

## ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF JANUARY 8, 2014

At a meeting of the Accomack County Planning Commission held on the 8<sup>th</sup> day of January 2014, in the Accomack County Department of Social Services Training Room, in Accomac, Virginia.

### 1. CALL TO ORDER

#### A. MEMBERS PRESENT AND ABSENT

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

Mr. David Lumgair, Chairman

Mr. Spiro Papadopoulos

Mr. Alan Silverman

Mr. Pete Onley

Mr. Tony Picardi

Mrs. Angie Wingfield

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

Mr. Leander Roberts

Mr. Bob Hickman

##### **Others Present:**

Mr. Rich Morrison, Director of Planning and Community Development

Mr. Mike Mason, Director of Finance

Ms. Kristen Tremblay, Assistant Planner

Mrs. Hollis Parks, Administrative Assistant

#### B. DETERMINATION OF A QUORUM

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

### 2. ADOPTION OF AGENDA

**On a motion made by Mr. Silverman and seconded by Mr. Picardi, the Planning Commission voted to adopt the agenda.**

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

Chairman Lumgair opened the floor for the public comment period.

No one signed up or requested to speak.

Mr. Onley arrived for the meeting at 7:05 p.m.

### 4. MINUTES

#### A. December 11, 2013

Mr. Papadopoulos suggested that staff add the reason why Mark Taylor, County Attorney, advised the Board of Supervisors that a public hearing needed to be held on

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the Town Center at Wallops Island Spaceport Planned Unit Development Ordinance that was submitted by the applicant, which is for due process. [Page 3, item 6B, second-to-last paragraph]

**On a motion made by Mr. Papadopoulos and seconded by Mr. Picardi, the Planning Commission voted to approve the amended minutes of December 11, 2013.**

### **5. ELECTION OF 2014 PLANNING COMMISSION VICE-CHAIRMAN**

Chairman Lumgair opened the floor for nominations for Vice-Chairman.

Mr. Silverman moved, seconded by Mr. Picardi to nominate Mr. Spiro Papadopoulos as Vice-Chairman for 2014.

Mr. Picardi moved, seconded by Mr. Lumgair to nominate Mr. Pete Onley as Vice-Chairman for 2014.

No other nominations were made so Chairman Lumgair closed the floor for nominations.

**Chairman Lumgair called for a vote in favor of electing Mr. Papadopoulos as Vice-Chairman. By a show of hands, the Planning Commission voted to elect Mr. Spiro Papadopoulos as Vice-Chairman for 2014.**

### **6. OLD BUSINESS**

Prior to the discussion of any old business, Mr. Morrison wanted to introduce the Planning Commission to its newest member, Angie Wingfield, and the Commission welcomed her.

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

Mr. Morrison presented a brief PowerPoint presentation and recapped the Planning Commission of last month's meeting at what has happened in the time since.

At the December 11, 2013 meeting, staff requested that a public hearing be scheduled for the January 8, 2014 meeting and that is what was done. Since the last meeting, staff received a letter from Mr. Baumgartner requesting that the Planning Commission not hold the scheduled public hearing and so legal notices were not sent. The December 20, 2013 letter received from Mr. Baumgartner states that the applicant would like to pursue other avenues for the development of the property and that the applicant will explore those options and give staff a final decision on the currently pending PUD application within thirty days.

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Mr. Morrison recommended that in the meantime, the Planning Commission schedule a public hearing for the February 12, 2014 meeting.

The Planning Commission discussed what deadlines needed to be included in the motion to schedule the public hearing. Mr. Morrison informed the Planning Commission that legal notices for a public hearing needed to be sent during the week of January 20, 2014, so having a formal withdrawal by that date is necessary.

Mr. Silverman moved, seconded by Mr. Picardi, to schedule the public hearing contingent upon receiving a withdrawal decision by January 20, 2014. In his motion, Mr. Silverman also asked that staff send a letter to the applicant informing them of the deadline to make a final decision.

Mr. Morrison informed the Planning Commission that if a final decision is not given to staff by January 20, 2014, the application must go forward and the public hearing held.

Mr. Silverman and Mr. Picardi withdrew their motion to schedule the public hearing contingent upon receiving a withdrawal and no longer found the need for staff to send a letter to the applicant.

**On a motion made by Mr. Papadopoulos and seconded by Mr. Silverman, the Planning Commission voted unanimously to schedule a public hearing on the Town Center at Wallops Island Spaceport Planned Unit Development Ordinance for February 12, 2014.**

### **B. Mark-Dana Corporation “Accomack Village” Conditional Use Permit**

Mr. Morrison presented a brief PowerPoint presentation and recapped the Planning Commission of last month’s meeting at what has happened in the time since.

At the December 11, 2013 meeting, staff requested that a public hearing be scheduled for the January 8, 2014 meeting contingent upon staff receiving a completed application and attachments by Friday, December 20, 2013 and that is what the Planning Commission did. However, staff did not receive the completed application and attachments and as a result, no legal notices were delivered.

Mr. Morrison reminded the Planning Commission that the urgency for this Conditional Use Permit to go through was so the applicant could apply for the 2014 low-income-housing tax credits. The applicant realized that the goal to have an unconditional approval by March 2014 was not achievable and has since slowed the project down. It is anticipated that this project will still be pursued for the 2015 low-income-housing tax credits later this year.

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Mr. Morrison informed the Planning Commission that he has a conference call scheduled with the applicant and can give the Planning Commission more details at the next meeting.

### 7. NEW BUSINESS

No new business to discuss at this time.

### 8. 7:30 PUBLIC HEARING

#### A. Capital Improvement Plan (CIP)

Prior to the commencement of the public hearing, the Planning Commission asked Mr. Morrison questions regarding the Capital Improvement Plan (CIP).

Mr. Papadopoulos asked about his request to make Route 175 (Chincoteague Road) safer and Mr. Morrison informed him that he had put in a call to VDOT inquiring about the cost to put reflectors on the road and will follow up with VDOT.

The Planning Commission discussed the process for the CIP and Mr. Morrison informed the Planning Commission that historically, its role has been to make sure the CIP is in conformance with the Comprehensive Plan. Mr. Mason, Finance Director, agreed.

At 7:30, Chairman Lumgair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments regarding the FY 2015-2019 Capital Improvement Plan.

Mr. Picardi announced that he received correspondence from Bedford Rogers of Painter regarding the Capital Improvement Plan and was requested by Mr. Rogers to read his correspondence to the Planning Commission as part of the public hearing. [A copy of the correspondence received from Mr. Rogers may be obtained from the Planning and Community Development Department]

No one else signed up or requested to speak so Chairman Lumgair closed the public hearing.

The Planning Commission discussed Mr. Rogers' letter and encouraged the Town of Painter to contact the County if it wishes to pursue the things outlined in Mr. Rogers' letter.

Mr. Silverman then read his own letter regarding the Capital Improvement Plan, which was distributed in the December 11, 2013 Planning Commission meeting packet.

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Discussion on the library project (11-ESPL-001 on page 34 of the CIP), recreational facilities (including the park to be built in Accomac), and economic development ensued.

The Planning Commission concluded that the Capital Improvement Plan is in conformance with the Comprehensive Plan and was ready to make its recommendation to the Board of Supervisors.

**Mr. Silverman moved, seconded by Mr. Papadopoulos, that the proposed 2015-2019 Capital Improvement Plan is in conformance with the Comprehensive Plan of current adoption and recommended its approval to the Board of Supervisors.**

**Chairman Lumgair moved to amend the motion to include that the Planning Commission discussed the following important projects: library, recreational facilities (including the park to be built in Accomac), economic development, and safety on Route 175/Chincoteague Road.**

**The amendment was accepted and the amended motion passed unanimously.**

### **9. OTHER MATTERS**

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

Mr. Morrison informed the Planning Commission that the JLUS is progressing very slowly. There is not anything new to report.

The previous Chairman of the Planning Commission, Phil Hickman, wishes to continue serving on the Policy Committee for the JLUS.

#### **B. January 28, 2014 Work Session**

The Planning Commission decided to have the scheduled work session on January 28, 2014 to discuss what's on the horizon and to also to discuss some matters that the Planning Commission wishes to address, such as groundwater recharge and the existing Planned Unit Development Ordinance.

### **10. NEXT MEETING**

There is a Planning Commission work session scheduled for Tuesday, January 28, 2014 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, February 12, 2014 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

**11. ADJOURNMENT**

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

The meeting was adjourned at 8:35 p.m.

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David Lumgair, Jr., Chairman

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Hollis Parks, Administrative Assistant