

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF JUNE 14, 2017

At a meeting of the Accomack County Planning Commission held on the 14th day of June 2017, at Accomack County Board of Supervisors Chambers, Room 104, in 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. Lynn Gayle
Mr. Stephen Corazza
Mr. Brantley Onley
Mr. Roy Custis
Mr. Leander Roberts, Jr.
Mrs. Angela Wingfield

Planning Commission Members Absent:

Mr. C. Robert Hickman

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 suggested that the Planning Commission handle New Business before Old Business.

On a motion made by Mr. Corazza and seconded by Mr. Onley 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.

4. MINUTES

A. March 21, 2017

On a motion made by Mr. Roberts and seconded by Mr. Papadopoulos, the Planning Commission voted to approve the March 21, 2017 work session minutes as presented.

B. April 12, 2017

On a motion made by Mr. Roberts and seconded by Mr. Onley, the Planning Commission voted to approve the April 12 meeting minutes as presented.

5. 7:30 P.M. PUBLIC HEARING

A. Emmett Taylor, Jr. Conditional Use Permit Application – Tax Map # 42-2-A & 42-2-A1

Ms. Tremblay introduced a request from Mr. Taylor for a conditional use permit in order to allow for the operation of a borrow pit on the site. A borrow pit is an excavated area where material has been dug out for use as fill at another location. Ms. Tremblay informed the Planning Commission that its concerns from the previous meeting (100 feet set back from residences, North orientation of site plan, and clarification of fencing) had been addressed. She had received comments from Public Works, Public Safety, Environmental Programs, and VDOT.

Commissioners expressed the following concerns:

- Drawing was based on a 2006 survey (Ms. Tremblay walked the site and confirmed the wooded areas are accurately depicted.)
- Appeared that the existing lane was being engulfed by the borrow pit with the slope shown, corrections need to be made to depict the current lane, slope, and borrow area;
- With a 25 feet diameter of cypress trees, large gaps would still exist in the buffer, the number of trees should be increased to decrease the gaps;
- The staff report should reflect the drawing date, not date received;
- Concern of residents in the neighboring areas.

At 7:30 p.m., Chairman Lumgair opened the Public Hearing. The following persons signed up to speak:

1. **Melissa Cold, Temperanceville, VA** – Ms. Cold expressed her concern with the proposed operation begin close to her home and how it may impact her well. Commissioners reviewed the site plan with Ms. Cold and answered questions that she had related to the plan and operation.

Commissioner's then held a discussion period with Mr. Taylor to discuss the following items as conditions for approval:

- Setbacks from property lines increased to 100 feet;
- Impacts on neighboring wells (staff will reach out to the Health Department);
- Process to close the operation once the borrow pit operation is complete;
- VDOT and DMME approval;
- A woven wire fence; and
- Hours of operation from 7:30 a.m. – 6:30 p.m.

On a motion made by Mr. Corazza and seconded by Mr. Roberts, the Planning Commission voted to send the request from Emmett Taylor, Jr. for a Conditional Use Permit Application to located a borrow pit operation on Tax Map # 42-2-A & 42-2-A1, once information has been gathered from the Health Department related to wells on adjoining properties.

6. **NEW BUSINESS**

A. **A & N Electric Cooperative (ANEC) Conditional Use Permit Application – Tax Map # 93-A-87B**

Ms. Tremblay informed the Planning Commission that ANEC has requested a minor amendment to its conditional use permit to place a temporary work trailer and a ‘pump and haul’ (for wastewater) on the western side of the property (an existing well will be utilized for water) during renovations to the main administrative building. ANEC states that the work trailer would be on the site for no more than five (5) years.

ANEC was previously granted an approval in 2002 for a conditional use permit in order to develop an administration, operations and maintenance facility on tax map number 93-A-87B. As the facility is located in the General Business District, a conditional use permit was required because ANEC proposed to develop a site greater than five (5) acres.

Chairman Lumgair asked ANEC representative, Berran Rogers, why the office trailer had already been moved onto ANEC property without permission or permits to do so. Mr. Rogers responded that there was a miscommunication between ANEC staff and the company that delivered the trailer.

The Planning Commission requested additional information about the pump and haul system and why ANEC would not connect to its existing utilities. Mr. Rogers will provide this information after discussing with other ANEC staff.

Mr. Corazza stated that the action implied the presumption that this amendment would be approved by the Planning Commission and that to bring the trailer onto the property prior to following the process required sets a bad image. Discussion ensued.

Mr. Papadopoulos requested that ANEC submit a revised site plan showing the addition and exiting drain field prior to public hearing.

On a motion made by Mr. Papadopoulos and seconded by Mr. Corazza, the Planning Commission voted to schedule a public hearing for its July 12, 2017 meeting for a request from A & N Electric Cooperative (ANEC) to amend its Conditional Use Permit Application to allow a temporary office trailer on Tax Map # 93-A-87B.

7. **OLD BUSINESS**

A. **Comprehensive Plan Vision Statement for Discussion**

Staff provided the following vision statement for review:

Accomack County is a rural place, consisting of a mixture of agricultural, forestal, coastal, commercial, residential and industrial land uses. We desire economic development that is compatible with and adds value to our rural economy. Economic growth is market appropriate for the Eastern Shore and is located along Lankford Highway (Route 13) and Chincoteague Road (Route 175) so that the undeveloped agricultural, forestal and coastal areas of Accomack County are preserved. The areas surrounding existing towns and villages are appropriate locations for a traditional development pattern of residential and light commercial growth in a manner consistent with the existing character of each town or village.

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The Planning Commission discussed the following changes with staff:

- Refrain from using the term 'we';
- Use economic development or economic growth versus using them interchangeably;
- Add 'light' commercial to clarify;
- Define 'market appropriate';
- Express balance between economic development and agriculture; and
- Remove sugar coating and recognize the desire for growth.

Staff agreed to make the requested amendments and research vision statements of neighboring counties.

8. OTHER BUSINESS

Board of Supervisors June agenda will have the following Planning items:

- Utility Scale Solar
- Poultry Ordinance Amendment
- Stuckey's Public Hearing
- Outline for Derelict Buildings

Discussion ensued related to how the Planning Commission should handle applicants that are non-confirming and take action before receiving approval from them.

9. NEXT MEETING

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

10. ADJOURNMENT

On a motion made by Mr. Papadopoulos and seconded by Mrs. Wingfield, the Planning Commission voted to adjourn the meeting. The meeting was adjourned at 8:54 p.m.

David Lumgair, Jr., Chairman

Jessica Taylor, Administrative Assistant