

## ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF MARCH 8, 2017

At a meeting of the Accomack County Planning Commission held on the 8<sup>th</sup> day of March 2017, at Accomack County Department of Social Services, 22554 Center Parkway - Accomac, Virginia.

### 1. CALL TO ORDER

#### MEMBERS PRESENT AND ABSENT

##### Planning Commission Members Present:

Mr. David Lumgair, Jr., Chairman  
Mr. Spyridon Papadopoulos, Vice-Chairman  
Mr. Brantley Onley  
Mr. Lynn Gayle  
Mr. Stephen Corazza  
Mr. Roy Custis  
Mr. Leander Roberts, Jr.  
Mr. C. Robert Hickman  
Mrs. Angela Wingfield

##### Planning Commission Members Absent:

##### Others Present:

Mr. Rich Morrison, Director of Planning and Community Development  
Ms. Kristen Tremblay, Assistant Planner  
Ms. Jessica Taylor, Administrative Assistant

#### DETERMINATION OF A QUORUM

There being a quorum, Chairman Lumgair called the meeting to order at 7:00 p.m.

### 2. ADOPTION OF AGENDA

Mr. Morrison requested that the Planning Commission add an agenda item 7.A. Other Items.

**On a motion made by Mr. Roberts and seconded by Mr. Corazza the Planning Commission voted to adopt the agenda as amended.**

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

Chairman Lumgair opened the floor for the public comment period. No one signed up to speak. However, a letter had been placed on each commissioner's dais from Ms. Miriam Riggs related to Poultry and Solar.

*A copy of the material provided to the Planning Commission may be viewed at the Accomack County Department of Planning and Community Development in Accomac, Virginia.*

### 4. MINUTES

#### A. February 8, 2017

**On a motion made by Mr. Papadopoulos and seconded by Mr. Corazza, the Planning Commission voted to approve the February 8, 2017 minutes as amended.**

**5. OLD BUSINESS**

**A. Utility-Scale Solar Part Two (2): ‘Floating District’ Discussion**

Staff provided Eligibility Maps for the Planning Commission to review, which showed different factors that would affect the placement of solar facilities due to zoning, environmental, and structural reasons.

After discussion related to the Commissioner’s concern on tax revenue, they requested that staff reach out to the County Attorney for her opinion on whether or not it was a good idea that projects generating less than 20 Megawatts (MW) would not have to mitigate further - particularly on the tax revenue loss.

The Planning Commission offered the following edits/comments to the District Eligibility and Design Standards:

1. 1. – where not technically feasible;
2. 3.a. – reduction of area;
3. 4. – staff contact County Attorney for input;
4. 5. – in ten (10) years, technology will have changed, discuss further at work session;
5. Staff reach out to ANEC to research further into item 8.c.

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

**B. Poultry Ordinance Amendment – Remove Considerations for Special Use Permits in Residential and General Business Zoning District Regulations from the Poultry Ordinance**

Chairman Lumgair opened the public hearing. No one had signed up or requested to speak.

Ms. Tremblay provided a presentation for the Commissioners to review.

Mr. Morrison reminded the Planning Commission that the proposed ordinance amendment is only for the poultry ordinance and is not for either the Residential or General Business zoning districts. There is no mention of confined poultry operations in either zoning district.

After a brief discussion, Chairman Lumgair closed the Public Hearing.

**On a motion made by Mr. Roberts and seconded by Mr. Papadopoulos, the Planning Commission voted to recommend approval to the Board of Supervisors at its April meeting for the amendments to Chapter 106 - Zoning, Article X, General Provisions, Section 106-232, Poultry, to the Board of Supervisors.**

**The following reasons are offered to support its recommendation:**

- 1. The amendment was requested by the Board of Supervisors at its January 18, 2017 meeting.**
- 2. The Planning Commission finds that confined poultry operations are not appropriate for development in the Residential (R) and General Business (B1) zoning districts.**

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The proposed changes (Sections 106-232 (f (5)(f & g) and 106-232(h)) are as follows:

(f) In agricultural ~~or general business~~ zoning districts: 500 feet from incorporated towns or residential zoning district boundaries, improved subdivisions of ten or more lots, and mobile home parks or travel trailer parks with ten or more units, except where tunnel fans are pointed toward the incorporated town or residential zoning district boundary, improved subdivision of ten or more lots, and mobile home park or travel trailer park with ten or more units, in which case the minimum setback shall be 600 feet.

~~In residential zoning districts: 500 feet from incorporated towns, improved subdivisions of ten or more lots, and mobile home parks or travel trailer parks with ten or more units, except where tunnel fans are pointed toward the incorporated town, improved subdivision of ten or more lots and mobile home park or travel trailer park with ten or more units, in which case the minimum setback shall be 600 feet.~~

(g) In agricultural, ~~residential or general business~~ zoning districts: 400 feet from unimproved subdivisions of ten or more lots. In the event that preliminary subdivision approval expires after the effective date of this ordinance amendment, the setbacks shall be as specified in sections 106-232(f)(5)(a)—(f).

(h) *Zoning districts.* Confined poultry operations are allowed by right in the agricultural zoning district. ~~and by special use permit in general business and residential zoning districts.~~

### 7. OTHER BUSINESS

Mr. Morrison discussed the following items with the Planning Commission:

1. What if someone requests to place a residential structure closer to poultry farm than the ordinance allows as the ordinance only speaks to poultry farm from a residence;
2. Hiring of Deputy Director, Gary Pusey who has served as the Planning and Technical Director in Somerset County, Maryland;
3. Organization of the Planning Department;
4. Activity on the Atlantic Town Center property – upgrading powerlines and an application for a by-right campground on a portion of the land;
5. General Assembly Housing Crisis (Subdivision) extension – status is pending.

### 8. NEXT MEETING

The next Planning Commission work session is scheduled for Tuesday, March 21, 2017 at 7:00 p.m. in the School Board Conference Room, Room 201, in Accomac.

The next regular Planning Commission meeting is scheduled for Wednesday, April 12, 2017 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

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**9. ADJOURNMENT**

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

The meeting was adjourned at 9:03 p.m.

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David Lumgair, Jr., Chairman

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Jessica Taylor, Administrative Assistant