

# ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF DECEMBER 10, 2014

At a meeting of the Accomack County Planning Commission held on the 10<sup>th</sup> day of December 2014, in the cafeteria of Metompkin Elementary School, in Parksley, Virginia.

## 1. CALL TO ORDER

### A. MEMBERS PRESENT AND ABSENT

#### **Planning Commission Members Present:**

Mr. David Lumgair, Chairman  
Mr. Spiro Papadopoulos, Vice-Chairman  
Mr. Bob Hickman  
Mr. Alan Silverman  
Mr. Steve Corazza  
Mr. Pete Onley  
Mr. Tony Picardi  
Mrs. Angie Wingfield

#### **Planning Commission Members Absent:**

Mr. Leander Roberts

#### **Others Present:**

Mr. Rich Morrison, Director of Planning and Community Development  
Ms. Kristen Tremblay, Assistant Planner  
Mr. Mike Mason, Director of Finance  
Mrs. Hollis Parks, Administrative Assistant

### B. DETERMINATION OF A QUORUM

There being a quorum, Chairman Lumgair called the meeting to order at 7:05 p.m.

## 2. ADOPTION OF AGENDA

Chairman Lumgair announced that the reason for being at Metompkin Elementary was due to the two scheduled public hearings. He further announced that the applicant for the two public hearings has requested 45 minutes to present a presentation on both applicants and has been granted the time to do so.

**On a motion made by Mr. Silverman and seconded by Mr. Corazza, the Planning Commission voted to adopt the agenda.**

## 3. PUBLIC COMMENT PERIOD (Not a public hearing)

Chairman Lumgair opened the floor for the public comment period and the following persons signed up or requested to speak:

#### ▪ **Haydon Rochester, Jr.**

Mr. Rochester of Onancock spoke to the Planning Commission against the Central Accomack Wastewater Treatment Facility project (Project #: 08-PW-018) listed in

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the Capital Improvements Plan (CIP) for Fiscal Years 2016 – 2020. Mr. Rochester gave staff a copy of his comments for the record.

- **Eric Dodge**

Mr. Dodge of Onancock also spoke to the Planning Commission against the Central Accomack Wastewater Treatment Facility project (Project #: 08-PW-018) listed in the FY 2016 – 2020 CIP.

- **Jay Ford**

Mr. Morrison noted that correspondence from Mr. Ford had been placed in front of each Planning Commission member's seat prior to the meeting and it was requested that it be noted as part of the Public Comment period.

#### 4. MINUTES

##### A. November 12, 2014

**On a motion made by Mr. Papadopoulos and seconded by Mr. Corazza, the Planning Commission voted to approve the meeting minutes of November 12, 2014.**

#### 5. OLD BUSINESS

##### A. Capital Improvements Plan (CIP) Discussion

Mr. Morrison introduced Mike Mason, the County's Finance Director, who attended the meeting to make the annual presentation of the Capital Improvements Plan (CIP).

Prior to Mr. Mason's presentation, Mr. Silverman raised a question of order regarding the tabled motion of November 12, 2014 on the Central Accomack Wastewater Treatment Facility project (Project #: 08-PW-018) which is listed in the CIP.

Chairman Lumgair stated that the Planning Commission was planning to discuss the motion and the rest of the CIP at the next Planning Commission meeting in January, as is customary. He noted the way the Commission executes the CIP is to have a presentation presented of the first draft and then discuss it at the following one or two meetings.

After some discussion, the Planning Commission voted to remove the motion regarding the Central Accomack Wastewater Treatment Facility project (Project #: 08-PW-018) from the table, which was tabled at the November 12, 2014 meeting, and to vote on the original motion made at the October 28, 2014 work session which is as follows:

**Mr. Silverman moved, seconded by Mr. Picardi, to recommend that the Board of Supervisors strike the Central Accomack Wastewater Treatment Facility project (08-PW-018) from the Capital Improvement Plan because it is not in conformance with the Comprehensive Plan.**

**The motion failed:**

**Ayes: Silverman, Picardi**

**Nays: Hickman, Lumgair, Corazza, Onley, Wingfield**

**Abstain: Papadopoulos**

**Absent: Roberts**

Mr. Mason, Finance Director, then gave his PowerPoint Presentation on the FY 2016 – 2020 CIP to the Planning Commission prior to the public hearings. He briefly introduced the CIP, emphasized the Planning Commission’s role in the review process and schedule, and quickly highlighted the changes from the previous CIP.

**6. 7:30 P.M. PUBLIC HEARING**

**A. Eastern Shore Solar Conditional Use Permit and Conditional Rezoning**

Chairman Lumgair opened public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Eastern Shore Solar (Multiple Applicants) Conditional Use Permit. The following persons signed up or requested to speak:

▪ **Eric Dodge**

Mr. Dodge of Onancock spoke in favor of the project and solar energy in general. Mr. Dodge predicts that in centuries to come, solar energy will be the only practical solution for achieving energy needs on a large-scale because the fossil fuel reserves will be tapped out. He encouraged the Planning Commission to welcome, embrace, and encourage the applicants.

▪ **Sue Mastyl**

Mrs. Mastyl of Harborton spoke in favor of the project and of renewable energy in general. Mrs. Mastyl stated that it is in our own best interest to support the adoption of this technology. Mrs. Mastyl gave staff a copy of her comments for the record.

Mr. Morrison introduced the Eastern Shore Solar Conditional Use Permit and Conditional Rezoning applications and turned the floor to Kristen Tremblay, Assistant Planner, to present a brief PowerPoint Presentation on the two applications.

Following staff’s presentation, Chairman Lumgair opened the floor for the applicants to present their PowerPoint presentation on both applications, which as noted at the opening of the meeting, would be at least 45 minutes long.

The applicants’ presentation may be viewed online at:

[http://www.boarddocs.com/va/coa/Board.nsf/files/9RXT7L5D9ABA/\\$file/2014.12.10%20Community%20Energy%20SOLAR%20Presentation.pdf](http://www.boarddocs.com/va/coa/Board.nsf/files/9RXT7L5D9ABA/$file/2014.12.10%20Community%20Energy%20SOLAR%20Presentation.pdf)

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Following the presentation, the Planning Commission asked Mr. Tom Tuffey of Community Energy some questions and raised concerns such as fencing in wildlife, organizational structure, taking agricultural land from farmers, taxes, buffering, destination of energy produced, bad weather, the benefit to Accomack County, etc.

The Planning Commission and Mr. Tuffey discussed the conditions and proffers for both applications – the Planning Commission felt that the \$5,000 proffered for the connector station wasn't enough; it wanted to see something on the 25 miles of fence; it wanted to see something in writing regarding the five companies; add landscaping to buffer new homes that are built from the project; a reserve fund; add landscaping if glare becomes a concern.

Following the Planning Commission's dialogue with the applicants, Mr. Morrison suggested that the Commission give the public an additional opportunity to speak or ask questions. He also reminded the Planning Commission that the public hearing for the Eastern Shore Solar Conditional Rezoning needed to be formally held.

Chairman Lumgair opened the floor to the public for any additional questions and the following persons requested to speak:

- **Sue Mastyl**

Mrs. Mastyl asked the applicants if they have any other plans to promote and encourage adoption of solar in the County. Mr. Tuffey of Community Energy responded that they would hope to do that through the Eastern Shore Community College.

Chairman Lumgair then opened the public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Eastern Shore Solar Conditional Rezoning request. The following persons requested to speak:

- **Jackie Douglas**

Ms. Douglas inquired as to what impact this project will have on the properties in the vicinity of the project for those properties that don't have land to sell to the applicants. Mr. Tuffey of Community Energy responded that there are no impacts to local landowners; no nuisances.

Mr. Morrison responded to Ms. Douglas' that he did not know the answer to her question. He offered that staff could reach out to a handful of places which have solar projects to see if there are any notable impacts on adjacent property owners. Chairman Lumgair stated that such information would be very useful moving forward with a recommendation.

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**On a motion by Mr. Picardi, the Planning Commission voted that staff prepare recommendations of approval to the Board of Supervisors for the Eastern Shore Solar Conditional Use Permit and Conditional Rezoning applications for the Planning Commission to review at its January 14, 2015 meeting.**

### **7. NEW BUSINESS**

#### **A. Draft 2015 Planning Commission Meeting Schedule**

Mr. Morrison presented the amended draft 2015 Planning Commission Meeting Schedule to the Planning Commission.

**On a motion by Mr. Papadopoulos and seconded by Mr. Hickman, the Planning Commission voted to approve the amended draft 2015 Planning Commission Meeting Schedule as presented by staff.**

#### **B. Joynes Neck Agricultural and Forestal District Review**

Due to the time, the Joynes Neck Agricultural and Forestal District was not discussed.

### **8. OTHER MATTERS**

#### **A. Joint Land Use Study (JLUS) Update**

Due to the time, the Joint Land Use Study Update was not discussed.

#### **B. Subdivision Agent Report**

The Subdivision Agent Report from October 16 – November 15, 2014 is attached.

### **9. NEXT MEETING**

The next regular Planning Commission meeting is scheduled for Wednesday, January 14, 2015 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

### **10. ADJOURNMENT**

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

The meeting was adjourned at 9:45 p.m.

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David Lumgair, Jr., Chairman

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Hollis Parks, Administrative Assistant