

VIRGINIA: At an Adjourned Joint meeting of the Board of Supervisors for the County of Accomack and the Accomack County Planning Commission held in the Cafetorium of Metompkin Elementary School on the 25th day of April, A.D., 2006.

BOARD OF SUPERVISORS

Members Present: Donald E. Hart, Jr., Chair
Gregory Duncan, Vice-Chair
Wanda Thornton
Ron S. Wolff
Sandra Hart Mears
Steve D. Mallette
Laura Belle Gordy
C. Reneta Major

PLANNING COMMISSION

Members Present:
E. Phillip Hickman, Chairman
William A. Sprague, Vice-Chairman
E. Bryan Turner
William Fallon
Mr. Jack Darby
Ms. Stella Rohde
Mr. Robert L. Nock
Mr. Leander Roberts, Jr.

Members Absent:
Mr. Len Mapp

STAKEHOLDERS GROUP

Members Present:
James N. Belote, III
Mr. Bruce Holland
Ms. Miriam Riggs
Mr. Thomas Wescott
Mr. William Prettyman

Members Absent:
Mark Glackin
William Chandler
Joshua Bundick
David Sabatino

Others Present:
Steven B. Miner, County Administrator
Yvonne N. Pennell, Administrative Assistant
James M. McGowan, Director of Planning
Katrina Hickman, Administrative Assistant

Calls to Order

The meeting was called to order by Accomack County Board of Supervisors Chair Donald L. Hart, Jr. and Accomack County Planning Commission Chair E. Phillip Hickman at 7:00 p.m.

Election District 3 Vacancy

Mr. Hart read a letter received after 5:00PM on this date, from Circuit Court Judge Glen A. Tyler, naming Ms. Eveline Cropper to fill the vacancy Election District 3.

Proposed Revised Draft Interim District “A” Zoning Amendments

Mr. McGowan reviewed the Scope of Work for the Planning Consultant firm of Herd Planning and Design, and introduced Mr. Milton Herd, Principal Planning Consultant.

Mr. Herd introduced the members of the team working on the County Ordinances and Comprehensive Plan who each gave a briefing short description of his respective company and role in the Scope of Work.

Mr. Herd gave a PowerPoint presentation of the Scope of Work and the progress made to date. He and the members of his team responded to comments and questions from the Planning Commissioners and the Board of Supervisors.

Mr. McGowan read the Revised Draft of the Interim District “A” Zoning Amendments, noting comments provided by Mr. Herd and County Land Use Attorney Sharon Pandak distributed at the beginning of the meeting.

Mr. Hickman read the revisions to clarify the changes and the reasons for the changes. Discussion of various lot size minimums and the clustering option ensued, with members of the Board of Supervisors offering comments as well.

Members of the Planning Commission reiterated that it was the intent of the Planning Commission to permit clustering on lots of less than ten (10) acres and wanted that action to continue.

Mr. Fallon made a motion, seconded by Mr. Darby, to amend the Working Draft Amendments to the “A” District to read that bonus lots apply to parent lots of less than ten (10) acres. Ayes: Mr. Hickman, Mr. Sprague, Mr. Fallon, Mr. Darby, Ms. Rohde, Mr. Nock and Mr. Roberts. Nays: Mr. Turner. Absent: Mr. Mapp.

Mr. McGowan read the remainder of Ms. Pandak’s memo.

Discussion continued with Mr. Herd responding to various questions related to resubdivision restrictions loopholes created by allowing Special Use or Conditional Use options.

The Planning Commission agreed to strike the term ‘conservation’ from suggested language for paragraphs regarding minimum lot size and clustering options.

Discussion of Special Use Permits continued.

Mr. Fallon made a motion, seconded by Mr. Nock, to strike 106-53 (15) “*Any use of land and/or any permanent or temporary location of any type of building or facility thereon which is not*

specifically permitted within this chapter.” The motion passed unanimously with Mr. Mapp absent.

Mr. Duncan asked if a cost analysis had been done concerning the impact on the real estate tax revenues as a result of the proposed downzoning to which Mr. McGowan replied “no.”

Chairman Hickman stated that the Planning Commission business was concluded.

Discussion took place by the Board related to issues of tidal and non-tidal wetlands being excluded from acreage calculations for clustering bonuses.

Mrs. Thornton made a motion to reduce the minimum lot size to three (3) acres to allow clustering and bonus lots, and to take the Revised Draft Interim District “A” Zoning Amendments with stated changes to a Joint Public Hearing. Mrs. Gordy seconded the motion.

Discussion continued.

Mrs. Thornton restated her Motion that a minimum lot requirement of one (1) lot per three (3) acres, with a minimum lot size of 30,000 square foot if clustering; omit 106-55(c) *“Tidal wetlands and Non-tidal wetlands shall not be counted toward the calculation of minimum lot area for the purpose of meeting the minimum lot area and density requirements set forth herein.”* that excludes wetlands from acreage calculations; and remove 106-53(15) from the Special exceptions – Special use permits. Mrs. Gordy repeated her second of the motion. Ayes: Mrs. Thornton, Mrs. Gordy. Nays: Mr. Wolff, Mr. Duncan, Mrs. Mears, Mr. Mallette, Mr. Hart, Miss Major.

Mr. Wolff made a Motion, Seconded by Mrs. Mears to accept the Working Draft Amendments to the “A” District as recommended by the Planning Commission establishing a minimum lot size requirement of one (1) lot per ten (10) acres; a clustering option with 30,000 square feet minimum to one (1) acre maximum and two (2) bonus lots; retain 106-55(c) that excludes wetlands from acreage calculations; to allow bonus lots for clustering on parent lots of less than ten (10) acres; and to strike 106-53 (15) *“Any use of land and/or any permanent or temporary location of any type of building or facility thereon which is not specifically permitted within this chapter.”* Ayes: Mr. Wolff, Mrs. Mears, Miss Major. Nays: Mrs. Thornton, Mr., Duncan, Mr. Mallette, Mrs. Gordy, Mr. Hart.

Mr. Duncan made a motion, seconded by Ms. Major, to reduce the minimum lot requirement of one (1) lot per ten (10) acres recommended by the Planning Commission to one (1) lot per three (3) acres, with a minimum lot size of 30,000 square foot if clustering; omit 106-55(c)

that excludes wetlands from acreage calculations; and remove 106-53(15) from the Special exceptions – Special use permits.

Following further discussion of wetlands, Mrs. Thornton amended the motion to exclude 106-55(c) that excludes wetlands from acreage calculations. Mr. Duncan did not accept the amendment. There was no second and Mrs. Thornton requested a vote without a second. The vote on the amendment: Aye: Mrs. Thornton. Nays: Mr. Wolff, Mr. Duncan, Mrs. Mears, Mr. Mallette, Mrs. Gordy, Mr. Hart, Miss Major.

Mr. Hart called for a vote on the question of Mr. Duncan's original motion. Mr. Mallette objected to the call for the question, requesting clarification on the motion. The vote proceeded. The vote on the motion. Ayes: Mrs. Thornton, Mr. Duncan, Mr. Hart, Miss Major. Nays: Mr. Wolff, Mrs. Mears, Mr. Mallette, Mrs. Gordy

ADJOURNMENT

Mrs. Thornton made a motion at 9:35 p.m., seconded by Miss Major to adjourn to May 4, 2006, at 5:00 p.m. at Shore Financial Headquarters. The motion passed unanimously.

Mr. Fallon made a motion at 9:35 p.m., seconded by Mr. Roberts to adjourn the Planning Commission. The motion passed unanimously.

Donald L. Hart, Jr., Chair