



Accomack County Planning Commission

Angela Wingfield, Chair, District 2
Leander Roberts, Jr. Vice-Chair, District 8
John Sparkman, District 1
C. Robert "Bob" Hickman, District 3
Kelvin Pettit, District 4
Brantley "Pete" Onley, District 5
Glen "Adair" Tyler, District 6
Lynn Gayle, District 7
Larry Giddens, Sr., District 9

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2 County Administration Building, Board Chambers, Room 104, 23296 Courthouse Avenue, Accomac, VA

Minutes for Wednesday, November 8, 2023 7:00 PM

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5 **DRAFT**

6 7 **1. CALL TO ORDER**

8 **MEMBERS PRESENT AND ABSENT**

9 10 **Planning Commission Members Present:**

11 Ms. Angela Wingfield, Chair

12 Mr. Leander Roberts, Jr, Vice-Chair

13 Mr. John Sparkman

14 Mr. Robert Hickman

15 Mr. Kelvin Pettit

16 Mr. Brantley Onley

17 Mr. Glen "Adair" Tyler

18 Mr. Lynn Gayle

19 20 **Planning Commission Members Absent:**

21 Mr. Larry Giddens, Sr.

22 23 **Others Present:**

24 Mr. Leander "Lee" Pambid, Deputy County Administrator

25 Chontese Ridley, Planner I

26 27 **DETERMINATION OF A QUORUM**

28 There being a quorum, Chairwoman Wingfield called the meeting to order at 7:00 p.m.

29 30 **REMOTE PARTICIPATION**

31 32 **2. ADOPTION OF AGENDA**

33 *On a motion made by Commissioner Hickman and seconded by Vice-Chair Roberts, the*
34 *Planning Commission voted unanimously to adopt the agenda.*

35 36 **3. PUBLIC COMMENT PERIOD**

37 *There being no one signed up to speak, Chairwoman Wingfield closed the floor for public*
38 *comment.*

39 40 **4. MINUTES**

41 *On a motion made by Commissioner Hickman and seconded by Commissioner Gayle, the*
42 *Planning Commission voted unanimously to approve the November 8, 2023 minutes with*
43 *corrections.*

44 45 **5. OLD BUSINESS**

46 There is no old business.

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48 **6. NEW BUSINESS**

49 There is no new business at this time.

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51 **7. PUBLIC HEARING**

52 There is no public hearing.

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54 **8. OTHER MATTERS**

55 **A. Introduction of issue: Review of Section 106-232(j) regarding treatment of existing**
56 **confined poultry operations at the Board of Supervisors' request**

57 Mr. Leander Pambid spoke on some comments received from Board of Supervisors back in
58 October. Mr. Pambid stated that the Board of Supervisors received public comment at the
59 October 18, 2023 meeting regarding a 2-year interruption of confined poultry operations to the
60 Planning Commission for review. Mr. Pambid gave some background on the issue, stating the
61 citizens' letter referenced a BZA case that was heard on September 6, where the Board of
62 Zoning Appeals approved a Variance, which allowed a confined poultry operation to reactivate
63 after more than 2 years of inactivity. Mr. Pambid stated that the decision to approve the
64 Variance was appealed by an adjacent property owner one month later on the 6th of October.
65 It was stated that a couple weeks ago the County filed a motion to dismiss the appeal that was
66 made on the 6th and that it will be going before the Circuit Court.

67
68 "What happens after a confined poultry operations ceases to be inactive for more than 2 years"?

69 Mr. Pambid read off the code section, *Existing Confined Poultry Operations- confined*
70 *poultry operations in existence and in operation on the effective date of this section, as*
71 *determined by the Zoning Administrator that do not meet the minimum acreage and/or*
72 *setback requirements shall be considered non-conforming uses and non-conforming*
73 *structures so long as the existing use of a facility or structures is not interrupted for more*
74 *than 2 years.* The question the citizen had was that the language implies that if more than 2
75 years elapsed with no operation on site than the setbacks and other requirements are
76 enforceable. Mr. Pambid stated that Staff agreed with that citizen's statement.

77
78 Commissioner Gayle stated that there are Variances, but that would be granted but also specific
79 conditions can be required. Commissioner Tyler asked who all would weigh in on the decision
80 once it goes to the BZA. Commissioner Tyler stated that what we have now seems to work and
81 that he does not see the need to add or detracting from the way that it's being done now. Mr.
82 Pambid stated that he doesn't believe the citizen is disputing the process but more so asking
83 for clarity on the language in the Ordinance. Commissioner Tyler asked, what would be the
84 options to tell a customer and Mr. Pambid stated 5 options being:

- 85 1. Do not change.
- 86 2. Customer must comply
- 87 3. Obtain a Variance from Board of Zoning Appeals to reopen prior to restart
- 88 4. Obtain a SUP from to Board of Zoning Appeals to reopen prior to restart
- 89 5. Obtain CUP from Planning Commission or Board of Supervisors prior to start

90
91 Mr. Pambid stated that in his opinion they would have to comply with the current ordinance as
92 it stands. Commissioner Tyler asked, why change it? In addition, Vice Chairman Roberts
93 responded why not change it? Vice Chairman Roberts asked what is the difference between
94 putting the verbiage there to say that it's there for all people being able to see versus relying
95 on the interpretation of the administrator. Commissioner Tyler asked Mr. Pambid if he felt the
96 interpretation should be taken out of his hands or the administrators hand and Chairwoman

97 Wingfield stated by adding the neighbors will know that process that the owner is taking. Mr.
98 Pambid responded to Commissioner Tyler’s question, stating that there will always be a need
99 for the Zoning Administrators to interpret the ordinance.

100
101 Commissioner Hickman asked if an SUP would work better as oppose to a Variance since the
102 BZA is able to add conditions to an SUP. Mr. Pambid responded that conditions are meant to
103 make something more palatable about a situation or site or something to that effect.
104 Commissioner Pettit made a statement that the ordinances and negotiations in trying to make
105 it work was built around citizens, so he believes the committee should be careful with making
106 the decision that the Administrator or the County decides what happens and not hear from the
107 citizens since the Board relies a lot on the opinions of the citizens. Mr. Pambid closed the topic
108 by stating that they have provided some potential options for the issue, so next month just as a
109 follow through, the Board will bring some language so it can be discussed.

110
111 **B. 2024 Certified Planning Commissioner and Board of Zoning Appeals Course Dates**

112 Ms. Chontese Ridley gave the schedule for the CPC dates, stating that 2024 for the CPC
113 program has been released and the dates are as follows:

- 114 • In person, January 30th & 31st and April 8th & 9th in Richmond, VA.
- 115 • Virtual dates, March 21st & 22nd and May 16th & 17th.

116 Whether a member decides virtual or in-person, the County will cover all the assess fees for it.

117
118 **C. 2025-29 Capital Improvement Plan Schedule**

- 119 • Department heads have been asked for their CIP projects and the department has
120 provided those to Finance and Finance has started to request meeting dates and public
121 hearing dates from the Planning Staff. There will be a briefing from Finance next month
122 on the rest of the CIP process. In addition to this poultry situation, the Planning
123 Commission will also reviewing some information with Margaret Lindsey, Finance
124 Director, on what the next steps for the CIP are going to be. A public hearing is anticipated
125 for January and ultimately the adoption of the CIP and the operational budget will
126 sometime in the future will come together.

127
128 **D. GIS DAY**

- 129 • Also, next Wednesday, November 15th is GIS Day. Staff wants to raise awareness
130 of what GIS is, how its used at the County and how it impacts us as daily citizens. The
131 County uses GIS on a daily basis; Tom Brockenbrough will be putting some maps on
132 display before the meeting next Wednesday, November 15, 2023 between 10:30 a.m. and
133 5 p.m.

134
135 **9. NEXT MEETING**

136 The next Planning Commission meeting is scheduled for Wednesday, January 10, 2023 at 7:00
137 p.m. in the Accomack County Board of Supervisors Chambers, Room 104.

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139 **10. ADJOURNMENT**

140 *On a motion made by Commissioner Tyler and seconded by Commissioner Sparkman, the*
141 *Planning Commission voted unanimously to adjourn the meeting at 7 p.m.*

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