

## Accomack County Planning Commission Minutes of January 24, 2012

Virginia: At a work session of the Accomack County Planning Commission held on the 24<sup>th</sup> day of January 2012, in the Accomack County Administration Building Board Chambers, Room #104, Accomac.

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

#### **A. MEMBERS PRESENT AND ABSENT**

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

Mr. George Parker, Vice-Chairman

Mr. Leander Roberts

Ms. Toni Trepanier

Mr. C. Robert Hickman

Mr. Alan Silverman

Mr. Tony Picardi

Mr. Pete Onley

Mr. David Lumgair

##### **Members Absent:**

Mr. E. Phillip Hickman, Chairman

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

Mr. Rich Morrison, Director of Planning and Community Development

Mr. Robert Testerman, Land Use Planner

Ms. Hollis Fate, Administrative Assistant

#### **B. DETERMINATION OF QUORUM**

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

### 2. **ADOPTION OF AGENDA:**

**On a motion made by Mr. Roberts and seconded by Mr. Lumgair, all present Commissioners voted Aye to adopt the Agenda.**

### 3. **REVIEW OF THE RESIDENTIAL ZONING DISTRICT**

Maps showing incorporated and unincorporated towns and residential zoning were distributed to the Commissioners.

Mr. Morrison asked the Commission if they would want to look into limiting uses for rural areas that are outside of the incorporated and unincorporated towns. He suggested defining areas that would be eligible for special and conditional use permits.

The Planning Commission began discussion on the Draft Accomack County Residential "R" Zoning District Amendment dated November 10, 2010:

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### Sec. 106-76. Statement of intent.

“Such a residential district should be composed chiefly of single-family dwellings, some multiple family dwellings, together with necessary recreational, religious and educational facilities. Home occupations should be limited along with transient residential uses such as boarding houses and tourist homes, *public safety facilities, and other public uses.*”

Mr. Lumgair asked what the County does about several families living in one house.

Mr. Morrison said he needed to discuss that matter with Mr. Fluhart, the Building and Zoning Administrator.

### Sec. 106-77. Uses permitted by right.

Mr. Silverman began discussing number (11) *Small wind energy systems, as defined, on lots one acre or greater in size.* He believes that they are too noisy and he thinks it should be stricken from the ordinance.

Mr. Picardi thinks that eliminating small wind energy systems by right is going a bit far.

Mr. Silverman said wind energy systems take away the noise of nature and believes that some appropriate noise standards need to be created.

Mr. Picardi stated that keeping them permitted by right with certain minimum setbacks may be a better approach.

**Mr. Roberts motioned, seconded by Mr. Silverman to withdrawal small wind energy systems from Sec. 106-77. Uses permitted by right and place it into Sec. 106-78. Special exceptions – special use permits.**

### **Vote:**

**Ayes: Trepanier, Roberts, Silverman, Lumgair**

**Nays: C. Robert Hickman, Onley, Picardi, Parker**

Mr. Silverman began discussing stricken number (7) ~~Public utilities: poles, lines, distribution transformers, pipes, meters and other facilities necessary for the provision and maintenance of public utilities, including water and sewage facilities;~~ *Utility distribution facilities.* He read the definition of utility distribution facilities as “...other minor facilities for the distribution of utilities.” His concern with that is “minor” is not defined; he feels that with the lack of the definition, the size and scale of the facility would be at the discretion of the company or cooperative.

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Discussion of what the definition of a public utility is took place. Mr. Morrison told the Planning Commission that he would do research and find what qualifies for a public utility.

Mr. Picardi asked about number (10) Accessory uses as defined; he wanted to know what the definition is. Mr. Morrison said he would research that as well.

### Sec. 106-78 Special exceptions – Special use permits.

Mr. Robert Hickman began discussing number (6) Mobile homes, *as defined (built before June 15, 1976)*. (see section 106-231, “mobile home parks”). His question was what happens after 1976 and Mr. Morrison replied that after 1976 it becomes a use by right.

Mr. Robert Hickman also thinks that number (6) b4. ~~Approved by the electrical inspector~~ needs to stay as part of the text.

Mr. Parker initiated a discussion on number (4) Docks and areas for the receipt, storage and shipment of waterborne commerce; and number (5) Seafood and shellfish receiving, packing and shipping plants. His concern is the activity, lights, and noise; should this be included as part of Sec. 106-79. Conditional uses/permits?

Mr. Morrison pointed out that in some of the County’s waterfront towns, the seafood business is crucial and in some cases, these towns are zoned residential.

Mr. Robert Hickman suggested having special use permits go before the BZA and conditional use permits continue to go before the Planning Commission and Board of Supervisors.

Mr. Picardi thinks that numbers (7) Retail stores and shops including storage facilities; number (8) Office buildings; number (9) Health care facilities; number (10) Mobile home-parks in which lots are rented or sold; number (~~11~~ 12) Apartment houses; number (~~12~~ 13) Banks; number (~~13~~ 14) Dry cleaners; number (~~14~~ 15) Laundries; and number (~~15~~ 16) *Bed and breakfast inns*, hotels, motels and tourist homes be moved from Section 106-78. Special Exceptions – Special use permits to Section 106-79. Conditional uses/permits.

Mr. Silverman stated that he thinks adding restaurants to this section would be a good idea.

Mr. Silverman began discussing number (19) *Small wind energy systems, as defined, on lots less than one acre in area*. In his opinion, this item needs to be stricken because it is not appropriate for residential areas.

Mr. Parker said there is a history with this matter; it was put in for a reason. He said he will conduct some research and report back to the Commission.

It was brought to staff’s attention that a more recent version of the Draft Accomack County Residential “R” Zoning District Amendment exists that is dated March 1, 2011. This will be distributed to the Planning Commission in the next meeting packet.

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**4. NEXT MEETING:**

The next regular Planning Commission meeting is scheduled for Wednesday, February 8, 2012 at 7:00 P.M. in the Accomack County Board Chambers, Accomac.

**5. ADJOURNMENT:**

**On a motion made by Mr. Picardi, all present Commissioners voted Aye to adjourn the meeting.**

Vice-Chairman Parker adjourned the meeting at 9:00 p.m.

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George T. Parker, Vice-Chairman

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Hollis Fate, Administrative Assistant