

## **ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF JANUARY 26, 2016**

At a meeting of the Accomack County Planning Commission held on the 26<sup>th</sup> day of January 2016 in the Accomack County Administration Building School Board Office, Room 201, in Accomac, Virginia.

### **1. CALL TO ORDER**

- **MEMBERS PRESENT AND ABSENT**

**Planning Commission Members Present:**

Mr. David Lumgair, Jr., Chairman  
Mr. Spyridon Papadopoulos, Vice-Chairman  
Mr. Brantley Onley  
Mr. Lynn Gayle  
Mr. Stephen Corazza  
Mr. Roy Custis  
Mr. Leander Roberts, Jr.

**Planning Commission Members Absent:**

Mrs. Angela Wingfield  
Mr. C. Robert Hickman

**Others Present:**

Mr. Rich Morrison, Director of Planning and Community Development  
Ms. Kristen Tremblay, Assistant Planner  
Ms. Jessica Taylor, Temporary Administrative Assistant

- **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. Onley, the Planning Commission voted to adopt the agenda as a continuation of their regular meeting held on Wednesday, January 13, 2016.

### **3. DISCUSSION ITEMS**

#### **A. Discussion of Poultry Related Concerns**

Mr. Rich Morrison began the meeting by informing the Planning Commission that the Board of Supervisors had scheduled a public hearing on the Poultry Ordinance for Wednesday, February 3, 2016 at 6:00 p.m. and the meeting will be held at Metompkin Elementary School in Parksley, VA. The Planning Commission should expect that the Board will ask them to look at using properties lines in the vicinity of churches, play grounds, day care facilities, etc.

Mr. Morrison stated that the purpose of the packet at this meeting was to wrap up the body of work that the Planning Commission has done thus far. The Planning Commission, at this time, has the option to close the loop on the poultry related public health issues.

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Discussion ensued between Mr. Morrison and Planning Commission members in regard to any issues, addendums or closures that they may have.

**On a motion made by Mr. Gayle and seconded by Mr. Corazza, the Planning Commission voted to send letters of gratitude to all persons that attended or spoke at Planning Commission meetings in effort to assist in creating the proposed Poultry Ordinance.**

Mr. Gayle stated, in response to Dr. Matson's (relative and attributable risk) statement at the January 13, 2016 meeting, that when there is a risk there is also a benefit. Mr. Gayle reminded the Planning Commission that Tyson is insisting that all of their new proposed chicken houses follow the new proposed regulations.

Chairman Lumgair stated that he would like to see the information presented to Board of Supervisors added to the Accomack County Comprehensive Plan. He also noted that Dr. Matson stated that the Planning Commission should have conclusions.

Commissioners expressed concern of a rumor that the Planning Commission is working too closely with the industry. Mr. Morrison stated that the only agreement received from Tyson was that they would stay 500 feet from any adjacent homes and use a buffer, as a good neighbor policy. Mr. Morrison also stated that he will address this issue at the Board of Supervisors meeting on February 3, 2016. He also that as far as he is aware, no other counties have made these policies the law.

Mr. Gayle and Mr. Morrison entered into a brief discussion that Tyson is now insisting that all new chicken houses go by the new regulations. Mr. Morrison stated that while buffers are costly, they are not eligible to be part of the long term loan.

Mr. Papadopoulos expressed that he would like to ensure that codes and the ordinance are kept at a good minimum; he believes that they are good for now as Dr. Matson has affirmed what the Planning Commission as done this far. He would like to have more clarification on how litter fires will be addressed in emergency situations (accountability of persons). Chairman Lumgair responded that the ordinance will clearly state that five (5) acres is required per house, to ensure that there is enough area to spread the litter in the event of a fire. Mr. Papadopoulos requested that the ordinance also state the reasoning of why the five (5) acres per house is required. Commissioners and Mr. Morrison entered into a brief discussion on the fire company's authority and jurisdiction in the event of a litter fire and how they believe that a litter fire would be best managed.

Mr. Custis expressed that he would still like to see setbacks from property lines instead of buildings.

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Chairman Lumgair briefly discussed Avian Influenza stating that there is already an Action Plan in place, so the need to worry is not there. The transmission from bird to human is a risk, but has only occurred in a few cases; the issue should be monitored. He reiterated that Dr. Matson had mentioned a concern of those working and living on the property with the chicken houses, but that is not something for the Planning Commission to include in the ordinance as there is no serious occurrence at this time.

The Planning Commission came to the agreement that they should revisit health concerns, complaints (with responses) yearly. Mr. Gayle stated that some complaints can be filed with the Agricultural Stewardship Act Program as they may fall under their jurisdiction which is administered by Virginia Department of Agriculture and Consumer Services (VDACS).

Commissioners and Mr. Morrison entered into discussion in regard to ensuring that information from the ordinance is presented to clear public perception. Mr. Corazza proposed the idea to request that the Board of Supervisors summarize the new ordinance in their newsletter.

Mr. Roberts asked about the trucking of litter in the case that there becomes an issue with adequate land space. Mr. Morrison responded that the Eastern Shore has plenty of land for litter to be spread and should a problem arise, the litter may be trucked elsewhere.

Chairman Lumgair requested that 'Potential Action Items' on Page 5 of 5, be changed to 'Action Items'.

The Planning Commission agreed that the ordinance has a good balance of protecting agricultural and residential land.

Discussion ensued in regard to the County's Comprehensive Plan and the Poultry Ordinance. It was agreed upon that report prepared by staff and possibly, at a later date, the Comprehensive Plan will include a more in depth Poultry section. It would requested that staff also include some of the information that has been collected in favor of having the poultry industry in Accomack County and how much of a critical role this industry plays.

Discussion then ensued about incentives that may be provided to add buffers to existing poultry farms. The Planning Commission agreed that this discussion can continue at a later date.

The Comprehensive Plan and incentives will be a part of the Planning Commission's next step to the Poultry Ordinance.

Mr. Papadopoulos requested that staff attempt to reach out to Virginia Tech's Agriculture Department again.

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It was requested that staff attend a 'Land and Litter' meeting to gain more information on an additional 'Mass Balance Study' which will look into manure application on the land.

Mr. Morrison informed the Planning Commission that Virginia Institute of Marine Science (VIMS) has expressed interest in sending agents to do a study on environmental concerns of litter entering into streams.

Commissioners reviewed the list of items that they would like to review at the yearly meeting, those items include: monitoring of industry trends, health concerns, complaints and responses.

Staff agreed to prepare a draft report with conclusions and actions on the front. Staff will also prepare an Executive Summary with attachments.

Finally, Mr. Morrison informed the Planning Commission that the Board of Supervisors has tasked them with a piece of the Joint Land Use Study (JLUS) addressing the overlay issue. A brief discussion was held in which Mr. Morrison stated that the Board of Supervisors did approve a staff of seven (7), this does not include the one alternate, for the Accomack Wallops Working Group (AWWG).

#### 4. NEXT MEETING

The next regular Planning Commission meeting is scheduled for Wednesday, February 10, 2016 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

The next Planning Commission work session is scheduled for Tuesday, February 23, 2016 at 7:00 p.m. in the School Board Conference Room, Room, 201, in Accomac.

#### 5. ADJOURNMENT

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

The meeting was adjourned at 8:59 p.m.

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David Lumgair, Jr., Chairman

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Jessica Taylor, Temporary Administrative Assistant