

At a meeting of the Accomack County Planning Commission held on the 14th day of March 2018, 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. Roy Custis, Vice Chair
Mr. C. Robert Hickman
Mr. Leander Roberts, Jr.
Mr. Brantley Onley
Mr. Lynn Gayle
Mrs. Angela Wingfield
Mr. Kelvin Pettit
Mr. James Arnold

Planning Commission Members Absent:

Others Present:

Mr. Rich Morrison, Deputy Administrator of Planning and Community Development
Ms. Jessica Taylor, Administrative Assistant
Ms. Amanda Paoletti, Assistant Planner
Mrs. Katie Nunez

DETERMINATION OF A QUORUM

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

2. ADOPTION OF AGENDA

On a motion made by Mr. Roberts and seconded by Mr. Onley, the Planning Commission voted to amend the agenda as presented.

3. PUBLIC COMMENT PERIOD (not a public hearing)

Chairman Lumgair opened the floor for the public comment period. No one signed up or requested to speak. Chairman Lumgair closed the public comment period.

4. MINUTES

A. February 14, 2018

The draft minutes of the February 14, 2018 meeting are attached.

B. February 27, 2018

The draft minutes of the February 27, 2018 work session are attached.

C. March 5, 2018

The draft minutes of the March 5, 2018 recessed meeting are attached.

5. OLD BUSINESS

A. Accomack Properties, Inc. Rezoning – Agricultural to Residential

Request initiated by Accomack Properties, Inc. to rezone approximately **13.81 acres of Tax Map # 93B-A-22**, located on Lankford Highway in Melfa, VA from Agricultural to Residential.

B. Accomack Properties, Inc. Rezoning – Agricultural to General Business

Request initiated by Accomack Properties, Inc. to rezone **Tax Map Parcels #93B-2-1 thru 93B-2-8** from Agricultural to General Business and to rezone approximately **2.52 acres of Tax Map #93B-A-22**, located on Lankford Highway in Melfa, VA, from Agricultural to General Business.

C. Accomack Properties, Inc. Conditional Use Permit – Tax Map # 93B-A-22

Request initiated by Accomack Properties, Inc. to obtain a Conditional Use Permit to permit three (3) apartment buildings within the Residential Zone. Section 106-79.(4) of the Accomack County Code of Ordinances requires a conditional use permit for Residential developments specified in section 106-78 creating more than 25 dwelling units or sites.

The Planning Commission discussed concern with access to the property in addition to concern of loitering activity at the gas station and apartment complex.

On a motion made by Mr. Roberts and seconded by Mr. Custis, the Planning Commission voted to postpone the Rezoning and Conditional Use Permit Application for Accomack Properties, Inc. to allow the applicant time to consult with a traffic engineer and propose a solution to the traffic concerns at the Dogwood Road intersection.

D. 2018 DRAFT Annual Poultry Monitoring Report

Mr. Morrison thanked his staff for their diligent work on the report.

The Planning Commission discussed groundwater withdraw and staff explained that while a groundwater withdraw number of 3.1 million gallons per day was widely circulated throughout the community. The 3.1 million gallon per day withdraw was an estimate for all poultry houses (pre-2014 and post 2014) that have a Virginia Pollution Abatement (VPA) Permit from the Department of Environmental Quality (DEQ).

The 3.1 million gallon number does NOT reflect projected actual usage and is approximately 37 percent higher than the high range of staff estimates (staff estimates are found below) for usage. Staff does not believe that the 3.1 million gallon per day number is valid for estimating actual water use.

Mr. Roberts requested that staff continue to closely monitor vegetative buffers around the poultry operations to ensure their survivability.

6. OTHER MATTERS

A. East Coast Dismantling Rezoning & Conditional Use Permit – Tax Map # 86B-A-16

Mr. Morrison reported that the applicant has made significant progress and staff will continue to monitor the progress.

B. Mohammad Chatta – Poultry Farm

Mr. Morrison informed the Planning Commission that violations had been issued from the Building & Environmental Departments. Mr. Chatta appeared in court and was given 30 days to comply.

7. NEXT MEETING

The next Planning Commission work session is scheduled for Tuesday, March 27, 2018 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 11, 2018 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

8. ADJOURNMENT

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

The meeting was adjourned at 8:12 p.m.

David Lumgair, Jr., Chairman

Jessica Taylor, Administrative Assistant



PLANNING COMMISSION MEETING

MARCH 14, 2018



ACCOMACK PROPERTIES, INC.

- On Feb. 14, 2018 the Planning Commission reviewed an application for Accomack Properties, Inc. for two rezonings and one conditional use permit. The Planning Commission voted to postpone action until its March 14, 2018 meeting to allow the applicant time to address the staff and Planning Commission's concerns regarding the intersection at Dogwood Road.
- Staff has scheduled a pre-scoping meeting for March 13, 2018 with the applicant, engineer, traffic engineer, and VDOT.



ACCOMACK PROPERTIES, INC.

- Staff recommends that the Commission postpone action on the Accomack Properties, Inc. rezonings and conditional use permit until April 11, 2018 or until such time that a new plan has been submitted to the Planning Office that addresses the proposed traffic improvements.

Recommended Motion:

- *The Accomack County Planning Commission votes to postpone action on the Accomack Properties, Inc. rezonings and conditional use permit for Tax Map # 93B-A-22 and Tax Map Parcels #93B-2-1 thru 93B-2-8, located on Lankford Highway – Melfa, Virginia, until its April 11, 2018 meeting or until a revised plan has been submitted to the Department of Planning.*



2018 POULTRY REPORT EXECUTIVE SUMMARY

Poultry Numbers (as of 5/5/2018):

- Since July 1, 2014, **240 poultry houses** have been authorized by zoning permits.
- **15 poultry houses** are pending (no zoning permits issued).
- Staff estimates that **284 poultry houses** were in existence prior to July 1, 2014.
- Prior to 2014, the majority of the poultry houses in the County were located north of Parksley. Since 2014, a significant number of new poultry houses have been located south of Parksley.



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Ordinance Changes:

- In response to a surge in applications for new poultry houses, Accomack County amended its Zoning Ordinance in February 2016 to tighten regulations regarding confined poultry operations. As part of the ordinance development, Dr. David Matson, from the Eastern Shore Health Department spoke to the Planning Commission on January 13, 2016. Dr. Matson's input was invaluable in the development of the new ordinance. Another notable ordinance amendment occurred in July 2017 when the County removed the possibility of new poultry houses being constructed in residential and general business zoned areas.



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Groundwater:

- A groundwater withdraw number of 3.1 million gallons per day was widely circulated throughout the community. The 3.1 million gallon per day withdraw was an estimate for all poultry houses (pre-2014 and post 2014) that have a Virginia Pollution Abatement (VPA) Permit from the Department of Environmental Quality (DEQ).
- The 3.1 million gallon number does NOT reflect projected actual usage and is approximately 37 percent higher than the high range of staff estimates (staff estimates are found below) for usage. Staff does not believe that the 3.1 million gallon per day number is valid for estimating actual water use.



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Groundwater:

- Staff Estimates the following amount of water needed (average) per poultry house per month that includes consumption (drinking water) and cooling water needs:
- 70,950 gallons per month – Low Range
- 81,625 gallons per month – Mid Range
- 152,875 gallons per month – High Range

SOURCES FOR LOW to HIGH Cooling Range

[Please note: All three ranges used the same consumption usage, based upon actual metered data.]

Low Range Cooling - Assume 20% of consumption for cooling

Mid Range Cooling - Univ. of Georgia Report

High Range Cooling – Poultry House Application to DEQ



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Stormwater:

- Confined Poultry Operation approved after July 1, 2014 are required to construct and maintain **stormwater facilities**. County staff performs inspections during construction and also a post construction visits.
- Each poultry farm's Stormwater management system has been designed to make sure that the peak flow rate leaving the developed site will be less than or equal to the peak flow rate in the pre-developed condition.



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Economic Impact:

- The most obvious economic impact from the poultry industry in Accomack County is the benefits derived from the Perdue and Tyson processing plants. The 2014 estimated payroll for poultry processing was \$121,251,000 (from January 13, 2016 presentation to BOS).
- The local economy also benefits from the poultry industry with employment and payroll in the following areas: poultry growers and farm workers, truck drivers, grain elevators, and grain farmers.



2018 POULTRY REPORT EXECUTIVE SUMMARY cont.'

Future Considerations/Items to monitor:

- Ammonia & Airborne particulates
- Groundwater withdraw regulation and law modification relative to the Columbia aquifer
- Buffer effectiveness
- Personal property taxes
- Groundwater withdraw



2018 POULTRY REPORT

Planning Commission Site Visit

The site visit confirmed that the ordinance changes advocated and adopted by the County in February 2016 addressed many of the concerns raised, including setbacks, density, and buffers.

The Planning Commission and the staff of the Planning & Zoning Department will continue to monitor compliance with the approved poultry house zoning permits and evaluate to determine if the landscaped buffering and stormwater management have lessened these concerns to the adjacent property owners.