

At a meeting of the Accomack County Planning Commission held on the 25<sup>th</sup> day of May, 2021, at the Sawmill Park Pavilion located at 24387 Joynes Neck Road, Accomac, VA 23301.

**1. CALL TO ORDER**

**MEMBERS PRESENT AND ABSENT**

**Planning Commission Members Present:**

Mrs. Angela Wingfield, Chairwoman  
Mr. Roy Custis, Vice Chairman  
Mr. Brantley Onley  
Mr. Lynn Gayle  
Mr. Leander Roberts  
Mr. John Sparkman  
Mr. David Lumgair

**Planning Commission Members Absent:**

Mr. Kelvin Pettit  
Mr. C. Robert Hickman

**Others Present:**

Mr. Rich Morrison, Deputy County Administrator of Building, Planning, and Economic Development  
Mrs. Stephanie Woods, Administrative Assistant to the Deputy County Administrator  
Mr. Dale Nash, Virginia Space  
Mr. Nathan Overby, Virginia Space  
Mr. James Richardson, Virginia Space

**DETERMINATION OF A QUORUM**

There being a quorum, Chairwoman Wingfield called the meeting to order at 5:30 pm.

**2. ADOPTION OF AGENDA**

**On a motion made by Mr. Roberts and seconded by Mr. Gayle, the Planning Commission voted unanimously to adopt the agenda as presented.**

**3. PUBLIC COMMENT PERIOD**

Chairwoman Wingfield opened the public comment period.

There being no public comments; Chairwoman Wingfield closed the public comment period.

**4. MINUTES**

May 5, 2021: *On a motion made by Mr. Sparkman and seconded by Mr. Onley, the Planning Commission voted unanimously to approve the May 5, 2021 meeting minutes as presented.*

**5. OLD BUSINESS**

There was no Old Business discussed at this meeting.

## 6. NEW BUSINESS

There was no New Business discussed at this meeting.

## 7. PUBLIC HEARING

### A. Amendments to the Village Development Zoning District Regulations

The Accomack County Planning Commission proposes to amend the Accomack County Zoning Ordinance Village Development Regulations; specifically to Section 106-544(2), Section 106-544(4) to bring it into alignment with VDOT regulations, and Sections 106-546, 547, and 548.

Chairwoman Wingfield opened the public hearing and with no one signed up to speak on the matter, Chairwoman Wingfield closed the public hearing.

After review of the Village Development District Ordinance (Article XXI of the Zoning Ordinance), the Planning Commission finds that only minor amendments are necessary.

*On a motion made by Mr. Roberts and seconded by Mr. Onley the Planning Commission voted unanimously to recommend that the Board of Supervisors consider amending Sections 106-544(2), 106-544(4), 106-546, 106-547, and Section 106-548 of the County Zoning Ordinance.*

*The following reasons are offered to support the amendment:*

- 1. The amendments will clarify certain requirements of the ordinance.*
- 2. The amendments will bring the ordinance into better alignment with current VDOT traffic study requirements.*
- 3. The Village Development Ordinance was created in 2014 and after review by the Planning Commission in 2021 the ordinance remains a viable alternative to the County's other Zoning Districts.*
- 4. The Village Development District is supported by the County's Comprehensive Plan.*

### B. REZ-000166-2021: VA Space – Tax Map # 56-2-4A

A hearing initiated by Virginia Commercial Space Flight Authority (VCSFA) to conditionally rezone approximately 28 acres of land from Agricultural to Industrial. The property is located at 32355 Wallops Island Road, Temperanceville, VA. The intended use of the property is for assembly, integration, and test purposes with buildings and development to support the same.

Chairwoman Wingfield opened the public hearing.

Mr. Morrison stated that staff feels it would be best to discuss the three applications from VCSFA at the same time. The Planning Commission stated its agreement. Mr. Morrison gave an overview of the three applications and showed the Planning Commission several photos of the site and surrounding area as it is now. Mr. Morrison introduced Mr. Dale Nash from Virginia Space and invited him to speak.

Mr. Nash gave an in depth overview of the applications and why VCSFA is requesting the rezoning, and conditional use permits. Mr. Nash reviewed the hazardous materials list for the Commission. Mr. Nash stated that they are under state and OSHA regulations. Mr. Nash informed the Commission that none of the fueling will happen on site. The rocket will be fueled on site on Wallops Island, and once sealed will be brought back to the facility they are proposing. Mr. Nash stated that they estimate for this to create 250 staff positions. Mr. Nash asked Mr. Nate Overby speak to the layout of the site.

Mr. Lumgair inquired about the stormwater plan since it is not shown in the proposal and stated his concern about the two (2) ponds to the west. Mr. James Richardson from Virginia Space stated that there is adequate space on site to meet DEQ requirements. Mr. Lumgair inquired about fire fighting for the site. Mr. Richardson stated that they will be putting a water storage tank on site as well as working with NASA. Mr. Nash stated they are still working on connecting with the County Fire Companies and hope they will be covered by both the County and NASA.

Mr. Nash informed the Commission that Virginia Space is hoping to connect to NASA water, sewer, and electric for the proposed site. Mr. Lumgair inquired if they were within the overpressure zone, and Mr. Nash stated that they are not. Mr. Custis stated that the hazard arcs are a concern. Mr. Nash informed the Planning Commission that the hazard arcs are in relation to the pressure testing. Mr. Sparkman inquired as to the amount of pressure. Mr. Richardson stated they are testing for leaks and it will depend on the flight pressure, and they will test slightly above that, approximately 200 – 300 PSI.

Mr. Roberts inquired as to the percentage of current employees they have that are from the local area. Mr. Nash stated that approximately 25% of employees come through the internship program from local colleges. Chairwoman Wingfield inquired how long the payload is held in the integration area after being fueled. Mr. Richardson stated that it would be a maximum of two (2) weeks but typically less than that. Chairwoman Wingfield inquired in they are manufacturing six (6) rockets at once will there be more than one (1) loaded payload on site at once. Mr. Nash stated that it may happen, but would be very rare, if at all.

Chairwoman Wingfield requested Mr. Nash explain the safety protocols that occur while the rocket payload is in the building. Mr. Nash reviewed all safety protocols for the Planning Commission. Mr. Morrison stated that should the Commission choose it can request to have the finalized plans to be brought back during a future meeting for a final review.

There being no members of the public signed up to speak, Chairwoman Wingfield closed the public hearing.

*On a motion made by Mr. Sparkman and seconded by Mr. Roberts the Planning Commission voted unanimously to recommend approval by the Board of Supervisors of application REZ-000166-2021, by VCSFA, of parcel 56-2-4A; conditionally rezoning the parcel from Agricultural to Industrial with the following conditions:*

- 1. The property will be developed in general accord with the site plan prepared by Virginia Space dated April 27, 2021.*
- 2. The use of the property will be in accord with the proffer statement date May 5, 2021.*

*Approval is supported by the following findings of facts:*

- 1. The property is immediately adjacent to NASA Wallops Island property and NASA facilities.*
- 2. Virginia Space launch facilities are currently located approximately 10,000 feet to the east.*
- 3. The surrounding land uses (other than NASA) are primarily Agricultural and there are a limited number of residences within 1,000 feet of the site.*
- 4. Aerospace growth in the County is supported by the Comprehensive Plan.*
- 5. The site was previously developed.*

**C. CUSE-000167-2021: VA Space – Tax Map # 56-2-4A**

A hearing initiated by Virginia Commercial Space Flight Authority (VCSFA) to request a Conditional Use Permit pursuant to Accomack County Code Section 106-128(1) which states manufacturing, production, fabrication, assembly, or other industrial, commercial, or public facility developing or utilizing a site of more than ten (10) acres requires a conditional use permit. Virginia Space is looking to develop and utilize a site of 28 acres. The property is located at Tax Map # 56-2-4A at 32355 Wallops Island Road, Temperanceville, VA.

This agenda item was discussed in tandem with the rezoning application from VCSFA REZ-000166-2021, and Conditional Use Permit application CUSE-000168-2021. Please see minutes above.

*On a motion made by Chairwoman Wingfield and seconded by Mr. Roberts the Planning Commission voted unanimously to recommend approval of CUSE-000167-2021 to the Board of Supervisors to develop more than ten (10) acres in the Industrial Zoning District pursuant to Accomack County Code Section 106-128(1) in general accord with the proposed site development plan prepared by Virginia Space dated April 27, 2021 with the following condition:*

- 1. Planning Commission requests that the Zoning Administrator present plans to the Commission prior to the issuance of a zoning permit (as authorized by Section 106-129(a) of the Zoning Ordinance) for review.*

*The following facts support the recommendation:*

- 1. A VCSFA facility is required to support launch operations of the Neutron rocket at the Mid-Atlantic Regional Spaceport.*
- 2. The facilities required by VCSFA require large development and building space.*

**D. CUSE-000168-2021: VA Space – Tax Map # 56-2-4A**

A hearing initiated by Virginia Commercial Space Flight Authority (VCSFA) to request a Conditional Use Permit pursuant to Accomack County Code Section 106-128(9) which states uses involving the storage, use, processing, production of hazardous chemicals including, but not limited to biofuels production, fuel storage for sale, chemical recycling, hydrocarbon processes, fertilizer and pesticide storage and manufacture, solvent storage, pulp and paper mills, rocket fuel and oxidizer manufacture and storage requires a conditional use permit. Virginia space is looking to store hazardous chemicals on the property. The property is located at Tax Map # 56-2-4A at 32355 Wallops Island Road, Temperanceville, VA.

This agenda item was discussed in tandem with the rezoning application from VCSFA REZ-000166-2021, and Conditional Use Permit application CUSE-000167-2021. Please see minutes above.

*On a motion made by Mr. Gayle and seconded by Mr. Onley the Planning Commission voted unanimously to recommend that the Board of Supervisors approve CUSE-000168-2021 for a Conditional Use Permit for the storage of hazardous chemicals/materials pursuant to Accomack County Code Section 106-128(9) of the Industrial Zoning District regulations with the following conditions:*

- 1. The site is developed in general accord with the proposed site development plan dated April 27, 2021.*
- 2. The hazard arcs do not spill onto other properties.*
- 3. That the storage and use of chemicals/materials is in general accord with the list provided by VCSFA and attached to this report.*
- 4. In the event that the Atlantic or Wallops Island Fire Companies wish to have conditions added to the conditional use permit, those conditions will be presented to the Board of Supervisors for consideration.*
- 5. The Planning Commission requests that the Zoning Administrator present plans to the Commission prior to the issuance of a zoning permit (as authorized by Section 106-129(a) of the Zoning Ordinance) for review of the locations of storage of hazardous chemicals/materials authorized by this Conditional Use Permit.*

## **8. SUBDIVISION AGENT REPORT**

Nothing to report on at this time.

## **9. REPORT ON BOARD OF ZONING APPEALS UPCOMING HEARINGS**

There are five applications that have been filed at this time for the June 2, 2021 meeting.

- A Special Use Permit application request by Brooke Rodgers to use a travel trailer for habitation while her house is rebuilt after a fire. The parcel is at Tax Map # 103A-3-2A located at 28025 Drummondtown Road, Onley, and is zoned Residential.
- A Special Use Permit application request by Steven Story to place a 12'x 24' pre built shed without a main residence on the parcel to store items to maintain the property while a house is being built. The parcel is at Tax Map # 42-11-9 located on Bogues Bay Drive, Temperanceville, and is zoned Agricultural.
- A variance application request by Rick Hall from the frontage requirement to split an old farm house from an existing parcel. The parcel is at Tax Map # 95-A-13 located at 27005 Drummondtown Road, Onley, and is zoned Agricultural.
- A variance application request by Bobbie Wert from the setback requirements to for a replacement home to be placed on the parcel. The parcel is at Tax Map # 101C-A-10 located at 30082 Lankford Hwy, Melfa, and is zoned Agricultural.
- A variance application request by Dawn Hurley from the frontage requirements to place a replacement mobile home on the parcel. The parcel is located at Tax Map # 56-A-36A located at 32408 Holland Farm Road, Temperanceville, and is zoned Agricultural.

## **10. OTHER MATTERS**

No Other Matters were discussed during this meeting.

## **11. NEXT MEETING**

The next Planning Commission meeting is Wednesday, June 9, 2021 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, Accomac.

## **12. ADJOURNMENT**

**On a motion made by Mr. Onley and seconded by Mr. Custis the Planning Commission voted unanimously to adjourn the meeting.**

The meeting was adjourned at 6:35 p.m.

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Angela Wingfield, Chairwoman

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Stephanie Woods, Administrative Assistant of Building, Planning, & Economic Development