

**Virginia: At a meeting of the Accomack County Planning Commission held on the 5th day of December, 2007, in the cafeteria of Metompkin Elementary School in Parksley, Virginia:**

**1. CALL TO ORDER:**

**A. MEMBERS PRESENT AND ABSENT**

**Members Present:**

Mr. E. Phillip Hickman, Chairman  
Mr. William A. Sprague, Vice-Chairman  
Mr. C. Robert Hickman  
Mr. Herb Thom  
Mr. E. Bryan Turner  
Mr. Jim Frese  
Mr. Leander Roberts, Jr.

**Members Absent:**

Mr. Robert L. Nock  
Ms. Stella Rohde

**Others Present:**

Mr. James M. McGowan, Director of Planning  
Mr. Mark Taylor, County Attorney  
Ms. Tonya Taylor, Administrative Assistant  
Mr. Robert Testerman, Land Use Planner  
Mr. Tom Brockenbrough, GIS Coordinator

**B. DETERMINATION OF QUORUM**

There being a quorum, the meeting was called to order by Chairman Hickman at 7:05 p.m. The Commissioners agreed to follow the Agenda.

**2. PUBLIC COMMENT PERIOD (Not a Public Hearing):**

Chairman Hickman opened the floor for Public Comments. No one signed up to speak.

**3. STAKEHOLDER GROUP COMMENTS:**

Chairman Hickman opened the floor for the Stakeholder Group comments. No Stakeholder Group members spoke.

**4. SUBDIVISION REVIEW:**

**Sandpiper Cove Subdivision:**

Mr. Testerman presented the staff report on the Sandpiper Cove Subdivision, a 36-lot, 41.07 acre subdivision on Tax Parcel 91-A-75 along Route 745, Barn Woods Road, near Cashville, Virginia. Mr. Testerman and Mr. McGowan answered questions regarding the application.

Mr. McGowan explained that the land was rezoned with conditions in 2006, limiting development to 40 single-family homes. At the time of the rezoning, there were 23 single-wide trailers and 63 camper trailers on the property. Previous to the conditional rezoning, the property had approval for a Special Use Permit allowing 160 camping trailers on 4,000 square-foot lots.

Commissioners expressed concern about the small building envelope on some of the lots with Resource Protection Area. Mr. Chris Truitt, the applicant, stated that he plans to have covenants with a disclosure on the development limits in the Resource Protection Area. Mr. Taylor suggested he put a Subdivision Plat Note regarding the Chesapeake Bay Preservation Area.

**A Motion made by Ms. Rohde, and seconded by Mr. Frese, to recommend approval of the Sandpiper Cove Subdivision Preliminary Plat to the Subdivision Agent. The motion passed unanimously by those present.**

**5. PUBLIC HEARINGS:**

**A. Draft FY 2009 Capital Improvement Program (CIP):** Mr. Reed Ennis, Director of Finance, presented the Draft FY 2009 Capital Improvement Program and answered questions.

Chairman Hickman opened the Public Hearing. No one was signed up to speak.

Chairman Hickman closed the Public Hearing.

Mr. McGowan requested the Commission to consider recommending approval of the Draft FY 2009 Capital Improvement Program to the Board of Supervisors.

**A Motion made by Mr. Frese, and Seconded by Mr. Thom, to recommend approval of the Draft FY 2009 Capital Improvement Program (CIP) to the Board of Supervisors. The motion was passed unanimously by those present.**

**B. Eastern Shore Rural Health Conditional Use Permit:** Mr. Testerman presented the staff report on the Eastern Shore Rural Health Conditional Use Permit application to build a health care facility on 7.03 acres on Tax Parcels 93C1-11-1A4 and 93C1-11-1A3 off Route 638, Badger Lane, in Onley, Virginia. The project is located partly in the Town of Onley. Mr. McGowan reported that the Town of Onley approved a Special Use Permit for the portion of the project in the Town of Onley on December 3, 2007.

Staff recommended approval of the Conditional Use Permit with the following Conditions of Approval:

1. Approval is contingent upon the Town of Onley approving the proposed facility.
2. Approval is contingent upon the Town of Onancock providing sewer capacity for the proposed facility.
3. Provide a contingency for wastewater treatment in case Onancock cannot provide service.
4. Provide an oil and water separator for the parking lot stormwater drainage.
5. Provide a location for a side entrance to connect to the proposed VDOT road in case it is built.
6. Close the entrance to Route 638 and build the side entrance connecting to the proposed VDOT road if it is built.
7. Dedicate a 15-foot right-of-way to VDOT along Route 638, Badger Lane, to provide for paved shoulders.
8. Provide a Traffic Impact Analysis when the Site Plan is submitted for review.
9. Provide a landscaping and lighting plan when the Site Plan is submitted for review.

Mr. Testerman and Mr. McGowan answered questions regarding the application.

Anne Crabbe, Eastern Shore Rural Health's (ESRH) Chief Financial Officer, presented the Planning Commission with additional information on the application and the need for the new facility. Ms. Crabbe stated that they have considered 22 different locations for the facility in the past two years. Based on a zip-code analysis of client addresses, the facility needs to stay in the Onancock-Onley area. Property owners within 1,000 feet were contacted and invited to an informational meeting. Two property owners attended and approved of the project. ESRH will provide landscape buffers and low lighting.

Chairman Hickman opened the Public Hearing. The following persons spoke:

Kitty Croke, President of Eastern Shore Rural Health, spoke in favor of the application and stated that the current facility in Onley is too small to handle the demand for services.

Edwina (Sissy) Nelson of Badger Lane stated that the facility would require a four-lane road and devalue her property. She did not expect this type of development in a Residential zoning district.

Jenny Taylor of Badger Lane presented a petition against the project signed by 12 people. Four-hundred cars a day on top of Wal-Mart is too much. There is plenty of vacant land on Route 13.

Garry Ginzberg of Badger Lane asked why the road has to be widened.

Ms. Susan Scott, Onancock Town Manager, stated that the Town would provide sewer service when the plant expansion is completed in December, 2010.

Katrina Hickman, Onley Town Manager, stated that the Town is working with VDOT to put a 45 MPH speed limit on Badger Lane.

Chairman Hickman Closed the Public Hearing.

**A Motion made by Mr. Roberts, and Seconded by Mr. Frese, to recommend approval of the Eastern Shore Rural Health Conditional Use Permit with the recommended Conditions of Approval. The motion passed 5 to 2 with the following vote: Ayes: Chairman Hickman, Frese, Bob Hickman, Sprague, Roberts. Nays: Turner and Thom. Commissioners Rohde and Nock were not present.**

## **6. OLD BUSINESS:**

### **A. Monthly Subdivision Report:**

David Fluhart, Subdivision Agent, has submitted the Monthly Subdivision Report.

As requested by the Planning Commission, County Attorney Mark Taylor reported on the issue of preliminary plat extensions. Mr. Taylor stated that the Code of Virginia allows an approved Preliminary Plat to be valid for up to five years.

Mr. Hickman requested Mr. McGowan to ask Mr. Fluhart if there are any approved Preliminary Subdivision Plats that are more than five years old.

### **B. Comprehensive Plan Update**

As discussed at the December 20<sup>th</sup> Joint Work Session, please submit any comments on the Draft Comprehensive Plan to the Department of Planning by Friday, December 14<sup>th</sup>.

The two Public Meetings on the Draft Comprehensive Plan have been scheduled:

**7:00 PM on Tuesday, December 11, 2007, at Nandua Middle School**

**7:00 PM on Wednesday, December 12, 2007, at Arcadia Middle School**

Copies of the Draft Comprehensive Plan are available for public review at the County Administrator's Office, the Department of Planning, and the Eastern Shore Public Library in Accomac. The Draft Comprehensive Plan is also available online at: [http://www.co.accomack.va.us/Planning/comprehensive\\_plan\\_update.html](http://www.co.accomack.va.us/Planning/comprehensive_plan_update.html)

**7. NEW BUSINESS:**

**A. Thompson Rezoning Application:**

As per the applicant's request, review of the Thompson Rezoning application was postponed until the January 2, 2008, meeting.

**B. Presentation on CommunityViz Modeling Software**

Mr. Dave Wilson of the Delmarva Atlantic Watershed Network (DAWN) and Chuck Donley of Donley and Associates conducted a presentation using the CommunityViz land use modeling software. DAWN has developed a land use and water quality nutrient analysis for the four Atlantic Coast counties on the Delmarva Peninsula, including Accomack County. The model uses GIS data and nutrient data to estimate future water quality based on nutrient loading and planned development.

Dave Wilson is the Public Outreach Director for the Maryland Coastal Bays Program. Chuck Donley, AICP, is an urban and regional planner with over 25 years of experience. At Donley & Associates, Inc., he creates GIS models and applications for planning and natural resource management. The firm uses ArcGIS with CommunityViz to create planning decision support systems.

CommunityVis is GIS tool Accomack County can use to model the impacts of future development in order to better plan for the future. The Virginia Coastal Program will provide Accomack County with a copy of the CommunityViz software to use in conjunction with our ArcGIS software.

**8. OTHER BUSINESS:**

Staff distributed real estate disclosure forms to the Commissioners and requested they be returned to the County Administrator's Office by January 15, 2008.

Chairman Hickman suggested to the Planning Commissioners to have a Work Session on December 17, 2007, to review the public comments from the two Comprehensive Plan Public Meetings.

**A Motion made by Mr. Thom, and Seconded by Mr. Turner to schedule a Work Session at 7:00 PM on Monday, December 17, 2007, at Metompkin elementary School to review the public comments from the Comprehensive Plan Public Meetings. The motion was passed unanimously by those present.**

**9. MINUTES:**

**On a Motion made by Mr. Turner, and Seconded by Mr. Thom those present voted unanimously to approve the minutes of November 7, 2007.**

**10. NEXT MEETING:**

The next regular Planning Commission meeting was scheduled for 7:00 PM on Wednesday, January 2, 2008, at Metompkin Elementary School.

**11. ADJOURNMENT:**

**On a Motion by Mr. Thom, Seconded by Mr. Roberts, those present voted unanimously to adjourn the meeting to the Draft Comprehensive Plan Public Meeting scheduled for 7:00 PM on Tuesday, December 11, 2007, at Nandua Middle School, Onley, VA.**

Chairman Hickman adjourned the meeting at 9:15 PM.

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E. Phillip Hickman, Chairman

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Tonya Taylor, Administrative Assistant