

Virginia: At a meeting of the Accomack County Planning Commission held on the 3rd day of September, 2008, 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
Ms. Stella Rohde, Vice Chair
Mr. C. Robert Hickman
Mr. Robert L. Nock
Mr. Leander Roberts, Jr.
Mr. Herb Thom
Mr. E. Bryan Turner

Members Absent:

Ms. Tammy James

Others Present:

Mr. James M. McGowan, Director of Planning
Mr. Larry Forbes, Director of Economic and Community Development
Ms. Tonya Taylor, Administrative Assistant
Mr. Robert Testerman, Land Use Planner

B. DETERMINATION OF QUORUM

There being a quorum, Chairman Hickman called the meeting to order 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.

Mr. Mark Baumgartner signed up to speak. He expressed his concerns about extending the Chesapeake Bay Act to the Seaside. He feels that at this time it is not necessary to implement this Act. If the Board wants to implement this act a little more time and thought should be put in to the act due to the Bayside and the Seaside having many differences.

Ms. Toni Trepanier was not signed up but asked to speak regarding the extension of the Bay Act to the Seaside. She requested an answer to the following questions:

1. How much will it cost to implement and enforce the Bay Act to the Seaside?
2. Will taxes have to be raised?
3. What affect will it have on the taxpayers?
4. Is there a need for it right now due to the fact that the economy is in a recession?
5. How will this affect the grandfathering of existing homes?
6. Will the County have to hire more staff?

Mr. McGowan commented that we will be able to implement the proposal with existing staff. Mr. McGowan also addressed how the proposal would affect existing homes.

After a brief discussion about these issues Chairman Hickman closed the Public Comment Period.

3. INTRODUCTION:

A. Larry D. Forbes, CECD: Mr. Forbes, the Accomack County Director of Community and Economic Development, introduced himself to the Planning Commission. He explained what his role was and what departments he will be managing. He also took the time to answer questions from the Planning Commissioners, including progress at the Wallops Research Park.

4. RESOLUTION OF COMMENDATION

A. James T. Frese: Staff requested the Commission to consider approving a Resolution of Commendation for former Planning Commissioner Frese.

On a Motion by Mr. Thom, Seconded by Mr. Roberts, those present voted unanimously to approve the Resolution of Commendation for former Planning Commissioner Frese.

Chairman Hickman presented the Resolution of Commendation to Mr. Frese. Mr. Frese thanked the Commission and said it has been his pleasure to serve on the Planning Commission.

5. REZONING APPLICATION REVIEW:

A. Taylor Rezoning, District 3: Mr. Robert Testerman, Land Use Planner, presented the staff report to the Planning Commission. Staff recommended disapproval for the following reasons:

1. The Future Land Use Map designates Agricultural Use in this area.
2. There is an adequate supply of existing lots in the immediate and adjacent area.
3. The proposed Residential zoning would allow two-family homes by-right, which is not consistent with the adjacent single-family homes.
4. The entrance road sight distance issue has not been formally addressed.

After a brief discussion on the staff recommendations among the Planning Commissioners Mr. Mike Starling, a representative for the applicant, asked to speak. He expressed his concerns about the VDOT comments and the staff recommendations. He suggested that VDOT consider lowered the speed limit on the road where the proposed subdivision would be located. The applicant, Mr. Emmett Taylor, Jr., was also present and agreed to make proffers to address staff concerns about the proposed rezoning.

Mr. Bob Hickman requested Mr. Starling and Mr. Taylor present any additional information at the Public Hearing that they would like to be considered before the Planning Commission makes a recommendation to the Board of Supervisors.

On a Motion by Mr. Thom, Seconded by Mr. Bob Hickman, those present voted unanimously for the Planning Commission to schedule a Public Hearing at the October 2, 2008 meeting.

6. SUBDIVISION REVIEW:

A. Bridge Hill Subdivision, District 3: Mr. Robert Testerman, Land Use Planner, presented the staff report to the Planning Commission and recommended approval.

The Planning Commissioners discussed the project and staff recommendation. Mr. Chris Carbaugh, the project consultant, answered the Commissions questions.

On a Motion by Mr. Thom, Seconded by Mr. Nock, those present voted unanimously for the Planning Commission to recommend approval to the Subdivision Agent.

7. PUBLIC HEARING 7:30 PM:

Chairman Hickman opened the Public Hearing.

A. Konkol Rezoning, District 9: Mr. Robert Testerman, Land Use Planner, presented the staff report to the Planning Commission and recommended approval.

Mr. John Konkol, the applicant's son, was available to the Planning Commissioners for any questions. The Planning Commissioners discussed the rezoning.

Mr. Thom made a motion, Seconded by Mr. Turner, to recommend approval of the Konkol Rezoning to the Board of Supervisors. The motion did not pass with the following vote:

Ayes: Mr. Turner, Mr. Nock, Mr. Thom.

Nays: Mr. Philip Hickman, Mr. Bob Hickman, Ms. Rohde, Mr. Roberts

After further discussion the Planning Commission expressed their concerns and questions. They Commission decided to table this rezoning until Mr. McGowan, could

answer to the following question: Will Mr. Konkel be able to build another residential home on the property if the zoning remained General Business?

On a Motion by Ms. Rohde Seconded by Mr. Roberts, those present voted to table action on the rezoning until Mr. McGowan answered the question about building another residential home on the property if the zoning remained General Business?

Ayes: Mr. Philip Hickman, Mr. Bob Hickman, Ms. Rohde, Mr. Roberts

Nays: Mr. Turner, Mr. Nock, Mr. Thom

Chairman Hickman closed the Public Hearing at 8:05 PM.

8. OLD BUSINESS:

A. Subdivision Agent Report: Mr. McGowan presented the Subdivision Agent report.

B. Comprehensive Plan: The adopted Accomack County Comprehensive Plan is now available online at:

http://www.co.accomack.va.us/Planning/2008_comprehensive_plan_update.html

C. Thompson Rezoning, District 2: The Board of Supervisors has scheduled a Public Hearing on the Thompson Rezoning for 7:30 PM on Wednesday, September 17, 2008.

D. Draft Chesapeake/Atlantic Preservation Area Ordinance and Map: Department of Planning staff and the County Attorney have completed the Draft Chesapeake Atlantic Preservation Area Overlay District Ordinance and Map that extends water quality protection measures to all of Accomack County, excluding incorporated towns.

On August 20, 2008, the Board of Supervisors directed the Planning Commission to proceed immediately to consider amendment to the Accomack County Zoning Ordinance and Zoning Map to broaden the applicability of the Chesapeake Bay Preservation Overlay District to encompass the entirety of Accomack County, to submit it to the joint public hearing with the Board of Supervisors, and thereafter to make its recommendation regarding the adoption of such amendment as expeditiously as practicable to the Board of Supervisors.

The draft ordinance includes text amendments to extend the Chesapeake Bay Preservation Act to the entire Chesapeake Bay watershed and the Atlantic Ocean watershed on the Seaside. The proposed text amendments are shown in **bold underline**. As the ordinance and map are part of the Accomack County Zoning Ordinance and Zoning Map, the requirements do not apply to incorporated towns, which have their own zoning programs.

Mr. McGowan is working with the County Administrator and County Attorney to coordinate landowner notification and advertising so a date can be set for a Joint Public

Hearing. We will need to provide notification for as many as 23,000 parcels, so we will need significant lead time before holding a Joint Public Hearing.

E. Stormwater Management Ordinance: The Department of Planning staff is preparing a Draft Accomack County Stormwater Management Ordinance for the Board's review.

9. NEW BUSINESS:

A. FY 2009 Planning Commission Work Plan: On July 16, 2008, the Board of Supervisors adopted the *Accomack County Strategic Plan: 2008 - 2011*. The County Administrator has asked the Director of Planning to develop a prioritized Draft FY 2009 Planning Commission Work Plan based on the Strategic Plan for review and approval by the Planning Commission as well as subsequent approval by the Board. Please note that the completion dates in the Strategic Plan and Draft Planning Commission Work Plan are for staff delivery to the Planning Commission.

Staff requested the Commission to review and consider approving the Draft FY 2009 Planning Commission Work Plan and submitting it to the Board of Supervisors for approval.

On a Motion made by Mr. Bob Hickman, Seconded by Mr. Thom, those present voted unanimously to approve the Draft FY 2009 Planning Commission Work Plan and will submit it to the Board of Supervisors for approval.

B. Green Infrastructure Plan: On August 20, 2008, the Board of Supervisors heard a presentation on Green Infrastructure by Karen Firehock, Executive Director of the Green Infrastructure Center. After the presentation, the Board requested Ms. Firehock to apply for grant funding to prepare a Green Infrastructure Plan for Accomack County. Ms. Firehock's presentation is available on the Accomack County web site at: <http://www.co.accomack.va.us/Studies%20and%20Presentations/Presentations/GIC%20Presentation.pdf>

10. OTHER BUSINESS:

No other business was conducted.

11. MINUTES:

The following minutes were presented for the Commission's review and approval:

A. Minutes of August 6, 2008

On a Motion by Mr. Bob Hickman, Seconded by Mr. Thom, those present voted unanimously to approve the minutes of August 6, 2008.

12. NEXT MEETING:

The next regular Planning Commission meeting is scheduled for 7:00 PM on Thursday, October 2, 2008. Mr. McGowan reminded the Commissioners that the meeting would be held a day later than usual, on a Thursday, because of the Harvest Festival.

Chairman Hickman requested that the Planning Commission schedule Work Sessions for Tuesday, September 16th, Monday, October 20th, and Monday, November 17th.

Mr. Thom made a Motion to schedule Planning Commission Work Sessions for Tuesday, September 16th, Monday, October 20th, and Monday, November 17th for 7:00 PM in the Cafetorium of Metompkin Elementary School. Seconded by Mr. Bob Hickman, those present voted unanimously to approve the motion.

13. ADJOURNMENT:

On a Motion by Mr. Thom, Seconded by Mr. Turner, those present voted unanimously to adjourn the meeting to the Work session scheduled for 7:00 PM on Tuesday, September 16, 2008, at Metompkin Elementary School.

Chairman Hickman adjourned the meeting at 9:30 pm.

Phillip Hickman, Chairman

Tonya Taylor, Administrative Assistant