

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF SEPTEMBER 10, 2014

At a meeting of the Accomack County Planning Commission held on the 10th day of September 2014, 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. David Lumgair, Chairman
Mr. Spiro Papadopoulos, Vice-Chairman
Mr. Leander Roberts
Mr. Bob Hickman
Mr. Alan Silverman
Mr. Steve Corazza
Mr. Pete Onley
Mr. Tony Picardi
Mrs. Angie Wingfield

Planning Commission Members Absent:

None

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development
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. Corazza and seconded by Mr. Silverman, 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.

4. MINUTES

A. August 6, 2014

On a motion made by Mr. Roberts and seconded by Mr. Silverman, the Planning Commission voted to approve the meeting minutes of August 6, 2014.

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5. PRESENTATION

A. FEMA Flood Maps

Mr. Morrison introduced David Fluhart, the Building and Zoning Director for Accomack County, to the Planning Commission.

Mr. Fluhart presented a PowerPoint presentation to the Planning Commission on the proposed Federal Emergency Management Agency (FEMA) flood maps.

Mr. Fluhart's presentation may be viewed online at:

[http://www.boarddocs.com/va/coa/Board.nsf/files/9NUNTW5FD9B7/\\$file/2014.09.10%20PC%20FEMA%20Presentation.pdf](http://www.boarddocs.com/va/coa/Board.nsf/files/9NUNTW5FD9B7/$file/2014.09.10%20PC%20FEMA%20Presentation.pdf)

Mr. Fluhart informed the Planning Commission that the County's Flood Ordinance will need to be amended and the process will need to begin in November 2014.

6. OLD BUSINESS

A. Planned Unit Development District Regulations

Mr. Morrison requested that the Planning Commission schedule a public hearing on this matter for October 8, 2014.

On a motion made by Mr. Silverman and seconded by Mr. Corazza, the Planning Commission voted to schedule a public hearing on the Planned Unit Development District Regulations for October 8, 2014.

7. 7:30 P.M. PUBLIC HEARING

A. Atlantic Town Center Development Corporation Conditional Rezoning

Staff announced that correspondence was received from Joan Kean of Chincoteague regarding the Atlantic Town Center Development Corporation Conditional Rezoning public hearing. Ms. Tremblay, Assistant Planner, read Ms. Kean's letter into the record. [A copy of Ms. Kean's letter may be obtained from the Planning and Community Development Department.]

At 7:30 p.m., Chairman Lumgair opened the public hearing.

Mr. Morrison presented a PowerPoint presentation on the Atlantic Town Center Development Corporation conditional rezoning request.

Chairman Lumgair opened the floor for the applicant's attorney, Mark Baumgartner, to present a PowerPoint presentation.

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Mr. Baumgartner's presentation may be viewed online at:

[http://www.boarddocs.com/va/coa/Board.nsf/files/9NUQ4U61ED20/\\$file/2014.09.10%20Atlantic%20Town%20Center%20Presentation.pdf](http://www.boarddocs.com/va/coa/Board.nsf/files/9NUQ4U61ED20/$file/2014.09.10%20Atlantic%20Town%20Center%20Presentation.pdf)

During his presentation, Mr. Baumgartner distributed a "Spreading Cost Maximizes Affordability" handout to the Planning Commission, a copy of which may be obtained from the Planning and Community Development Department.

Following Mr. Baumgartner's presentation, Chairman Lumgair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Atlantic Town Center Development Corporation Conditional Rezoning request. Chairman Lumgair read the public hearing guidelines. The following persons signed up or requested to speak:

- **Robert Tittle**

Mr. Tittle requested that the Planning Commission not approve the rezoning request and addressed multiple concerns including there not being enough jobs to support development, people are not looking to stay and buy homes here (they come to Wallops, complete their projects, and leave), the possibility that this "experiment" could go wrong, etc.

- **Ronnie Thomas**

Mr. Thomas submitted written comments that raised concerns with the application, the possibility of a failed sewer system, proffers, playground, etc. Mr. Thomas requested that the Planning Commission send this rezoning request (and conditional use permit) to the Board with a denial. [A copy of Mr. Thomas's letter may be obtained from the Planning and Community Development Department.]

- **Hayden Gordon**

Mr. Gordon submitted written comments that asked the Planning Commission to consider multiple points including Wattsville being in close proximity to Wallops; Old Mill Point and Corbin Hall are not built out; Chincoteague Island has motel accommodations, restaurants, and recreation; traffic concerns on Chincoteague Road; people come to Wallops, carry out their projects in a short period of time, and leave to go back home; etc. [A copy of Mr. Gordon's letter may be obtained from the Planning and Community Development Department.]

Chairman Lumgair closed the public hearing.

B. Town Center Utility Facility Conditional Use Permit Amendment

Chairman Lumgair opened the public hearing.

Mr. Morrison presented a PowerPoint presentation on the Town Center Utility Facility Conditional Use Permit Amendment.

Chairman Lumgair opened the floor for the applicant's attorney, Mark Baumgartner, to present if he wished. Mr. Baumgartner did not have a presentation for the Conditional Use Permit Amendment but did question what is being asked of the applicant. Mr. Morrison told Mr. Baumgartner that a site plan depicting the service location needed to be submitted.

Chairman Lumgair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Town Center Utility Facility Conditional Use Permit Amendment. The following persons signed up or requested to speak:

- **Robert Tittle**

- Mr. Tittle addressed concerns such as this affecting the surrounding community, the system possibly failing, taking away from farm land, etc.

Chairman Lumgair closed the public hearing.

Mr. Baumgartner stated that they would proffer as a condition as part of the Conditional Use Permit to add a designation of "Phase I as depicted on Development Exhibit A1" and Phase I will be proffered as the additional capacity area to be used for the development.

The Planning Commission then began its discussion of the two applications and voiced some concerns with the requests such as the need for more information, the need for an economic/market study, many unknowns, previous approval and no work being done, etc.

The Planning Commission requested the applicant to submit a market study and for a projected start-up time (including for the by-right development).

On a motion made by Mr. Roberts and seconded by Mr. Silverman, the Planning Commission voted to defer the Atlantic Town Center Development Corporation Conditional Rezoning and the Town Center Utility Facility Conditional Use Permit Amendment applications until the work session scheduled for Tuesday, September 23, 2014.

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8. NEW BUSINESS

A. **Modest Town Agricultural and Forestal District Review**

Ms. Tremblay presented a brief PowerPoint presentation on the Modest Town Agricultural and Forestal District Review and also pointed out an error in one of the parcels recommended for removal; parcel 56-A-57 (Ruth T. Kellam, Vera T. Brutton et als) should be kept in the Modest Town Agricultural and Forestal District.

On a motion made by Mr. Roberts and seconded by Mr. Picardi, the Planning Commission voted to recommend continuation of the Modest Town Agricultural and Forestal District, with parcels 70-A-114G, 70-A-98E, 70-A-80A, and 79-13-3 being removed from the District and parcel 56-A-57 being kept in the District, to the Board of Supervisors, with Mr. Onley abstaining.

9. OTHER MATTERS

Due to the time, other matters were not discussed.

10. NEXT MEETING

There is a Planning Commission work session scheduled for Tuesday, September 23, 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, October 8, 2014 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

11. ADJOURNMENT

On a motion made by Mr. Corazza and seconded by Mr. Onley, the Planning Commission voted to adjourn the meeting.

The meeting was adjourned at 9:30 p.m.

David Lumgair, Jr., Chairman

Hollis Parks, Administrative Assistant