

# ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF SEPTEMBER 11, 2013

At a meeting of the Accomack County Planning Commission held on the 11<sup>th</sup> day of September 2013, in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

## 1. CALL TO ORDER

### A. MEMBERS PRESENT AND ABSENT

#### **Planning Commission Members Present:**

Mr. Phil Hickman, Chairman  
Mr. George Parker, Vice-Chairman  
Mr. Leander Roberts, Jr.  
Mr. Bob Hickman  
Mr. Alan Silverman  
Mr. Pete Onley  
Mr. Tony Picardi  
Mr. David Lumgair, Jr.

#### **Planning Commission Members Absent:**

Mr. Spiro Papadopoulos

#### **Others Present:**

Mr. Rich Morrison, Director of Planning and Community Development  
Mrs. Hollis Parks, Administrative Assistant

### B. DETERMINATION OF A QUORUM

There being a quorum, Chairman Hickman called the meeting to order at 7:00 p.m.

## 2. ADOPTION OF AGENDA

**On a motion made by Mr. Parker and seconded by Mr. Onley, the Planning Commission voted unanimously to adopt the agenda.**

## 3. MINUTES

### A. August 14, 2013

Mr. Parker requested that handouts given by the public during public comment period be noted in the minutes.

For the August 14, 2013 minutes, Mr. Parker requested that the handout given to the Planning Commission by Mr. Ronnie Thomas be noted in the minutes.

**On a motion made by Mr. Parker and seconded by Mr. Bob Hickman, the Planning Commission voted to approve the minutes of August 14, 2013, as amended by Mr. Parker.**

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### 4. PUBLIC COMMENT PERIOD (Not a public hearing)

Chairman Hickman opened the floor for the public comment period and the following person(s) signed up to speak:

- **Ronnie Thomas**

Mr. Thomas informed the Planning Commission that he and many citizens of Atlantic are against the Bridge Hill Conditional Rezoning Amendment, the Town Center Planned Unit Development, and the proposed wastewater treatment facility for the PUD. He expressed that it does not fit the Eastern Shore. Mr. Thomas gave staff a copy of his comments for the record.

### 5. OLD BUSINESS

Chairman Hickman recused himself from both the Bridge Hill Conditional Rezoning Amendment and the Town Center at Wallops Island Spaceport Planned Unit Development applications under old business and also from the Town Center at Wallops Island Spaceport Wastewater Treatment Facility application under new business and turned the Chair to Vice-Chairman, George Parker, due to a conflict of interest.

#### **A. Bridge Hill Conditional Rezoning Amendment**

Mr. Parker recapped the Planning Commission that it is on a 60-day time clock. He stated that the applicant has resubmitted proffers, which were received by staff on September 4, 2013. He urged the Planning Commission to look at the original rezoning done in 2006, the Future Land Use Map amendment that was done in 2012, and the current amendment to the 2006 plan and figure out if it is all consistent.

Mr. Morrison presented a short PowerPoint presentation.

The majority of the Planning Commission voiced why it felt the request should be denied with the exception of a few members. Among the reasons to deny were: specific proffers requested by the Planning Commission were not provided, and the amendment is inconsistent with the 2006 rezoning and with what the Comprehensive Plan has projected for the County.

**Mr. Lumgair moved, seconded by Mr. Picardi, to recommend denial of the Bridge Hill Conditional Rezoning Amendment, as requested by Atlantic Town Center Development Corporation.**

**After careful review and deliberation of the proposed application and attachments stamp dated received March 26, 2013, filed by Atlantic Town Center Development Corporation, for property identified by Tax Map No. 27-A-85, including the proffer statement dated September 4, 2013 and other materials submitted on August 21, 2013, the Planning Commission recommends denial of**

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the Bridge Hill Conditional Rezoning Amendment, as requested, to the Board of Supervisors.

The Planning Commission offers the following reasons to deny the amendment:

1. The Planning Commission finds that the 2006 conditional zoning and accompanying plan are more in-keeping with the existing and future land uses in the Wattsville area than the 2013 concept plan and proffers advanced with the current application.
2. The Planning Commission finds that the 2006 plan and subsequent plat submittal is superior to the one advanced in the current application in terms of overall layout, natural resource preservation, and lot size relationship to neighboring properties.
3. The Planning Commission was of the belief that the 2006 conditional rezoning approval would yield a single-family residential development. The 2013 application requests consideration for a wastewater treatment facility and single-family lots. Based upon the Planning Commission's review of the information provided with the conditional rezoning application, a wastewater treatment facility could be constructed on the property without the development of single family residential homes or lots. The Planning Commission finds this to be incongruent with the 2006 approval.
4. The Planning Commission is of the opinion that placement of a wastewater treatment facility, which its primary purpose would be to serve the neighboring Planned Unit Development, is not appropriate on property planned for a sizeable small-lot subdivision.
5. The Comprehensive Plan addresses wastewater treatment in the Future Land Use Plan on page 6-7. As part of its review of the conditional rezoning amendment, the Comprehensive Plan guidance is evaluated by the Planning Commission. It is the opinion of the Planning Commission that the proposed wastewater treatment facility size and scale is not in-keeping with the Future Land Use Section of the Comprehensive Plan related to wastewater treatment and its application on the Bridge Hill site.

Some discussion regarding the Wattsville Village Development Area Future Land Use Map amendment request that was recommended for partial approval by the Planning Commission at its June 13, 2012 meeting took place.

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**The motion made by Mr. Lumgair carried with a 5-2 vote:**

**Ayes: Bob Hickman, Parker, Onley, Picardi, Lumgair**

**Nays: Roberts, Silverman**

**Absent: Papadopoulos**

**Recused: Phil Hickman**

Mr. Parker amended to include the original intent of the recommendation made to the Board of Supervisors by the Planning Commission at its June 13, 2013 meeting, which was to recommend that the Planned Unit Development and its components reside within the Planned Unit Development property. After some discussion by the Planning Commission, Mr. Parker withdrew his amendment.

### **B. Town Center at Wallops Island Spaceport Planned Unit Development**

The Planning Commission discussed how to proceed now that a recommendation has been made on the Bridge Hill Conditional Rezoning Amendment.

**Mr. Silverman regrettably moved, seconded by Mr. Roberts, to recommend denial of the Town Center at Wallops Island Spaceport Planned Unit Development application due to there being no wastewater treatment facility.**

**The motion made by Mr. Silverman carried with a 7-0 vote:**

**Ayes: Roberts, Bob Hickman, Silverman, Parker, Onley, Picardi, Lumgair**

**Nays: None**

**Absent: Papadopoulos**

**Recused: Phil Hickman**

## **6. NEW BUSINESS**

### **A. Town Center at Wallops Island Spaceport Wastewater Treatment Facility**

Due to the fact that the Bridge Hill Conditional Rezoning Amendment and the Town Center Planned Unit Development applications were recommended for denial, a public hearing cannot be scheduled on this matter.

## **7. OTHER MATTERS**

Chairman Hickman returned to the Chair.

### **A. Assistant Planner**

The Planning Commission asked what the status of the vacant Assistant Planner position was.

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Mr. Morrison informed the Planning Commission that interviews were held on Thursday, August 15, 2013 and Friday, August 16, 2013 and two finalists were selected and the process to schedule the candidates for second interviews began. However, for personal reasons, both candidates withdrew. Staff is now considering another candidate to bring back for a second interview, which will be scheduled in the near future.

### **B. Joint Land Use Study (JLUS)**

Mr. Parker and Mr. Lungair, who are both on the Technical Advisory Committee for the JLUS study, updated the Planning Commission that things are moving forward.

### **C. Additional Comments**

Chairman Hickman suggested that if the Board of Supervisors follows the Planning Commission's recommendation on the Bridge Hill Conditional Rezoning Amendment and the applicant resubmits its Planned Unit Development application, the Planning Commission should appoint a small committee to meet with Mr. Morrison and the applicant to help guide the applicant.

Mr. Parker stated that he sincerely believes that every Planning Commission member and staff has tried to give guidance to the applicant. He further stated that the Planning Commission has tried to give the applicant a clear path to follow.

## **8. NEXT MEETING**

There is a Planning Commission work session scheduled for Tuesday, September 24, 2013 at 7:00 p.m. in the School Board Conference Room, Room 201, in Accomac.

The next regular Planning Commission meeting is scheduled for Wednesday, October 9, 2013 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

## **9. ADJOURNMENT**

**On a motion made by Mr. Parker and seconded by Mr. Picardi, the Planning Commission voted unanimously to adjourn the meeting.**

The meeting was adjourned at 9:10 p.m.

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E. Phillip Hickman, Chairman

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Hollis Parks, Administrative Assistant