

Virginia: At a meeting of the Accomack County Planning Commission held on the 15th day of February, 2007, in the cafeteria of Metompkin Elementary School in Parksley, Virginia:

1. CALL TO ORDER:

A. MEMBERS PRESENT & ABSENT:

Members Present:

Mr. E. Phillip Hickman, Chairman
Mr. William A. Sprague, Vice-Chairman
Mr. Jack Darby
Mr. Jim Frese
Mr. Leander Roberts, Jr.
Mr. Robert L. Nock
Ms. Stella Rohde
Mr. Herb Thom

Members Absent:

Mr. E. Bryan Turner

Others Present:

Mr. James M. McGowan, Director of Planning
Ms. Andrea Stone, Environmental Planner
Ms. Genee Drummond, Temporary Secretary
Mr. Tom Brockenbrough, GIS Coordinator

B. DETERMINATION OF QUORUM:

There being a quorum, the meeting was called to order by Chairman E. Phillip Hickman at 7:00 p.m. Chairman Hickman welcomed Mr. Herb Thom to the Commission. The Commissioners agreed to follow the Agenda.

2. PLANNING COMMISSION APPOINTMENTS:

A. PLANNING COMMISSION APPOINTMENT: Mr. McGowan reported that on January 17, 2007, the Board of Supervisors appointed Mr. Herb Thom to the Planning Commission. Mr. Thom replaced Mr. Mapp. Mr. McGowan welcomed Mr. Thom to the Commission.

B. PLANNING COMMISSION REAPPOINTMENTS: Mr. McGowan reported that on January 17, 2007, the Board of Supervisors reappointed Mr. Hickman and Ms. Rohde to the Commission. Mr. McGowan congratulated them on their reappointments.

3. PUBLIC HEARING:

A. DRAFT FY 2008 CAPITAL IMPROVEMENT PLAN (CIP): A Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Draft FY 2008 Accomack County Capital Improvement Plan (CIP).

Mr. McGowan reported that the Draft FY 2008 Capital Improvement Plan (CIP) was distributed to the Commission at the December 6, 2006 meeting. Mr. Reed Ennis and other department representatives discussed the draft at the January 16, 2007 Commission meeting.

Chairman Hickman opened the Public Hearing.

Laura Lucas, from the Eastern Shore Public Library, stated that the Main Library, located in Accomac, is 50 years old and the Bookmobile stopped running in 2001. Ms. Lucas made a request to include the library in the Capital Improvement Plan.

Chairman Hickman closed the Public Hearing.

Mr. Thom made a Motion, Seconded by Mr. Nock, to recommend approval of the FY 2008 Capital Improvement Plan to the Board of Supervisors. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

4. PUBLIC COMMENT:

Mr. Hickman opened the Public Comment period.

There were no public comments.

Mr. Hickman closed the Public Comment period.

5. OLD BUSINESS:

A. RESOLUTION FOR MR. WILLIAM L. FALLON: As requested at the January 16, 2007 Planning Commission meeting, the Resolution for Mr. William L. Fallon has been prepared for the Commission's approval and the Chairman's signature.

Mr. Nock made a Motion, Seconded by Mr. Sprague, to approve the Resolution for Mr. Fallon. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

B. WACHAPREAGUE VOLUNTEER FIRE COMPANY REZONING

APPLICATION: The Board of Supervisors has scheduled a Public Hearing for the Wachapreague Volunteer Fire Company rezoning application for 7:30 PM on Wednesday, February 21, 2007 at Metompkin Elementary School, Parksley.

C. MONTHLY SUBDIVISION REPORT: As requested, David Fluhart has prepared the Monthly Subdivision Report, which was included in the meeting materials. Mr. Frese requested staff to include all of the county's existing subdivisions in the report.

D. TRAILS END CAMPGROUND: As requested at the January 16, 2007 Commission meeting, on January 17, 2007, Mr. McGowan requested the Board of Supervisors to inquire why permanent homes are being built at the Trails End Campground. David Fluhart presented a letter, included in the meeting materials, to Mr. Miner on January 17, 2007 and discussed the issue with the Board on January 17, 2007. Mr. Hickman stated that Mr. Fluhart said that Trails End is a subdivision that was created before the subdivision ordinances were passed; it was approved by the Board of Supervisors in 1971 or 1972.

Mr. Roberts made a Motion, Seconded by Mr. Thom, to request the Board of Supervisors to obtain a legal opinion on whether Trails End is a subdivision or campground. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

E. DRAFT AGRICULTURAL DISTRICT ACCESSORY DWELLING AMENDMENT: Mr. McGowan reported that attorney Sharon Pandak prepared the Draft Agricultural Zoning District Accessory Dwelling Unit Amendment, February 7, 2007, for the Commission's review. The proposed amendment allows Accessory Dwellings in the Agricultural Zoning District by Special Use Permit. Staff requested the Commission to consider approving the draft and scheduling a Public Hearing for 7:00 PM on Wednesday, March 14, 2007.

Ms. Rohde made a Motion, Seconded by Mr. Roberts to approve the Draft Agricultural Zoning District Accessory Dwelling Amendment and schedule a Public Hearing at 7:00 PM on March 14, 2007 at Metompkin Elementary School. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

F. COMPREHENSIVE PLAN UPDATE: Three Supervisor District Public Meetings on the Draft Future Land Use Map were held on January 23, 24, and 30, 2007. At the request of Supervisor Hart, the Districts 8 & 9 meeting scheduled for January 31, 2007 was rescheduled for February 8, 2007. Staff is compiling the comments from the meetings and has arranged for planning consultant Milton Herd to discuss the maps and comments at the February 27, 2007 Planning Commission Work Session.

Ms. Rohde made a Motion, Seconded by Mr. Roberts, to schedule a Work Session for 7:00 PM on February 27, 2007, at Metompkin Elementary School. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

Mr. Thom made a Motion, Seconded by Mr. Nock, to schedule a Work Session for 7:00 PM on March 27, 2007, at Metompkin Elementary School. The motion passed with the following vote: Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom. Absent: Mr. Turner.

Mr. Hickman stated that he was impressed with the turnout of the Public Meetings; a lot of people spoke and had great ideas. He suggested that all Commissioners, from each district, take a look at the maps to see where they think the county needs more development. He also suggested that Mr. McGowan include the runways at NASA on the maps. Ms. Rohde suggested that Mr. McGowan include reference points on the maps, so people can better understand what they are looking at on the maps.

G. AGRICULTURAL AND FORESTAL DISTRICT COMMITTEE: The Agricultural and Forestal District Committee met on January 24, 2007. At the meeting, the Committee reviewed the Tasley, Pungoteague, and Locustville A&F Districts and made recommendations on each district. The next meeting is scheduled for 10:00 AM on Wednesday, February 28, 2007 in the Accomack County Board Chambers.

Andrea Stone, the Environmental Planner, requested the Planning Commission to schedule a Public Meeting for 7:30 PM on March 14, 2007 at Metompkin Elementary School with the owners of land within the Tasley, Pungoteague, and Locustville Agricultural and Forestal Districts to review the districts.

Mr. Thom made a Motion, Seconded by Ms. Rohde, to schedule a Public Meeting for 7:30 PM on March 14, 2007 at Metompkin Elementary School to review the Tasley, Pungoteague, and Locustville Agricultural and Forestal Districts. The motion passed with the following vote. Aye: Mr. Hickman, Mr. Sprague, Mr. Frese, Mr. Darby, Ms. Rohde, Mr. Roberts, Mr. Nock, Mr. Thom.

Mr. McGowan reported that on January 17, 2007, the Board of Supervisors held a Public Hearing and voted to remove the following parcels from Agricultural and Forestal

Districts:

1. Tax Parcel: 68-A-105
Owner: William A. Sprague
A&F District: Leemont
Reason: Preliminary Plat Approval of the Mason's Mill Subdivision
2. Tax Parcel: 56-A-34
Owner: Richard T. Conklin and Carolyn R. Conklin
A&F District: Atlantic
Reason: Preliminary Plat Approval of the Amber Acres II Subdivision
3. Tax Parcels: 56-A-49, 56-4-C, 56-4-D, 56-4-C1, and 56-4-D1.
Owner: Oliver C. and Carol M. Taylor, Glenn T. Matthews
A&F District: Atlantic and Modest Town
Reason: Preliminary Plat Approval for the Windsor Bluffs Subdivision

As recommend by the Planning Commission, on January 17, 2007 the Board of Supervisors scheduled a Public Hearing for 7:30 PM on February 21, 2007 at Metompkin Elementary School on the removal of Tax Parcel 56-A-48, owner Glenn T. Matthews, from the Atlantic Agricultural and Forestal District.

6. INFORMATIONAL ITEMS:

A. LEGAL OPINION ON RESUBMITTING ZONING APPLICATIONS: Mr.

McGowan reported that land use attorney Sharon Pandak prepared a legal opinion on resubmitting rezoning applications that have been disapproved. A copy of the opinion was included in the meeting materials. Ms. Pandak's opinion was that, once a rezoning application has be disapproved by the Board of Supervisors, the applicant may not resubmit substantially the same application within one year of disapproval. However, if

the application is substantially changed, including the addition of proffers, there is no required interval between disapproval and submission of a new application.

7. OTHER BUSINESS:

There was no other business.

8. MINUTES:

On a Motion by Ms. Rohde, Seconded by Mr. Nock, the Planning Commission voted to approve the Minutes of the November 16, 2006 Planning Commission Meeting. The motion passed with Mr. Turner absent.

On a Motion by Mr. Nock, Seconded by Ms. Rohde, the Planning Commission voted to approve the Minutes of November 28, 2006 Planning Commission Meeting. The motion passed with Mr. Turner absent.

On a Motion by Mr. Frese, Seconded by Mr. Thom, the Planning Commission voted to approve the Minutes of January 16, 2007 Planning Commission Meeting. The motion passed with Mr. Turner absent.

9. NEXT MEETING:

Chairman Hickman stated that the next regular meeting of the Planning Commission would be at 7:00 PM on Wednesday March 14, 2007, at Metompkin Elementary School, Parksley, Virginia.

10. ADJOURNMENT:

On a Motion by Ms. Rohde, Seconded by Mr. Thom, those present voted unanimously to adjourn the meeting.

Chairman Hickman adjourned the Meeting at 7:45 PM.

E. Phillip Hickman, Chairman

James M. McGowan, Director of Planning