

Virginia: At a meeting of the Accomack County Planning Commission held on the 16th day of March, 2009, 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. C. Robert Hickman
Ms. Tammy James
Mr. William Fallon
Mr. George T. Parker
Mr. Leander Roberts, Jr.

Members Absent:

Mr. Herb Thom
Mr. E. Bryan Turner

Others Present:

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

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. 7:30 PUBLIC HEARING:

A. Drake's Landing: A Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning Drake's Landing Rezoning Application. A request by Rob Lisle to rezone approximately 14 acres of land located in Gargatha, from Agricultural to Residential. This property, Tax Parcel 69-A-82B, is located on the west side of Route 13 (Lankford Highway) approximately 0.2 miles south of Route 680 (Berry Road).

Chairman Hickman opened the Public Hearing.

Mr. Robert Testerman, Land Use Planner, presented the Drake's Landing staff report to the Planning Commission. Staff recommended approval for the following reasons:

1. The applicant has provided a proffer that the original site plan, dated December 15, 2003, will be used to determine the lots.
2. The applicant has provided a proffer that will limit the development to single-family homes, which will be consistent with adjacent development.
3. The applicant has provided a proffer that will keep the buffer adjacent to Lankford Highway undeveloped.
4. The subject property is adequately served by fire and rescue units.

There were no comments from the public.

Chairman Hickman closed the Public Hearing.

On a Motion by Mr. Fallon, and Seconded by Mr. C. Robert Hickman, the Planning Commission unanimously recommended approval to the Board of Supervisors to rezone Tax Parcel 69-A-82B from Agricultural to Residential, including the following proffers:

1. **PLAN:** The subject property, consisting of 14 acres (including 200 ft. existing buffer area) shall be developed in substantial conformance with the Plan, subject to minor changes approved by the County in connection with final subdivision plat approval and site development plan review.
2. **NUMBER OF HOMES:** The maximum number of dwelling units shall be limited to 14 single-family dwelling units.
3. Only one existing entrance into the subdivision from hwy #13 shall be permitted for access to all lots, with VDOT approved turn lane.
4. **OTHER DOCUMENTS AND RECORDATION:** The Owners and Developers agree to execute the same legal documents known as "DRAKE'S LANDING SUBDIVISION" Declaration of Protective Covenants dated and recorded February 1, 2005. These Protective covenants that already apply to lots #1 thru #14 will also apply to lots #15 thru #28.

4. REVISED RURAL RESIDENTIAL DISTRICT ORDINANCE: Mr. McGowan presented the Planning Commission with a revised copy of the Rural Residential District Ordinance for discussion. The Planning Commission made additional suggestions for Jim to include in the ordinance. After revisions have been made, Mr. McGowan will present another revised copy of the Rural Residential District Ordinance to the Planning Commission.

5. REVISED VILLAGE RESIDENTIAL DISTRICT ORDINANCE: Mr. McGowan distributed a copy to each Planning Commissioner of the revised Village Residential District Ordinance. Each Planning Commissioner is to review this ordinance and be prepared for discussion of this ordinance at the regular April 01, 2009 meeting.

6. DISCUSSION ON CHANGING PLANNING COMMISSION MEETING DATE:

The Planning Commission discussed changing the Planning Commission meeting date to accommodate the Board of Supervisors. The Planning Commission could not agree on a new meeting date. The Planning Commissioners have other commitments Tuesday's and Thursdays. Mondays and Wednesdays are the only dates available. The Planning Commission recommended the following motion to the Board of Supervisors:

On a Motion by Mr. Parker, and Seconded by Mr. Fallon, those present unanimously approved a recommendation to the Board of Supervisors that Mr. McGowan, Director of Planning, be placed first on the Board of Supervisors Agenda whenever possible so he will be able to attend the regular Planning Commission meeting when the Board of Supervisor's work session is held on the same night.

7. OTHER MATTERS:

A. Planning Commissioner Resignation

Mr. McGowan reported that Stella Rohde resigned from the Planning Commission effective March 5, 2009. Mr. Hickman requested the Commission to consider approving a Resolution of Commendation for Ms. Rohde.

On a Motion by Mr. C. Robert Hickman and Seconded by Mr. Roberts, the Planning Commission requested staff to prepare a Resolution of Commendation for Ms. Rohde. Those present unanimously approved the motion 6/0.

B. Recommendation on Planning Commission Appointments

The Planning Commission discussed the vacancy due to Ms. Rohde's resignation. Some members feel that the Board of Supervisors should consider geographic coverage when making appointments. Chairman Hickman stated that it is best to have Commissioners from throughout the County to ensure that the Planning Commission knows what is going on everywhere. The Supervisors should first try to find a qualified person from the same district as the vacancy before looking County-wide.

On a Motion by Mr. Roberts, and Seconded by Mr. Phillip Hickman, the Planning Commission approved a recommendation to the Board of Supervisors to look at district appointees first to fill the vacant appointment. If no one from the district is qualified, then look beyond the district.

Vote: Aye: P. Hickman, Fallon, R. Hickman, Roberts

Nay: Parker, James

Absent: Turner, Thom

C. Proffer Policy:

The Commission discussed the need to have a proffer policy to guide future rezoning decisions. Mr. Taylor agreed too look into examples of a proffer policy. Mr. McGowan

suggested that the Commission list the items they would like to see in a proffer policy. The Commissioners provided the following list:

- Project Phasing
- Sunset Clauses
- Bonding
- Police
- Fire and Rescue
- Schools
- Solid Waste
- Removal From Use Value Assessment
- Impact Fees

8. NEXT MEETING:

The next regular Planning Commission meeting is scheduled for 7:00 PM Wednesday, April 01, 2009.

9. ADJOURNMENT:

On a Motion by Mr. C. Robert Hickman, Seconded by Mr. Parker, those present voted unanimously to adjourn the meeting.

Chairman Hickman adjourned the meeting at 9:15 PM.

Phillip Hickman, Chairman

Tonya Taylor, Administrative Assistant