, if it is subject to a conditional use permit, then we actually have to advertise
233 well in advance of that. If that is something that's in the ordinance that is in conflict with our
234 actual practice per state code. Again, per state code, we actually have to start advertising three
235 Fridays because the Eastern Shore Post is published only once a week. Yeah, they're only once
236 a week on Thursday and Friday. Well, they put the newspaper out on Thursday, but it's out on
237 Friday. State Code requires us to advertise almost 21 days in advance of a public hearing. So
238 that's what we would go with.

239

240 **Chairwoman Wingfield**
241 I don't read the paper, so I would get notice from the mail.
242
243 **Mr. Lee Pambid**
244 So we do put the notice in the newspaper and we send out the notice letters in the same week.
245
246 **Chairwoman Wingfield**
247 Yeah, but you do what's different than what's in the rules. But you don't write down what you
248 do. You don't have your process written down to say that you do it 21 days.
249
250 **Lee Pambid**
251 We will amend that to say that we will follow state code, which we already do.
252
253 **Chairwoman Wingfield**
254 It's five days. I think it should be more. Oh, okay.
255
256 **Mr. Lee Pambid**
257 It's 21 per state for what our newspaper allows us to do. So we will make that amendment to
258 just say that we will follow the state code.
259
260 **Commissioner Sparkman**
261 Is it just the Eastern Shore post that you put this in? The reason I asked is I live on Chincoteague
262 and during the height of the tourist season, those papers are gone when the Eastern Shore Post
263 is gone, right within the first two hours when they hit the stands. The tourists grab them all.
264
265 **Mr. Lee Pambid**
266 We are required to advertise in a newspaper of general circulation in our locality, which means
267 the Eastern Shore Post. There are no other newspapers that we can legally advertise in.
268
269 **Commissioner Tyler**
270 There is no move afoot in the state to make it online or like WESR, or what's that other website
271 that you get news from? I can't remember.
272
273 **Mr. Lee Pambid**
274 Shore Daily News is WESR.
275
276 **Chairwoman Wingfield**
277 So, to go back to my question, this is the applicants' process to send out notices like mail out
278 certified letters, which says five days. I think it should be 10.
279
280 **Mr. Lee Pambid**
281 In addition to state code?
282
283 **Chairwoman Wingfield**
284 The state code says that the applicant has to mail certified letters to adjacent landowners.
285
286 **Mr. Lee Pambid**
287 It doesn't say that the applicant has to do it. It says that it has to be done. We can have the
288 applicant do that, but we do that ourselves.

289 **Chairwoman Wingfield**
290 It's just not what you say here and what you do are two different things.
291
292 **Mr. Lee Pambid**
293 So, Madam Chair, what we're going to do is we will take a look at that language. We will
294 measure up against the state code and amend accordingly and present it to you next month.
295
296 **Commissioner Taylor**
297 Another question. So the state code doesn't require it to be posted online, but could that be in
298 addition?
299
300 **Mr. Lee Pambid**
301 Posting it online could be in addition to the advertisement in a newspaper of general circulation
302 in this locality.
303
304 **Commissioner Taylor**
305 That may help with the notification.
306
307 **Mr. Lee Pambid**
308 So that's not the only thing we do. We send the notices out to the adjacent property owners by
309 certified mail. And that is done well in advance of the five or 10 days that we're discussing
310 now.
311
312 **Commissioner Sparkman**
313 When does the clock start to tick? The five days start.
314
315 **Mr. Lee Pambid**
316 Well, the five days is based not when the clock starts ticking, but to use that analogy, we work
317 back from game time or from the public hearing. So if the public hearing was today, then if we
318 were to follow incorrectly what it says there back five to 10 days. Whereas state code says that
319 we have to notify the adjacent property owners and the public through certified mail and
320 newspaper ad would have to be done more than two weeks in advance. They amended the state
321 code to give a longer notice period.
322
323 **Commissioner Sparkman**
324 Is that where you got the 21 days?
325
326 **Mr. Lee Pambid**
327 Yes, sir.
328
329 **Commissioner Sparkman**
330 Okay, that's three weeks. That's quite a bit of notice.
331
332 **Commissioner Tyler**
333 I found what you were talking about. It says no conditional use permit shall be considered by
334 the Planning Commission within five days of any such notice.
335
336 **Chairwoman Wingfield**
337 It's the date that it's stamped.

338 **Commissioner Tyler**
339 So within five days means you knew. Yeah, that needs to be changed.

340
341 **Mr. Lee Pambid**
342 If we're holding a public hearing and we have not properly noticed it, then we violate state
343 code, and we would have to start over. We'd had to postpone that public hearing to the next
344 month. We do not want to do that. We are almost always on time with our notices. There was
345 one time last year, I should say, in 2023, where we did have to postpone a public hearing
346 because of improper notice. But if the issue is this five days or 10 days, that issue is a non issue
347 because we follow state code, which is in excess of the five to 10 days, we just need to remove
348 that language if it's going to be an issue and just indicate that we're going to follow state code.

349
350 **Chairwoman Wingfield**
351 So does the state code say that the county or the owner sends a certified letter?

352
353 **Mr. Lee Pambid**
354 It says that it has to be done. It doesn't say who.

355
356 **Chairwoman Wingfield**
357 If you move on, does the next guy send out the notice?

358
359 **Mr. Lee Pambid**
360 Do we typically do that? We do charge for it, we do that ourselves, so we know that it's being
361 done properly. So, we can keep these projects on time.

362
363 **Chairwoman Wingfield**
364 Okay.

365
366 **Commissioner Tyler**
367 That is a little unclear to me, too.

368
369 **Mr. Lee Pambid**
370 In what matter well

371
372 **Commissioner Tyler**
373 It says that no conditional use permit shall be considered by the Planning Commission within
374 five days of any such notices. If it's six days, we get to consider it. It's four days we don't get
375 to consider.

376
377 **Mr. Lee Pambid**
378 I think that what we need to do is kind of pull back a little bit and understand that if the language
379 is wrong, but we're still following state code which is well in excess of what it states there,
380 then we're still fine.

381
382 **Commissioner Tyler**
383 So you're going to let us know next month.

384
385
386

387 **Mr. Lee Pambid**
388 Yes sir. If we have to put a graphic up that shows a calendar of when the Eastern Shore Post
389 publishes and when we send out notices, we're more than happy to do that so there is an actual
390 graphic for people to understand a little bit better. That language sounds like it needs to go
391 away or be adjusted to reflect the state code. Because state code is a lot stricter than what we're
392 talking about here. So if there are quote, unquote conflicting provisions, we typically go with
393 the stricter, in this case, state code.

394
395 **Chairwoman Wingfield**
396 You're bringing this one back next month?

397
398 **Mr. Lee Pambid**
399 Yes. To recap the ask here. The staff is requesting two public hearings on April 9th. One for
400 Subdivisions and one for Term of Validity.

401
402 **Chairwoman Wingfield**
403 Well, are you bringing the subdivision part back? Do you want the changes before we do the
404 public?

405
406 **Mr. Lee Pambid**
407 We're just going to make the changes and show them to you.

408
409 **Chairwoman Wingfield**
410 All right. So would somebody like to make a motion? Do you have any other questions for
411 staff? Would somebody like to make a motion for a public hearing on subdivisions and the
412 definition of the amendment to Chapter 106 Zoning regarding periods of validity for certain
413 approvals?

414
415 **Commissioner Tyler**
416 Do you need a motion? I make a motion that the staff publicizes and we have a public hearing
417 on April 9th for the two previously aforementioned pieces and parcels.

418
419 **Chairwoman Wingfield**
420 We have a motion. Do we have a second?

421
422 **Commissioner Taylor**
423 Second.

424
425 **Chairwoman Wingfield**
426 Second, all in favor for two public hearings on April 9th , all in favor say aye. Aye Opposed.

427
428 **Commissioner Tyler**
429 It's very hard when staff didn't give you the verbiage.

430
431 **Chairwoman Wingfield**
432 Would you like to move on to New Business?

433
434
435

436 **6. NEW BUSINESS**

437 **Mr. Lee Pambid**

438 New business. We've got four initiating resolutions from the Board of Supervisors on some
439 pretty interesting ordinance amendments. I'll be presenting the first two, and then County
440 Planner Chontese Ridley will be presenting the other one. So, I'll be presenting the ones on the
441 reduction of bulk regulations and the potential addition of a housing density overlay. Chontese
442 will be briefing on the definition of height and the method of calculating sign area and
443 amending certain sign provisions in the industrial district. I want to brief you very quickly on
444 this. Again, this is not final language or anything. So, we don't have any draft language or
445 anything for you. We're just presenting the issue to you. The two resolutions that I am
446 presenting, or rather the two amendments that I'm presenting two resolutions covering three
447 main elements. Number one is reducing certain bulk regulations, which would result in smaller
448 lot sizes in the residential district. We are also exploring adding townhouses as an allowed use
449 in the Ag District. There are some provisions, or some provisos to that. It's not anywhere in the
450 Ag District. The Ag District, excuse me, that is designated Village Development area in the
451 comprehensive plan, and also has access to public water and sewer. As we all know, there are
452 not a lot of areas in Accomack with public water and sewer or centralized water and sewer.
453 Adding an overlay based on that village development area for the property zoned Ag, so
454 numbers two and three go hand in hand. Again, the note at the bottom, all of that is based on
455 the availability of centralized water and sewer. So, reducing the bulk regulations in R district,
456 adding townhouses in the Ag District, and adding an overlay based on the village development
457 area for property zoned A. I've got a couple of exhibits to demonstrate the areas that we're
458 talking about. So, what this slide attempts to explain is the difference between future land use
459 designation and a zoning district. They are very different, but very related. A future land use
460 designation comes right out of the Comprehensive Plan, which, as we know, is an advisory
461 document. A Comprehensive Plan contains the future land use map. The Comprehensive Plan
462 and the future land use map, as I had mentioned they are advisory in nature, but we are required
463 to have a Comprehensive Plan. As far as the zoning district is concerned, that has considerably
464 more teeth to it. The zoning district is found, the text explanation is found in the zoning
465 ordinance. So the zoning districts that were accustomed to hearing zoned agriculture or zoned
466 residential, R1, R2, business, industrial one, industrial two. Those kinds of terminologies are
467 found in the zoning district. They're explained in the zoning ordinance and they're visually
468 represented in the zoning map. Again, Zoning is a regulation, unlike the Comprehensive Plan,
469 which is more of a strategic document, an advisory in nature. Zoning is a regulation that carries
470 the force of law. So, if it is not allowed in zoning, then it is not allowed. Or whatever it says in
471 zoning is the way it has to go. Zoning and the subdivision ordinances are the primary tools for
472 implementing the Comprehensive Plan. We don't have to have zoning if we don't want it.
473 Again, there's the difference between the Comprehensive Plan and the zoning ordinance.
474 Zoning ordinance is optional. Comprehensive Plan is required. Now, with that being said, what
475 we're really after is trying to enable smaller lot sizes in the residential district and adding
476 townhouses in Ag. I just wanted to reiterate that this is not all over the agricultural district, but
477 only those areas that are served by centralized water and sewer systems, and they could be
478 public or private, and they must be designated as Village Development area. Now, this
479 commission has experience in dealing with cases that entail the village development area.
480 We're going to get into a little bit of that tonight. But last year, we had major cases, with the
481 same developer in area between Onley and Onancock, which they do have centralized water
482 and sewer and they are designated Village Development area. But what we're really after is
483 density. We'll just go with the slides here, justifications for reducing various bulk regulations
484 for certain lots. The reason why public or centralized utilities are needed is when putting in

485 wells or septic tanks or drain fields, there are setbacks and separations required. So that requires
486 a larger lot. The other thing that we're going to be exploring is the lot width or the lot depth. If
487 you have a smaller lot, let's say, for example, that the lot is required to be 100 feet wide and
488 150 feet deep. But if you're going to make that narrower, then you won't necessarily need the
489 same depth. So, the lots have to be proportional. Some justifications here: Lower minimums
490 can reduce lot sizes, thereby reducing land costs and increasing affordability and attainability,
491 something we struggle with on a daily basis. Folks come to us saying, I wish we could do this
492 cheaper here in Accomack. In conjunction with reduced land costs, smaller lot sizes allow for
493 smaller entry-level units that are suitable for the workforce. Not everybody needs to be on a
494 three or five-acre lot. The smallest lot size required in Accomack, or that's enabled in
495 Accomack, is a 10,000 square foot lot. So an acre is 43,560 square feet. Smaller lots also enable
496 more efficient land use to increase density. Again, we want those located near public utilities
497 or central utilities. They could be privately owned and operated. We're looking for shared
498 utilities. This would also direct higher densities away from agricultural areas, which typically
499 do not have shared utilities. And that's a key function or a key element of this proposal. You
500 got to have public utilities in order to have the smaller lot sizes. So we're not talking about
501 smaller lot sizes in the Saxis area, for example, or where there's cultivated land; it's very little
502 of that close around. So, this is a recap of everything that we mentioned. Number four is
503 something that I want to explain a little bit more. The term missing middle talks about the types
504 of houses between the single-family or duplexes and the multi-family. So when we talk about
505 the missing middle, duplexes, triplexes, you can even have four, five, or six plexes.
506 Townhouses or accessory dwelling units. Our ordinance does not enable those very much or
507 very well at all. We're looking at ways to get those different types of housing, housing options,
508 housing products. Again, I had mentioned the smallest lot size without a discretionary act is
509 10,000 square feet, or roughly a quarter of an acre. In order to accomplish the Coastal Square
510 and Residences development, there was a Discretionary Act, the staff had consulted with the
511 Planning Commission.

512 The Planning Commission recommended approval of smaller lot sizes in that village
513 development district for Mr. Carbaugh, and that's how townhouses were enabled and duplexes
514 were enabled with that density that was requested. The missing middle aspect is very much
515 present in the development that we discussed last year and we'll be discussing tonight. Mr.
516 Sparkman?

517
518 **Commissioner Sparkman**
519 How about high rises, Lee?

520
521 **Mr. Lee Pambid**
522 There is a maximum height, depending on the zoning ordinance in most zoning districts. For
523 residential, the maximum height is 35 feet now, but that can be increased up to 45 feet if you
524 have additional setbacks to compensate for that additional height. But high rises are not enabled
525 in our ordinance, and that would require a separate zoning ordinance amendment.

526
527 **Commissioner Sparkman**
528 You run into a lot of public pushback when you start talking about high rises. And then there
529 is something to do with water too. Public Water can only go so high. I think on Chincoteague,
530 they have a three-story cap because the public water says the water tower can't get the water
531 off, and so the residents could be required to pay for a new watering system.

532
533

534 **Mr. Lee Pambid**
535 Right? So, certain structures can exceed 35 or 45 feet, but they are industrial, or they may be
536 associated with energy projects, windmills, for example. From an agricultural standpoint, you
537 know, silos may be in excess of 45 feet. But to answer your question about the high rises,
538 they're simply not enabled in our zoning ordinance.

539
540 **Commissioner Rogers**
541 Question. Will these regulations lessen the questions on the part of the land owner or property
542 owner and or contractors? Will that be more in line with regulations today in terms of someone
543 else's property that's adjacent to where someone wants to build?
544

545 **Mr. Lee Pambid**
546 There may be some folks who would object to density, but our Comprehensive Plan encourages
547 density, it encourages us to look at the different ways to get more housing. As we look at
548 revising our Comprehensive Plan, if that's a concern, then we can certainly throw that in the
549 hopper and see what comes out. But to answer your question, some people want density. Some
550 people are opposed to density. So, I'm not sure that I'm answering your question, but there will
551 always be questions. I think that the way I first interpreted your question is if there is someone
552 who wanted to come in and develop, but we don't allow the smaller lot sizes, like the 7500
553 square foot lots that you might find on Chincoteague or in Onancock or Cape Charles. There
554 are folks who don't need that much property, but they would rather have a smaller lot.
555

556 **Commissioner Rogers**
557 Is your office receiving very many concerns and or questions?
558

559 **Mr. Lee Pambid**
560 Occasionally. Now, we take those comments in conjunction with the other studies that have
561 been done. For example, the 2022 Regional Housing Study has encouraged localities on the
562 Eastern Shore to take a look at their ordinances. Best practices at the national level. I mentioned
563 the American Planning Association, and the Housing Accelerator Manual is encouraging
564 localities nationwide to look at their zoning ordinances and their practices to see what can be
565 done about enabling or encouraging smaller houses or more density.
566

567 **Commissioner Rogers**
568 I'm not against regulations by no means. I'm just asking questions to kind of solidify those
569 concerns of people who are really concerned in the county.
570

571 **Mr. Lee Pambid**
572 Yes, sir.
573

574 **Commissioner Sparkman**
575 There's one other question. You know when talking about density, right? There's another factor
576 to that, and that is utilities associated with the density. Who's paying for additional police?
577 Who's paying for additional schools or classrooms? Is there anything in these codes that
578 require those considerations?
579

580 **Mr. Lee Pambid**
581 Depending on the size of the development. Some studies are required: economic impact
582 studies, school impact studies, utility impact studies, and transportation or, I should say, traffic

583 impact analyses. We do have provisions in the zoning ordinance for developments of a certain
584 size. If someone comes has a 25 lot subdivision and they want to do smaller lot sizes. Those
585 kinds of studies aren't typically required. But for the larger ones, for instance, Mr. Carbaugh's
586 project that we reviewed and looked at last year, all of that was provided.

587

588 **Commissioner Sparkman**

589 I remember. I was wondering if it was something in the ordinances that required or set a
590 threshold.

591

592 **Chairwoman Wingfield**

593 The regulation reductions are not for the average guy who owns a residential lot of 10 acres.
594 They're for developers who want to come in and develop. So if I have 100 acres and put 25
595 less than 25 lots in without any conditional use permit, with these regulations relaxed?

596

597 **Mr. Lee Pambid**

598 It depends on the zoning district. If you're residential, then you know your lot size minimum.
599 If you have now, again, it all depends if you have neither public water or sewer, if you have
600 one or the other, or if you have both, that's going to affect your lot size.

601

602 **Chairwoman Wingfield**

603 If I have centralized sewer, I have 100 acres, and I want to put 24 subdivisions right now.
604 Could I do it without a conditional use permit with these regulations reduced?

605

606 **Mr. Lee Pambid**

607 I believe so.

608

609 **Chairwoman Wingfield**

610 Three years later, could I come back and do 24 more subdivision lots without a conditional use
611 permit?

612

613 **Mr. Lee Pambid**

614 I'd have to know more. I can't answer hypothetical questions right now.

615

616 **Chairwoman Wingfield**

617 I mean, I built that one out. Can I come back and do another 10 acres with 24 more lots without
618 a conditional use permit?

619

620 **Mr. Lee Pambid**

621 Like I said, I'd have to know more. Trying to get into a hypothetical question and answer is a
622 little bit beyond the scope of my briefing tonight. If I had a layout, for example, then I would
623 be able to comment a little bit more, but these hypotheticals are a little bit difficult to try to
624 respond to off the cuff without knowing more. There's a lot that goes into a decision like that.

625

626 **Chairwoman Wingfield**

627 Is it allowed by right to do 24 lots and then 24 more?

628

629 **Commissioner Tyler**

630 It would be hard to get 100 acres in a residential area around here.

631

632 **Chairwoman Wingfield**
633 I don't know. I know some.
634
635 **Commissioner Tyler**
636 Well, I think the other thing with what he's talking about. On the Bayside from Fairgrounds
637 Road, North to the Maryland line, you can't do one. And on the Seaside, from Onley to Captains
638 Cove, you can't do one because you don't have public water and sewer.
639
640 **Commissioner Tyler**
641 This missing middle he's trying to fill is not going to exist until we have sewer and water. Like
642 you could maybe do it around Parksley, but you don't have sewer.
643
644 **Chairwoman Wingfield**
645 You could do it at Wattsville.
646
647 **Mr. Lee Pambid**
648 They have neither public water or sewer.
649
650 **Chairwoman Wingfield**
651 They have approved sewer in Wattsville.
652
653 **Commissioner Tyler**
654 They do not have sewer or water, so they have to get it there. They couldn't actually do it until
655 the sewer was there. Do they have sewer in Wattsville?
656
657 **Chairwoman Wingfield**
658 They have approved.
659
660 **Commissioner Tyler**
661 That doesn't matter. It's got to be there.
662
663 **Chairwoman Wingfield**
664 Onancock doesn't have it, and we just proved it without sewer and water.
665
666 **Commissioner Tyler**
667 Because they have to run water and sewer to that development, or that development doesn't
668 fly. So, yes, it is. It is accessible there, and the developer, whoever's going to do it, has to put
669 it in, so if you're in Wattsville and you want to build 15 townhouses instead of the Dream
670 Roller Rink. You're going to have to pay to have sewer and water come to your location that
671 would be a part of the conditional use permit. I mean, you couldn't do it without those things.
672 That's what I'm reading.
673
674 **Chairwoman Wingfield**
675 A lot already had it.
676
677 **Commissioner Tyler**
678 But they don't have sewer, and they don't have public water.
679
680

681 **Chairwoman Wingfield**
682 Okay, but so without these regulation reductions, how much longer in the process would a
683 developer have to go through? Four months? Is that right?

684
685 **Mr. Lee Pambid**
686 If we're trying to accomplish this stuff, let's say right here. If I had to say, what are we looking
687 for with these regulations? We're looking for the ability to enable this kind of development.
688 We are not proposing that it be all over the county. We're proposing that to be in specific places
689 in the county designated on the future land use map. Village Development area is one criteria.
690 The other criteria is that they have both centralized water and sewer.

691
692 **Chairwoman Wingfield**
693 I understand that now.

694
695 **Commissioner Tyler**
696 You can't do this in Painter. We got HRSD coming down the highway, but you don't have
697 public water.

698
699 **Mr. Lee Pambid**
700 You don't have water. Now, if somebody wants to build a water plant or some small-scale
701 treatment facility.

702
703 **Commissioner Tyler**
704 If the developer wanted to build a water tower, we'll talk about your 35-foot hike. But, in
705 Wattsville, somebody's going to have to put in the water and sewer in Wattsville. They don't
706 have public water in Wattsville, they just don't have public water in Wattsville. There is no
707 public water in Wattsville.

708
709 **Vice Chairman Pettit**
710 I have all three of those duplex, triplex, and six families already.

711
712 **Mr. Lee Pambid**
713 That may be a result of someone having done that in the past. But what we're doing here is
714 we're trying to put that in the ordinance to where it could be allowed in certain areas. I don't
715 know the specifics of your particular properties, if that had been approved in the past, somehow
716 in the distant past would be allowed to continue. This chart here is an attempt to show some of
717 the dimensions and provisions that we're going to be looking at. That was in your packet. One
718 of the things I also wanted to go over is the definition of a townhouse. A single-family dwelling
719 connected to a similar house by a common side wall. Having individual ownership of a unit
720 and property, having a fee simple title, which means each one of these units is on a separate
721 lot. This is a row of townhouses. They do have apartment complexes that look like this, but
722 they might not be on individual lots. But a townhouse has to be on its own lot. So there's going
723 to be a lot line here, here, here, so on and so forth.

724
725 **Commissioner Sparkman**
726 And there's your quarter acre or less, right?

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Mr. Lee Pambid

Well, the these are probably less than that. We don't know how deep these lots are, but if you had a townhouse lot that was 5000 square feet, that's probably a really big townhouse lot, a really deep townhouse lot. Justifications for townhouses in the Ag District, again, controlling factors would be, you've got to have Village Development area and centralized utilities. They could be public or private, both water and sewer. The Village Development area that consideration, we've already considered that area for higher density. Allowing this would increase the speed to market, which is important for developers and for builders, not just residential, but commercial and industrial as well. They wanted their approval yesterday. So we are exploring ways again; none of this is set in stone. We're just we're just floating this idea, and we're going to present you with more later on, next month, and in the ensuing months, what that process would be if it's going to be done by right, or, if you want a special use permit through the BZA, or conditional use permit that could also be considered. But what we're trying to accomplish is increased speed to market. Talking about that missing middle, we don't need to recap that. A lot of this is just layering on what we've been talking about. The purpose of that overlay is to enable reduced bulk regulations proposed for the Residential District. The overlay would be strictly based on what is designated a Village Development area in the Comprehensive Plan, again, ensuring higher density is limited to areas slated for that type of development, so availability of water and sewer, or the future availability of water and sewer. Again, continuing to steer development away from areas designated for agricultural production, which, as we all know, is very important to the Accomack County economy, we do not want to jeopardize that. Overall justifications rural areas have become desirable since COVID, and we should consider adjusting our regulations to accommodate that. Housing costs are continually increasing for several reasons. We hear these every day. Supply Chain can't find somebody to build their house, materials, and land costs, all of those are increasing. So what can we do to assist? We have almost full control over the local regulations. So, what we don't have control over is the building code, but we can take a look at our zoning and subdivision codes. Housing is definitely a recruitment challenge for employers, not just the local government. I have my own story of having difficulty finding housing before I moved here. I lived in an Airbnb for three weeks before I was able to find something, and even then, I was backed into that. There are hundreds of people in that same situation who want to come to Henrico, I'm sorry, who want to come to Accomack County to move and work here, but housing is definitely a challenge. Our multi-pronged approach to this is that we have in our budget, Attainable Housing Site Acquisition funding and grants. The aforementioned Eastern Shore housing study was conducted a couple of years ago, and the Board of Supervisors' most recent strategic priorities indicate a desire for wastewater treatment in Northern Accomack. They have said we need to review our land use ordinances. The Board of Supervisors has handed those strategic priorities to the department heads and the two Deputy County Administrators. Of course, that's not the only strategic priority, but one of the most important ones is that we have to solve the housing problem, or at least try to address it somehow. So that concludes my portion of the briefing. It took a little bit longer than I had anticipated, but I am here to answer any questions you may have.

Commissioner Taylor

Do you happen to have a map of the village development area that you mentioned?

779 **Mr. Lee Pambid**
780 I thought I had that in here. I apologize. I do not okay. So what I'll do is, and I had those
781 prepared, I think they're in my presentation to the Board of Supervisors and I did not bring
782 them with me.

783
784 **Commissioner Tyler**
785 It's in the Comprehensive Plan online.

786
787 **Mr. Lee Pambid**
788 What I'll do is, and I had those prepared, I think they're in my presentation to the Board of
789 Supervisors, I just didn't bring them over. So what I'll do is send you all an addendum so you
790 can have it, and we'll send it electronically.

791
792 **Chairwoman Wingfield**
793 I would like to make a comment. When we did a comp plan upgrade and visited the Village
794 Development overlay, the idea of the Planning Commission was where we would like to see
795 growth. We picked areas with the thought that the developer would have to get a rezoning and
796 a conditional use permit; it was not by right. If this Planning Commission wants to use that as
797 a by right map or tool, we may need to revisit that map first and scrutinize that first also.

798
799 **Commissioner Taylor**
800 I'm just concerned about areas that are not in the village area that don't have access to central
801 water and sewer.

802
803 **Mr. Lee Pambid**
804 They would not be eligible.

805
806 **Commissioner Taylor**
807 But they could do a private water and sewer and be eligible for that.

808
809 **Mr. Lee Pambid**
810 That's another hypothetical that I'd have to think about a little bit more. But at a very basic
811 level, if we wanted to stick with the two overarching criteria of being slated for higher density
812 in the future land use map and having centralized water and sewer, whether that's public or
813 private, that eliminates a lot of areas. It eliminates a lot of areas from consideration under this
814 potential, I won't even say proposed at this point, but we'll just say potential; we haven't drafted
815 any language on this yet.

816
817 **Commissioner Tyler**
818 Have you given the new members a copy of the Comprehensive Plan?

819
820 **Mr. Lee Pambid**
821 The new members have been made aware of the link online for the Comprehensive Plan. If the
822 new members want a hard copy, we can run off a copy. It would have to be done overnight.

823
824 **Vice Chairman Pettit**
825 Recognizing that lot size is one consideration. But I think one of the issues that kind of makes
826 building difficult is the properties or the soil conditions that only give you an option for
827 alternative systems. Which makes a 30,000 to \$35,000 sewer treatment your only option. All

828 those properties that have substandard soil have a negative impact on those people who are
829 trying to build affordable houses. So one of the things I think that would address is having
830 these properties served by a sewer system so that we don't get into these 35 because the well
831 can go anywhere. I don't know how serious the Board of Supervisors are, as I mentioned in the
832 past about the central sewer on the Eastern Shore, but Bayside land is almost unusable for the
833 most part without these ridiculously expensive systems. To address making more property
834 available, they have to get serious about treating sewage. And not just talk about it, but really
835 get serious and because I'm really disappointed with the sewer system that we got now that's
836 only designated to serve those designated areas.

837

838 **Mr. Lee Pambid**

839 A very small area of the County, which is essentially an Onancock. Onley is right next door,
840 and I don't think they've got much along the lines of sewer. Now, to address your comment
841 about how serious the County Administrator, the Board of Supervisors, and the two Deputy
842 County Administrators for sure, we have just posted an RFP for a Northern Accomack sewer
843 study in the current budget the County Administrator has increased from last year, last year's
844 amount for seed funding for a sewer solution in Northern Accomack from 2.5 million to 6.2
845 million dollars. That is a lot of money for seed funding, not just to study but maybe even use
846 as leverage for additional state or federal funding. \$6.2 million is not going to build a sewer,
847 plant, but it's a pretty good head start. That's still being considered the budget, you know,
848 they've got, there's going to be that public hearing later on this month on that budget, but that
849 is a consideration, increasing that seed funding in the in the CIP the Capital Improvement Plan
850 from, \$2.5 million to \$6.2 in my opinion is quite a statement.

851

852 **Commissioner Tyler**

853 If I wanted to rebuild Onancock ground up, brand new, exactly as they have it now. Do you
854 have any thought how much that would cost? Because 6.2 million doesn't even sound like it
855 touches it.

856

857 **Mr. Lee Pambid**

858 I'm not a civil engineer who does that kind of estimating, but 6.2 million isn't. It depends on if
859 you're talking about just the sewer treatment or if you're also talking about the collection and
860 transmission of the effluent. So, Onancock had issues with the water line breaks over the cold
861 weather, if that is any indication of the condition of the collection and transmission system. I
862 don't know the age of that, but if you were to do everything from the ground up, well, let's just
863 limit that to the sewer treatment. \$6.2 million isn't going to cover it.

864

865 **Commissioner Sparkman**

866 Do you remember our discussion last year? We talked about the Hampton Roads Sewer District
867 coming up under the old rail line. It spurred off into Onley and I think it was going over to
868 Chincoteague and Atlantic, and you said that was a hooker. The hooker was a sewer treatment
869 plant. They run wide, but these communities are going to have to come up with the money for
870 a sewer treatment plant.

871

872 **Commissioner Tyler**

873 I've got the same concerns. Right now, in Parksley, across the street from him, there's a lot that
874 you could put maybe 10 or 15 townhouses on, yet you can't with this ordinance. You have to
875 put in one of those \$50,000 mine systems in between Associated Farms and the other apartment

876 building. There's a lot. There used to be a lot there. I mean, if you wanted to put 15 or 20
877 townhouses right there with this ordinance, you couldn't do it.

878

879 **Mr. Lee Pambid**

880 Now, that would also be another question. This ordinance would not apply within the town
881 limits.

882 **Commissioner Tyler**

883 It's right outside.

884

885 **Mr. Lee Pambid**

886 Any other questions? The staff will come back with some more specifics next month. I'm going
887 to go ahead and turn this over to County Planner Chontese Ridley for her portion of the
888 presentation.

889

890 **Ms. Chontese Ridley**

891 Good evening, everyone. Chontese Ridley County Planner 1. I have two briefings on two
892 proposed ordinance amendments. Both of these come from Chapter 106, titled Zoning. First is
893 to clarify the definition of building height and also to clarify the way we measure height.
894 Currently, we have a starting point, but there's no guidance on the measuring to and where we
895 stop. The second one tonight is to add a definition and method of calculating sign area in the
896 industrial district. There are also a couple of other provisions that need amending. Currently,
897 what's allowable for signage does not correlate with the larger size industrial buildings. We're
898 going to start with building height of. This Board of Supervisors resolution was handed down
899 at their January 15th meeting. This amendment will provide some consistency with the
900 regulation. Currently, there's a lot of confusion and not just with staff but with applicants, and
901 we want to fix that. The current definition does, again, show where to start, and that's the
902 average grade along the front of the building, but as stated before, the issue is where to measure
903 to. Currently, what staff is doing is measuring from grade up to the highest point on the rooftop.
904 This uncertainty has led to inconsistent reviews and permits being denied for small amounts
905 of unnecessary variance applications due to height. So an alternative approach to this, which
906 is being used by other localities, is to use the midpoint. The midpoint is located between the
907 eave and the ridge. This next bullet point is just some proposed language that the staff feels
908 will provide greater flexibility. That would be to the highest point of the roof, if it is a flat roof,
909 to the deck line of a master roof, or the mean level between the eaves and ridge of a gable, hip
910 cone gambler or shed roof. This table here is just listing some of the other issues that we want
911 to amend related to height accessory structures in the residential district. And I do want to
912 make one correction that should say Section 106-84(4), not 48. Currently, the maximum height
913 for an accessory structure is 12 feet or one story. That leaves some gray area; there's no sure
914 way to know what the actual maximum height should be or is, so staff is proposing to specify
915 a fixed maximum height. Also, in the industrial district, Section 106-133A, the current
916 maximum height of a structure is 35 feet. The Zoning Administrator does have the power to
917 approve additional height staff is proposing and established by right height. This image here,
918 give me one second. I wrote down the book it came from, and I meant to grab it before I got
919 up here. Okay, this illustration comes from a book called "The Latest Illustrated Book of
920 Development Definitions," the new expanded edition. There are many localities that use
921 multiple versions of this figure, but it shows different roofing types and how they should be
922 measured. As of right now, we don't have the guidance in our zoning ordinance, and that's
923 where we're trying to get. Moving on to definitions and method of calculating sign area, and
924 this is in the industrial district. As with the first one. The Board of Supervisors resolution was

925 handed down at their January 15th meeting. Right now, any district, not just the industrial
926 district, the max is four signs not going over 160 square feet. So again, this is inadequate, it
927 does not correlate with the larger industrial-size buildings or for lots that have multiple
928 buildings on them. So staff has agreed that some adjustments need to be made, and we believe
929 that they should be based on building size, lot size and the number of structures on the site.
930 And we recommend adopting a standardized approach to calculating the sign area. So this chart
931 here is what we have come up with so far. And again, these are just proposals. These are not
932 set in stone; they are open for feedback and suggestions. What we've come up with for now is
933 that the sign area should be determined by 10% of the wall elevation. This will not include
934 boarded areas such as windows, doors, and bays, which will be subtracted, and to use only
935 basic geometric shapes, and I'll get into those shapes in just a second and a maximum of four
936 signs per building, instead of four signs for the entire lot. So if there is a lot that has multiple
937 buildings on it, if you say only four signs, then there may be a building that does not have an
938 adequate amount of signage. When we say four basic geometric shapes, that includes
939 rectangles, squares, triangles, and circles with the basic formulas. If someone wants to use a
940 shape. For example, there are several different types of triangles. If it doesn't fit the
941 $A = 1/2 \times b \times h$, they cannot use that triangle. There will be no special attention for irregular
942 shapes. Basic shapes, rectangle, square, triangle, circle, basic formulas, if it doesn't fit it means
943 you cannot use it. These figures here or these images here, the first one we have here is how
944 it's being calculated now, which would just be a rectangle or whatever shape you need. The
945 rectangle around here, as you can see there's some voided spaces. What we are proposing is to
946 have a shape that tightly fits. To make that a little clearer, this is both combined what we are
947 proposing and what's being done currently in the yellow shaded areas is that voided space.
948 Note that the business owner isn't being penalized for space that they're not using. Okay, some
949 other zoning ordinance considerations. If you were to click this link or go to the County
950 ordinance right now to Section 106-135, it would direct you somewhere else. Currently, the
951 zoning ordinance under the industrial district, there's no direct guidance that is just focused on
952 signs in the industrial district and we want to change that. Sign area as a right now is just length
953 times with so we are introducing some other formulas and Staff recommends the method that
954 we do come up with only includes the functional portion of the sign, which means not including
955 the voided spaces or adding in windows, doors, bays, because it's voided space. Does anybody
956 have any questions?

957

958 **Vice Chairman Pettit**

959 Are you talking about signs that are on the building, not pre-standing signs?

960

961 **Ms. Chontese Ridley**

962 Yes, right now, just the signs on the building.

963

964 **Chairwoman Wingfield**

965 How would you calculate Rocket Lab's height of wall when it's curved their hut?

966

967 **Ms. Chontese Ridley**

968 It would be the flat portion.

969

970 **Chairwoman Wingfield**

971 I mean, it's just swoop.

972

973

974 **Chairwoman Wingfield**
975 Would it be to the tip top 10%

976
977 **Ms. Chontese Ridley**
978 I know this isn't the industrial district, but just as an example with how these start and end.
979 For example, here, it doesn't go all the way up to the top. Any other questions?

980
981 **Commissioner Tyler**
982 I just never knew something would be so difficult as to determine the height of a building.
983 What is the impetus for the sign change? Have people been asking to change sizes?

984
985 **Ms. Chontese Ridley**
986 Yes, and I mean the amount that we have now, 160 square feet. And that's for four signs.
987 Four signs have to fit in that 160 square feet.

988
989 **Commissioner Tyler**
990 I think they should be allowed to have a little room for a little creativity.

991
992 **Ms. Chontese Ridley**
993 I think it would be appreciated.

994
995 **Chairwoman Wingfield**
996 Any other questions?

997
998 **7. PUBLIC HEARING**

999 **Chairwoman Wingfield**
1000 We can move to open the public hearing for PLAT- 000-698-2024, provided
1001 recommendation to subdivision agent regarding preliminary plat for Coastal Square and
1002 Residences.

1003
1004 **Mr. Lee Pambid**
1005 Thank you, Madam Chair and members of the Commission. Lee Pambid, Deputy County
1006 Administrator. This is the Coastal Square and Residences preliminary plat recommendation.
1007 Case number PLAT-000-0698-2024. This is a preliminary plan recommendation by the
1008 Planning Commission to the Subdivision Agent. I as the Deputy County Administrator and
1009 currently the designated Zoning Administrator and the designated Subdivision Agent. So if
1010 you see those terms, Zoning Administrator and Subdivision Agent, they're talking about me.

1011
1012 **Chairwoman Wingfield**
1013 Can you explain that again?

1014
1015 **Mr. Lee Pambid**
1016 In the zoning ordinance and in the subdivision ordinance, there has to be an agent or an
1017 Administrator responsible for those ordinances. I am responsible for both currently. As the
1018 Subdivision Agent, I administer the subdivision ordinance, and as the Zoning Administrator,
1019 I administer the zoning ordinance. Those designations are handed down by the by the Board
1020 of Supervisors, so I had to be designated by the board to hold those roles.

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Chairwoman Wingfield

Okay. Thank you.

Mr. Lee Pambid

So, moving on here. Here's some background information. You've seen this before because we had an extensive deliberation last year in 2024 for the rezoning and the conditional use permit. With that being said, the applicant is still Mr. Carbaugh, and he represents the Atlantic Group and Associates. The property owners are his LLC, Coastal Square and Residents. The location, generally the entire 100 acres, is comprised of a part of tax parcel 85-A-51 and the entirety of 93-A-87, 89, and 90. This is in Chairman Jackie Phillips's district, election district. And Mr. Gale is the Commissioner for that election district. The overall acreage of the entire subdivision, or I should say the entire development, is still 100.39 acres. A portion was rezoned just under five acres was excluded from the rezoning to Village Development District. The zoning is mixed; a portion is Ag, and a portion of it is general business. The future land use recommendation is both commercial and Village Development area. The proposed density has changed. It has reduced from 4.85 dwelling units per acre to 4.83 dwelling units per acre. That was a result of them essentially losing a lot. So, instead of the originally approved 465 units, they are now proposing 464. There is no current use of the property; it is still vacant. Adjacent uses include the shopping center, self-storage facility, ANEC is the electric utility, several single-family residential dwellings, child daycare center, agriculture, auto repair, and personal services. Now, with that being said, the preliminary plat stage is the next step in the development process for this development. Their first step again was to get their land use entitlements, meaning they had to rezone from Ag and general business to Village Development District, and they had to get a conditional use permit for the development itself. Those two cases entailed conditions, waivers, and proffers. The Code section that requires a public hearing for this type of subdivision, again, more than 50 lots requires a public hearing. But section 78-9D3 is what requires this public hearing. I'm sorry for plats creating 10 or more lots under the current ordinance. They are also proposing new private roads. So more specifically, and this is straight out of the ordinance, the Planning Commission's recommendation shall be forwarded to an agent who will then approve or deny the plat and notify the applicant in writing, so you provide a recommendation to the Subdivision Agent, and the Subdivision Agent will approve or deny. Now, there were three changes that the staff considered from the approved layout with the rezoning and the conditional use permit. Duplex lot sizes were increased, the unit counts were essentially flipped, and there is a new cul de sac turnaround and some townhouses in one portion of the development. Now, with that being said, all other elements are the same common areas and amenities, streets and entrances, and the multi-family buildings, which are technically not part of the subdivision action, but they are shown those are still in the same places. With regards to change number one, you see in this first column here what was approved with the rezoning and the conditional use permit. Originally, they had requested 76 duplexes, 55 townhouses, that yielded a total of 131 housing units, and the preliminary plat, which is being considered tonight for a recommendation, reducing by 24 the number of duplexes to 52 and increasing by 23 the number of townhouses, going from 55 to 78 and again, that yields an overall loss or reduction, I should say by one housing unit. Again, the location of the unit types has not changed. Any areas that were not previously designated or to not be residential is still the same. Number two, the duplex lot sizes were increased. For those of you who were on the commission at the time, there was a waiver that was granted to decrease the lot sizes. Now that they have increased the lot sizes, those lots still meet the provisions of the waiver since they don't fall below the minimum that was approved last year. Change number three,

1072 there is a new cul-de-sac in additional townhouses. Mr. Carbaugh had previously shown a
1073 stub where there is now a cul-de-sac, and there are townhouses that are being shown along
1074 this additional right of way. In the staff's opinion, these elements are still in compliance with
1075 the waivers, and that's a fact, but it's still in substantial compliance with the approved layout.
1076 I'll be showing those approved layouts to you here shortly. We'll show them to you now. As
1077 requested, this is the overall preliminary plat that was submitted. Chontese, can you zoom in
1078 on this area right here, please? Okay, just hold the control key down and then mouse wheel
1079 up, and that should be good enough. There you go. So this is the third change right here.
1080 Previously, they had shown just a stub coming out here; they've increased that to a cul-de-
1081 sac, and they are now three townhouses that front along the additional right way. If you could
1082 pan up to this area right here, there you go. These were previously shown as duplexes but are
1083 now shown as townhouses. And if you could go further to the to the North. There you go. All
1084 of this area, they were proposing duplexes before, but again, the lot sizes have increased.
1085 That element is still there in terms of the type of housing unit they're just going to be on
1086 bigger lots. If you could hit escape and then Control L, that'll get us back to that view. Thank
1087 you. This is the phasing plan. This is the layout that was with the rezoning and conditional
1088 use permit last year. So if you could work it the same way, zoom in here. We'll go north, and
1089 then we'll go even further north there. So let's zoom in just a little bit here. So as you can see,
1090 there is a stub that stops right here, but there is now a cul de sac here, and additional
1091 townhouses here. Along the main spine road here duplexes were shown last year again. This
1092 is what was shown last year. And now there are townhouses. And if you go a little bit further
1093 north to show all of these duplexes, here they are on larger lots, which still meet the
1094 minimum, which was reduced by waiver. They elected not to employ that waiver by going
1095 with larger lot sizes. If you could click escape and Control L, there we go. And then this is
1096 the buffer plan. We also have the waivers and the proffers available for your consideration if
1097 you want to go through those. The primary waivers that are affected are going to be this 200-
1098 foot agricultural setback and then also the minimum lot sizes for duplexes and townhouse
1099 units. So with that being said, I'll just go ahead and flip through the proffers, and the staff is
1100 recommending approval of the subdivision plat. The staff does not believe that the changes
1101 that were submitted are substantial enough to warrant any further action. And that concludes
1102 my presentation. I can field any questions at this time. Mr. Carbaugh is also here tonight to
1103 speak to the application.

1104

1105 **Mr. Lee Pambid**

1106 You still have a public hearing. I think you've got a couple of folks who also want to speak.
1107 They don't want to. Okay, so I apologize that they did not sign up and they do not wish to
1108 speak at this time. But again, Mr. Carbaugh is here as a resource or reference.

1109

1110 **Chairwoman Wingfield**

1111 Would you like to use his 10 minutes?

1112

1113 **Chairwoman Wingfield**

1114 State your name and you have 10 minutes.

1115

1116 **Chris Carbaugh**

1117 Chris Carbaugh, Atlanta Group and Associates, and Coastal Square and Residences LLC.

1118 I will speak just briefly to the question or issue about the changes to the plan. Once we did
1119 get the approval for the rezoning, we did start discussing the actual building types with our
1120 builders. And what was discussed was the fact that it would be nice if we could get larger

1121 units that not only allowed for a two-car garage on the first floor but also allowed for a first-
1122 floor master suite. So that was the big reason for the change, that instead of having 24-foot-
1123 wide townhomes, which were illustrated on the first submittal. The second plan did I go the
1124 wrong way again?

1125

1126 **Mr. Lee Pambid**

1127 They are same slide, but this is your preliminary.

1128

1129 **Mr. Chris Carbaugh**

1130 The only difference is we went from 24-foot-wide townhomes to 30-foot townhomes.
1131 They're all 30 feet now. So basically, every unit will be allowed to have a first-floor master
1132 suite. We think that's what the customers, the home buyers, would want in this situation if we
1133 can provide it. We didn't increase the density. We simply because we weren't going below
1134 the waiver size for any lot. Typically, as long as we go with a larger lot, I've never found that
1135 to be a problem. It's typically found to be more desirable to have a larger footprint. So that's
1136 the reason for the change in the plan. We think it makes a much better plan, like I said, not
1137 requiring the residents to go to a second floor or third floor for a bedroom, but allowing that
1138 master suite on the first floor. That's the reason for the major change, which we believe is a
1139 minor change. But you know, I'm here to answer any questions you guys might have going
1140 forward.

1141

1142 **Vice Chairman Pettit**

1143 The townhouses are for sale and the duplexes are for rent?

1144

1145 **Mr. Chris Carbaugh**

1146 No, the towns and duplexes will likely be for sale. The only rental product would be the
1147 garden-style apartments.

1148

1149 **Vice Chairman Pettit**

1150 Generally, that mix a rental and sale. The percentage of rental and the percentage of your
1151 project that's going to be for sale. Generally, what does that mix?

1152

1153 **Mr. Chris Carbaugh**

1154 I mean, we have 312 apartments ultimately proposed that would be rental units. And then if
1155 you're 130, that would be for sale, market rate.

1156

1157 **Commissioner Sparkman**

1158 When do you propose start building?

1159

1160 **Mr. Chris Carbaugh**

1161 That's all up to Accomack County.

1162

1163 **Commissioner Sparkman**

1164 Once you get the approvals?

1165

1166 **Mr. Chris Carbaugh**

1167 Once we get the approvals, we're ready to go.

1168

1169

1170 **Commissioner Sparkman**
1171 Okay.
1172
1173 **Chairwoman Wingfield**
1174 Did you say you went to a bigger lot size?
1175
1176 **Mr. Chris Carbaugh**
1177 Yes, not any lot that got smaller. Every lot got bigger. And again, it went from 24-foot-wide
1178 townhomes to 30-foot-wide townhomes, so they're larger than what was ultimately approved
1179 by both this Planning Commission and the Board of Supervisors.
1180
1181 **Chairwoman Wingfield**
1182 You're saying the townhome lots got bigger, but when you had a duplex on it, the lot that you
1183 proposed before actually got smaller.
1184
1185 **Mr. Chris Carbaugh**
1186 No lot got smaller.
1187
1188 **Chairwoman Wingfield**
1189 If you go to the last slide from approved, all right, so you zoom in.
1190
1191 **Mr. Chris Carbaugh**
1192 I can't zoom in. Every lot got larger no lot got smaller. That there created 24-foot-wide lots.
1193 Now every line is a minimum of 30 foot. Our duplex lots go up to 40 foot wide because of
1194 the setbacks associated with the duplex.
1195
1196 **Chairwoman Wingfield**
1197 And you got rid of the open space between? So you got four or five townhouses there, and
1198 then a space. The setbacks.
1199
1200 **Mr. Chris Carbaugh**
1201 It's just the spacing got different because the units are wider. I mean, it happens logically. If
1202 you're going to create a wider unit, you know you're going to change your footprints.
1203
1204 **Chairwoman Wingfield**
1205 Your setbacks. You mean your side yard is changed for some of them, aren't they?
1206
1207 **Mr. Chris Carbaugh**
1208 No, we still comply with the setbacks.
1209
1210 **Chairwoman Wingfield**
1211 So does your landscape plan change with your new proposal?
1212
1213 **Mr. Chris Carbaugh**
1214 We've presented our landscape plan, which met all the requirements that were put on us with
1215 the approval by the Planning Commission and the Board of Supervisors
1216
1217 **Chairwoman Wingfield**
1218 With that landscape plan right there, does that fit into the new plot?

1219

1220

Mr. Chris Carbaugh

1221

I believe we had conditions for certain areas, like the entrance, like against the daycare, maybe there was some fencing. We had certain areas that there were landscaping requests, but I don't think there was any landscaping requirements put on us with the rezoning of the conditional use, just that we do landscaping which, we still plan to do a very high end, nice landscaping plan, which has been provided through to the County. So that's up for review. If there's any comments on that, we're happy to discuss the landscaping as well.

1227

1228

Mr. Lee Pambid

1229

Just today, we received the civil engineering plans and the construction plans for this morning. So Chontese and I will be unpacking that tomorrow and taking considerable time to see what we received, but a landscaping plan was included. Mr. Carbaugh, I want to confirm what Mr. Carbaugh said in terms of the multiple requests for landscaping using this exhibit here on the screen, this property owner requested additional landscaping, and I believe that the Planning Commission also wanted to see something beefed up in response to some comments that were received during the public hearing.

1230

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1237

Mr. Chris Carbaugh

1238

If I may, I don't believe this is even the plan that showed that additional landscaping. I believe there was a plan even after this that added additional landscaping. I think this was probably one plan before the revised plan that incorporated that request.

1239

1240

1241

1242

Mr. Lee Pambid

1243

That is correct since landscaping was not originally brought up as an issue for the preliminary plat in discussions with individual Planning Commissioners; they were not included in this slide deck. As you can see, there is a considerable number of street trees. As I have mentioned before, all of the common areas and open spaces are still in the same places as they were shown before.

1244

1245

1246

1247

1248

1249

Commissioner Sparkman

1250

I don't remember if we had this discussion last year, there was a lot of talk around affordable housing. And do you have any idea what kind of price point we're talking about?

1251

1252

1253

Mr. Lee Pambid

1254

I'll speak, and then I'll turn it over, turn it back over to Mr. Carbaugh. But if you recall, actually, if we can go to the proffers.

1255

1256

1257

Chairwoman Wingfield

1258

It's 120% of mean income, right?

1259

1260

Mr. Lee Pambid

1261

Workforce, housing number nine. So there is a proffer for 20% of the garden style apartments. And I believe that figure comes out to around 62 or 63 units. So as he moves forward with his construction, and eventually gets to the to the garden style apartments, which are your typical apartment buildings, if you will, that a certain number of those will be required to comply with these percentages in terms of the monthly income ranges. But if you've got questions about specific price points, I would have to defer to the applicant on that but workforce housing and affordable housing is profitable.

1262

1263

1264

1265

1266

1267

1268 **Commissioner Sparkman**
1269 You're talking about townhouse Do you have some idea of how much you're going to ask?
1270
1271 **Mr. Chris Carbaugh**
1272 I would say at this point for me to put out a number, right now with the home prices and,
1273 construction costs are going, it's too early to say. If we're building this year, it's one thing; if
1274 we're building next year, it's another.
1275
1276 **Commissioner Sparkman**
1277 It all comes together when you start.
1278
1279 **Commissioner Taylor**
1280 Could we go back to the map? What are the access points to enter and exit the complex?
1281
1282 **Mr. Lee Pambid**
1283 This is the preliminary plat that's under consideration. And if you look down here to the,
1284 we'll call it the Southwest. This is route 13, this is the shopping center where Food Lion is
1285 and this is Fairgrounds Road. And if you are familiar with Fairgrounds Road, this right here
1286 is the self-storage, and then further down is the child care center. And what we do not see on
1287 this plat here is Market Street, which is right through here. Then the intersection of Market
1288 Street and Fairgrounds Road is right here in this vicinity. This is one access point off of
1289 Fairgrounds Road, and then the other access point is going to be here, off of Route 13, which
1290 is a right in only. They can't even come out. The access would not be allowed to come back
1291 out here. Instead, access would be achieved through an easement through the shopping
1292 center. This right here is the Hardee's and on the other side is the Pizza Hut. So this hatched
1293 area right here is an access easement that he has worked with the owner of that shopping
1294 center. Those are the three primary access points, and ANEC as well. So you can see that
1295 they've been working in easement with an ANEC to come through. I believe this is
1296 Cooperative Way.
1297
1298 **Commissioner Taylor**
1299 That's the traffic circle, right?
1300
1301 **Mr. Lee Pambid**
1302 This traffic circle is a proposed traffic circle. The Tasley traffic circle way off of
1303 the plan.
1304
1305 **Chairwoman Wingfield**
1306 Questions?
1307
1308 **Commissioner Tyler**
1309 Oh, this is the part I'm happy about. It's those monstrosities of apartment buildings that they
1310 want to build that drives me to distraction.
1311
1312 **Chairwoman Wingfield**
1313 Almost open the floor for public comment, and then we have anybody signed up for public
1314 comment
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Mr. Lee Pambid

No.

Chairwoman Wingfield

We can close the public comment. I have a few questions. I see there have been a lot of changes. It's just not like adding a few bushes here and there or change in one thing or another. I feel like this should have been an amendment to the conditional use permit. We have added an out-Lot C and stormwater. On phase three, there are three more ponds right there. See where it bumps up right here? Yes, those three were added. You have out-Lot C is behind, right beside Mr. White's house on the caddy corner, that was added. You've changed the lot size, and you've changed the density. You pretty much probably change the storm water plan so you change the landscape because you have more houses here. I understand if you want to add a few bushes or change a road or something, but in reality, we need an amendment to the conditional use permit.

Mr. Lee Pambid

If we go to this right here, if you could zoom in on these areas here, above the pond. Those are what I would consider ancillary changes. Whether those are ponds or if those are going to be landscape areas. I don't think that's a significant enough change to send it back to conditional use permit. With regards to the out-parcel C, that was shown on this previous plan as well.

Chairwoman Wingfield

Well, it didn't show it as anything but an open area on the drawing I got here. That's the old map on the drawing I have here.

Mr. Chris Carbaugh

If I may, when you apply for rezoning in any jurisdiction, you haven't done the engineering to any plan yet. It's a basic concept, a layout of your proposed uses, the character of the neighborhood, your density, your minimum lot sizes. That's all you can do with the rezoning. It takes hundreds of thousands of dollars to engineer a project like this, close to maybe a million dollars to engineer a plan like this. To get to the answers, to know how all your spaces will work, how your storm water works, comes way down the road from a rezoning. The rezoning is just a first step, so there will always be changes in a rezoning to that minor extent. I do not believe that they are major at all. You cannot know those answers at a rezoning. So we really, truly believe we kept to the character of the plan, the density of the plan. We've done our best to create a better product for this project. With all due respect, I mean, I think that's asking a little much for a rezoning stage to be that nailed down, to know exactly where everything has to go. It's just impossible.

Chairwoman Wingfield

I'm not talking about rezoning, I'm talking about the conditional use permit. On March 13th, Mr. Pambid said the conditions in the CUP site plans has to match the conceptual plan when the CUP was approved. You said these are the plans we had all the public there. I mean, Mr. Pettit, A&N Electric, you guys added extra office space to your conditional use permit. You remember coming back? You had to do an amendment to the conditional use permit to add a small office trailer to A&N Electric.

1366 **Vice Chairman Pettit**
1367 We opted not to go through with it.
1368

1369 **Chairwoman Wingfield**
1370 But you had to go through the plan change because they added a condition. You change the
1371 plan a lot. They added office space, therefore, A&N Electric came back and did an
1372 amendment to the conditional use permit.

1373 **Commissioner Tyler**
1374 I don't disagree. We didn't agree to changes like this, and if we've asked others in the past to
1375 do it, I mean, I realize we got to look at everything individually, but if it's not that big of a
1376 deal, it should be very easy to do an amendment.
1377

1378 **Mr. Lee Pambid**
1379 The issue with an amendment, quite frankly, is that it takes four months.
1380

1381 **Commissioner Tyler**
1382 We've changed the plan. So, I don't disagree with that aspect, we approved a plan, and now
1383 the plan has changed.
1384

1385 **Commissioner Pettit**
1386 I think I do disagree we've changed the plan. I mean, we agreed to approve a housing project.
1387 It's still a housing project, with rental units, sale units, and stuff, where they're actually
1388 situated, or where they're actually I don't think it really changed the fact that it's something
1389 that we approved.
1390

1391 **Commissioner Tyler**
1392 So we didn't approve anything to do with where stuff was, where roads were, where
1393 buildings were, where anything?
1394

1395 **Commissioner White**
1396 I got a question. Are they basically using the same space?
1397

1398 **Mr. Lee Pambid**
1399 Yes.
1400

1401 **Commissioner White**
1402 Did they add acreage? Subtract acreage. Are they using that if it was 100 acres, and initially
1403 and I understand providing better housing or bigger housing, or I like the idea of the
1404 townhouses and taking out the other ones. I like that because it will provide more housing.
1405 You know, moving a bush here and a bush there. The cul-de-sack, I personally thought that
1406 was better than just having a little edge that was there because a car could cut out, the
1407 families could go in, they could actually return and go out, rather than coming to a dead end
1408 and got to pull in someone's private property. I wouldn't want that. But with a cul-de-sac, if
1409 someone was visiting or someone would just made a wrong turn, would have the case may
1410 be, and they turned around.
1411

1412 **Commissioner Tyler**
1413 What's the rule on changes? What's the letter of the law on changes?
1414

1415 **Chairwoman Wingfield**
1416 On conditional use permits.

1417
1418 **Commissioner Tyler**
1419 On conditional use permits. What is the letter of the law on conditional use permit changes?
1420 In other words, what did we approve if we just approved, like Mr. Pettit said, a spot of dirt?
1421 That's one thing. But if we approved, what's going on that spot of dirt, and how many of them
1422 are going on that spot of dirt, and I understand the reductions and the increases, but, and I
1423 really don't have a problem with all that, but what is the rule on a conditional use permit if
1424 we make changes?

1425
1426 **Vice Chairman Pettit**
1427 But I think one of the things we did specify this is preliminary.

1428
1429 **Mr. Lee Pambid**
1430 I also think that one of the considerations should be intent. The intent is not lost here with the
1431 new layout. It's not lost here with the new layout. Safety is not sacrificed, density has actually
1432 been reduced, and everything else is, you know, we're talking about a certain number of
1433 townhouses versus a certain number of duplexes, and that number is flipped. I don't believe
1434 that's a significant enough change to force a four-month process in this case.

1435
1436 **Commissioner Tyler**
1437 I don't disagree with you on that, but if there's a rule, in other words, if there is a understand
1438 the spirit, and then there's the letter. So we're in the spirit of the law and the rule right now.
1439 But what is the letter? What did we say, and what exactly, I mean, if Mr. Pettit recalls that we
1440 simply were, in general, doing things, you know, and in general, we're doing things now. Is
1441 that sufficient?

1442
1443 **Commissioner Sparkman**
1444 It's only reduction of one house.

1445
1446 **Commissioner Tyler**
1447 Can we do this?

1448
1449 **Mr. Lee Pambid**
1450 It's a reduction of one house. If we want to talk about the letter of the law in terms of what
1451 was approved with the waivers. They still comply with the waivers, they still comply with
1452 the proffers, and they still comply with the conditions.

1453
1454 **Commissioner Tyler**
1455 Okay.

1456
1457 **Vice Chairman Pettit**
1458 I'm not asking, I'm not suggesting, that we turn a blind eye to and make this happen. But I do
1459 want to recognize that we approved townhouses at the Northern portion, and we still haven't
1460 gotten construction started up there because of road blocks and whatever is happening. I don't
1461 think we want to be known for not being able to get a project off the ground. You know,
1462 we're going to be known for two three years to just go through the preliminaries, and we're in
1463 year two now, and from my calculations, right already. And so I don't think we should

1464 overlook any of your concerns, but if they don't rise to a point where we need to slow this
1465 project down, then I'm really advocating that we'd be part of the solution here.

1466

1467 **Commissioner Tyler**

1468 Are we complying with the spirit and the letter then?

1469

1470 **Chairwoman Wingfield**

1471 Can they build a house without sewer running through their property? Is there sewer to the
1472 entrance of this property?

1473

1474 **Mr. Lee Pambid**

1475 Sewer is currently at the intersection. It's on the South line of Market Street. They would
1476 have to extend that up Fairgrounds Road to this point. I do not know the distance, but then it
1477 would come into the main entrance here and then connect to their water distribution and
1478 sewer collection systems.

1479

1480 **Chairwoman Wingfield**

1481 Would that take more than four months? I feel like conditional use permits are built on facts,
1482 and we're changing the look and layout. I mean, the look and the facts of the plot.

1483

1484 **Mr. Lee Pambid**

1485 I disagree. We are not changing the look of the development. We are changing certain
1486 elements. Or, I should say, the applicant is changing certain elements of that, and the staff
1487 does not feel that those changes are substantial enough to delay this any longer. My
1488 recommendation is that the Planning Commission recommend approval again. The ultimate
1489 decision is up to the Subdivision Agent. But I would like to move forward with the
1490 recommendation from the Planning Commission for approval.

1491

1492 **Chairwoman Wingfield**

1493 I feel like all the drawings that were submitted with the conditional use permit are void
1494 without the landscape and all those added to this.

1495

1496 **Mr. Lee Pambid**

1497 None of that has changed. Landscaping has not changed.

1498

1499 **Chairwoman Wingfield**

1500 So you don't have a townhouse on where some of that landscape is.

1501

1502 **Mr. Lee Pambid**

1503 If we're talking about that granular level of detail, then you know those trees can be planted
1504 somewhere else.

1505

1506 **Chairwoman Wingfield**

1507 How about the four ponds that were added?

1508

1509 **Mr. Lee Pambid**

1510 In the staff's opinion, that's not a significant enough change to recommend denial.

1511

1512

1513 **Chairwoman Wingfield**
1514 What is the rule on conditional use permit? Do we have that?
1515
1516 **Mr. Lee Pambid**
1517 I mentioned that if they comply with the conditions, the proffers in the waivers that is enough
1518 for this to move forward, which they do.
1519
1520 **Commissioner Rogers**
1521 So let me understand. What is the specific requirement tonight from us on this board?
1522
1523 **Mr. Lee Pambid**
1524 That you render a recommendation to me as the Subdivision Agent, which is the subdivision
1525 ordinance, for you can either recommend approval or recommend denial. It is a
1526 recommendation, not a decision. That decision is ultimately left up to the Subdivision Agent.
1527 Quite frankly, I'd rather not be at odds with the Planning Commission on that. I think that
1528 there is enough to recommend approval here.
1529
1530 **Commissioner Taylor**
1531 So since there were changes. How do we go back and update what was already approved,
1532 even though it doesn't seem to change the waivers and the other matters?
1533
1534 **Mr. Lee Pambid**
1535 The preliminary plat would do that. This, what you see here is a conceptual plan that was
1536 included with the rezoning and conditional use permit the plat. This is the plat here. You
1537 know the street layout is largely the same. I'm not getting that granular with the storm water
1538 ponds. But again, if they need additional ponds to meet calculations, then they need
1539 additional ponds to meet calculations.
1540
1541 **Commissioner Sparkman**
1542 These are stormwater retentions, right?
1543
1544 **Mr. Lee Pambid**
1545 Yes, sir.
1546
1547 **Commissioner Taylor**
1548 And they're not reflected here, correct?
1549
1550 **Mr. Lee Pambid**
1551 These are the three stormwater ponds that are part of the question here: one, two, three. If I
1552 go here, and you know right now, they're shown as landscape areas. They're still considered
1553 open space. And yes, there are stormwater regulations that have to be followed. Those plans,
1554 incidentally, will be sent to our consulting engineer, Kimley-Horn, for review of the erosion
1555 and sediment control and stormwater management aspects of the project.
1556
1557 **Chairwoman Wingfield**
1558 Any other questions?
1559
1560 **Commissioner Tyler**
1561 Does the staff feel like we are in compliance with the CUP?

1562 **Mr. Lee Pambid**
1563 Yes, sir. There are minor changes. We do acknowledge that.
1564

1565 **Commissioner Tyler**
1566 Do you feel that we are in compliance with the CUP? And you answered yes, that's what I
1567 wanted to know.
1568

1569 **Chairwoman Wingfield**
1570 Would anybody like to make a motion?
1571

1572 **Commissioner Tyler**
1573 The Accomack County Planning Commission recommends approval by the Subdivision
1574 Agent of the application PLAT-000698-2024, Coastal Square and Residences of tax parcel
1575 93-A-87, 93-A-88, 93-A-90, portion of parcel 85-A51 containing 95.89 acres for a detailed
1576 preliminary plot section 78-9C, and D of the Accomack County Code for 130 lot residential
1577 subdivision, including common areas and private roads that is served by public utilities. The
1578 approval shall be subject to the March 10, 2024, proffer statement of rezoning, case REZ-
1579 000569-2023, and the conditions and waivers of conditional use permit, CUSE-00568-2023.
1580

1581 **Chairwoman Wingfield**
1582 Okay, I have a motion. Do I have a second? Motion has been made and seconded; all in
1583 favor, say Aye. All opposed.
1584

1585 **Chairwoman Wingfield**
1586 Aye.
1587

1588 **7. OTHER MATTERS**

1589 **Chairwomen Wingfield**
1590 We can move on to other matters. Do you have any other matters?
1591

1592 **Mr. Lee Pambid**
1593 No, ma'am.
1594

1595 **Chairwoman Wingfield**
1596 All right. Moving on to the staff report, Subdivision Agent
1597

1598 **8. STAFF REPORTS**

1599 **Mr. Lee Pambid**
1600 **Subdivision Agent**
1601 The only major subdivision we have is Coastal Square and Residences. We'll take the Planning
1602 Commission's recommendation under consideration and render a decision after that.
1603

1604 **Zoning Administrator**
1605 In terms of the Zoning Administrator and the Board of Zoning Appeals, they did not meet in
1606 January, but they did meet in February. I do not have their list of cases on hand.
1607

1608
1609
1610

