

REGULAR COUNCIL MEETING

A G E N D A

TOWN OF CHINCOTEAGUE

March 5, 2012 - 7:00 P.M. - Council Chambers - Town Hall

CALL TO ORDER

INVOCATION BY COUNCILMAN T. HOWARD

PLEDGE OF ALLEGIANCE

PRESENTATION

OPEN FORUM / PUBLIC PARTICIPATION

STAFF UP-DATE

AGENDA ADDITIONS/DELETIONS AND ADOPTION:

1. Consider Adoption of the Minutes
 - Council Workshop Meeting of January 31, 2012 (Page 3 of 71)
 - Regular Council Meeting of February 6, 2012 (Page 6 of 71)
 - Special Council Meeting of February 28, 2012 (Page 15 of 71)
2. Downtown Rehabilitation Project (Phase 2A) Briefing by Conrad Bros, Inc. (Mr. Charles Hill)
3. Chincoteague Cultural Alliance Presentation and Grant Request (Mr. Bob Behr) (Page 18 of 71)
4. Beach Access Committee Update (Mayor Tarr)
5. Discuss the Additional Comments from the Zoning Amendment (Page 22 of 71)
The following may require a motion:
 - Possible Motion on any Potential Changes to Draft Zoning Amendment
 - Possible Motion on the Draft Zoning Ordinance with Potential Changes Above
6. Public Safety Committee Report of February 7, 2012 (Mayor Tarr) (Page 67 of 71)
7. Recreation and Community Enhancement Appointments (Page 70 of 71)
8. Mayor & Council Announcements or Comments
(Note: Roberts Rules do not allow for discussion under comment period)

ADJOURN:



Certificate of Special Recognition

presented to

Mr. Fred Gers

Whereas, congratulations and citations are in order for Mr. Fred Gers for heroically saving the life of a victim floating face down in Assateague Channel in August 2011; and

Whereas, a life was saved because of the skillful and caring response by Mr. Gers as the victim had fallen off another boat and was seconds from drowning; and

Whereas, this courageous action in averting what could have been a tragic loss to family, friends, and community was a act of heroism which deserves special recognition by the Town Council of the Town of Chincoteague;

Now, Therefore, I, John H. Tarr, Mayor, the Members of the Town Council and the citizens of Chincoteague, hereby extend to Mr. Fred Gers our sincere appreciation for his heroic action.

Dated this 5th day of March 2012.

John H. Tarr, Mayor

MINUTES OF THE JANUARY 31, 2012
CHINCOTEAGUE TOWN COUNCIL WORKSHOP

Council Members Present:

John H. Tarr, Mayor
John H. Howard, Councilman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
Terry Howard, Councilman

Council Members Absent:

Nancy B. Conklin, Councilwoman
Ellen Richardson, Vice Mayor

CALL TO ORDER

Mayor Tarr called the meeting to order.

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

There was no motion as there was no quorum at this time.

1. Discuss Downtown Redevelopment & Transportation Enhancement Grant and Bid Proposal

Mrs. Kat Edwards began by explaining the process stating that the funds needed to be pledged from the Town. She stated that it's because items couldn't be taken out of the contract they also can't negotiate changes in the contract.

Mr. Clay Massey feels that some of the bid items were underestimated. He explained that there were two competitive bidders. He advised they went through each line item with the contractors and there were a few things that were underestimated such as storm drainage. He continued to review other underestimated items in the bid package. Mr. Massey stated he was personally confident that the two bidding companies were competent. He feels that they need to sit down and iron out the discrepancies.

Mayor Tarr mentioned a timeline for the approval from VDOT and for the contractors who will come in and set up to do the work.

Mr. Massey and Mrs. Edwards reviewed the timeline. They discussed the percentages that the bids were over. They also discussed the possibility of putting in a change order to bring the bid down.

Council asked about negotiating costs after the acceptance of the bid.

Mrs. Edwards advised that once the bid is awarded, the Town can take out some items as long as it doesn't affect VDOT's priorities with the underground utility work.

Questions were raised about eliminating additional costs at a later time.

Discussions continued about the utilities, the relocation of those utilities and associated costs giving percentages of the bid and budget.

Mayor Tarr expressed his concerns that VDOT will not approve change orders.

Mrs. Edwards tried to reassure Council. She added that the two bidders are very close and both very reputable.

Council was concerned because they were unable to vote as there wasn't a quorum as Mr. J. Howard was not in attendance at this point in the meeting.

Mayor Tarr feels the cost of the conduit system is too expensive.

Council further discussed the system and awarding the contract.

Councilman J. Howard joined the meeting at 10:35 a.m.

Mrs. Edwards brought Councilman J. Howard up to speed. She advised that in order for the bids to be considered the Town would have to vote and write a letter pledging to commit the funds needed to complete the project. She stated, they are asking the Town to do this based on the fact that they know there are items they are planning to take out of the contract that would take those additional funds. She mentioned removing the part of the project putting all the utilities underground. She again stated that they are recommending the low bidder. The contractor is willing to discuss the underestimations and the Town's desire to move forward as quickly as possible. She added that the Town will agree to take items out of the contract that will not affect VDOT's approval.

Councilman J. Howard discussed moving the utilities. He mentioned a couple of ideas. He asked if every Town has to bear the burden of the funds.

Mrs. Edwards responded that every Town she has worked with is willing to do what they can.

Discussion continued and Councilman J. Howard asked about the 20 feet right-of-way through the Downtown Main Street area. He is concerned about the bump-outs and larger vehicles passing through.

Councilman Jester motioned, seconded by Councilman Muth to approve the funding to continue with the project at this time. Motion Carried.

Ayes: T. Howard, J. Howard, Muth, Jester

Nays: None

Absent: Conklin, Richardson,

There was further discussion regarding the change order to do away with the conduit system and other potential cost reductions.

Mayor Tarr asked for a contact person for the preconstruction meeting.

Mrs. Edwards thanked Council and advised she would arrange the preconstruction meeting.

Adjourn

Councilman T. Howard motioned, seconded by Councilman Muth to adjourn. Unanimously approved.

Mayor

Town Manager

MINUTES OF THE FEBRUARY 6, 2012
CHINCOTEAGUE REGULAR TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
John H. Howard, Councilman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
Terry Howard, Councilman

Council Members Absent:

Nancy B. Conklin, Councilwoman

CALL TO ORDER

Mayor Tarr called the meeting to order at 7:00 p.m.

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

PRESENTATION

Mr. Gary Dillon of the Department of Criminal Justice Services presented a formal plaque from the Virginia Law Enforcement Professional Standards Commission that read; "Certificate of Accreditation, This document certifies that the Town of Chincoteague Police Department came before the Virginia Law Enforcement Professional Standards Commission on January 12, 2012, and has met the requirements set forth by the said commission, and is, therefore, certified as an Accredited Agency for a period of four years "Initial Award"."

Mayor Tarr presented a plaque to Chief Edward Lewis which stated:

"Award of Special Recognition; Presented to the Chincoteague Police Department; On The Occasion of Receiving Law Enforcement Accreditation. The Chincoteague Police Department has demonstrated their Commitment and Professionalism in attaining this Distinguished Achievement. On Behalf of the Town Council and The Citizens Of Chincoteague, I Award This Special Recognition to the Police Officers and Staff for Continued Dedication to this Community. February 6, 2012"

Mayor Tarr also presented a letter of recognition to Chief Lewis for his effort in obtaining the accreditation and advised that this letter would go into his official personnel file.

OPEN FORUM/PUBLIC PARTICIPATION

Mayor Tarr opened the floor for public participation.

- Supervisor Wanda Thornton spoke on the County reassessment. She mentioned that the percentage of other parts of the County assessments would be going down more than the percentage of the Island. She stated that the taxes for everyone on the Island will be going up. She also stated that the County Board of Supervisors will be voting soon on the proposed fire tax from the Fire Commission by adding 3 cents per hundred to the Real Estate Tax and 5 cents to personal property tax.

- Dean Orsino, Vice President of the Chincoteague Volunteer Fire Company, read a letter on behalf of the CVFC:

January 30, 2012

Accomack County
Board of Supervisors
Laura Bell Gordy
Accomac, VA 23301

Dear Madam Chairwoman:

As we prepare to divulge the recent vote by the Accomack County Fire Commission to add a three (03) cent fire tax to Chincoteague and raise our personal property taxes by five (05) percent we thought it best to share with you some of the things this company has already done for our sister companies around the County: For starters we gave New Church two rescue trucks, Saxis, a fire truck and ambulance, to Atlantic, loaned one of our fire trucks and gave them a donation for working at our carnival. In the town of Bloxom, we started them off in the ambulance service business by giving them an ambulance. Parksley has been the biggest recipient of our generosity by having one of our fire trucks on loan for over a year and a half, two separate donations in 2011 totaling \$3,400.00 and for at least two years a \$15,000.00 donation for working the sticky apple & cotton candy stand at our carnival. We have never denied a request from a sister company of anything they have asked for.

We have been a contributor to the North Accomack Little League for over thirty years, sponsoring one of the teams and providing manpower to repair fields for play. We sponsor Accomack County Schools by sponsoring Chincoteague Elementary and High School Beta Clubs for their annual trip to Richmond. That is a donation of over \$3,600.00 each year. We sponsor the Chincoteague Youth Football Program that has the majority of its team being Accomack County residents' kids. Nothing the youth of the Island or County asks for is denied by our membership. We have a scholarship program that funds at least three graduates of Chincoteague High School each year for the first three years of their college. Each year at our annual auction we donate the cost of one of the colts to a charitable organization, i.e. The American Cancer Society, Hospice Care of the Eastern Shore, and Children's Hospital of the King's Daughters just to name a few. We are discussing at this time among the decision makers of the company to give back the \$20,000.00 we get from Accomack County and ask to give that money to Saxis to help with their shortfall.

In closing, we work hard for our money and because we are so blessed with support for our endeavors we are able to give something back. If we see we are going to come up short on a project, we roll up our sleeves and go work for it. With all this said, please understand that we are not in favor of taxing Chincoteague Island with a fire tax. We are still able to support our citizens without the burden of, yet, another tax. We ask you to vote NO to option 4, and not strap the citizens of Chincoteague with more financial responsibilities.

Respectfully,

The Officers and Members
Chincoteague Volunteer Fire Company

- Deborah Ullmann of North Main Street, stated that Mr. Spiro Papadopoulos has done a good job with the Wastewater Advisory Committee. She also stated several reasons why it would not be a good idea to hook up folks with possible failing system in the downtown commercial area with a local developer.

STAFF UPDATE

A Staff Report for January 2012 was presented to Council.

The Town Planner Neville presented Council with his report and asked if anyone had any questions. There were none.

Public Works Director Mr. Spurlock advised that the staff report was now being presented in a written format. He noted that most of the projects listed have been or was very near completion. The Public Works Department is gearing up for the summer season.

Mr. John Howard requested additional details on the Town's involvement in the VDOT, Church St. Realignment Project.

Public Works Director Spurlock provided the requested information.

Councilman T. Howard asked if there were plans to install a guardrail on Eastside Road near its intersection with Wayne Road.

Public Works Director Spurlock explained that the side had been evaluated by the guardrail company that had been working on the causeway. It was determined there was insufficient space to install a VDOT approved guardrail. VDOT's safety department has been contacted to determine if other options are available and/or required.

Town Manager Ritter advised that Emergency Medical Staff responded to 63 calls in the month of January, 14 more than January of 2011. Staff was been busy getting ready for the Trolley Audit required by DRPT. An auditor from Cherry, Bekaert & Holland, LLP, come today to audit the books for the Trolley funds. There were no findings. Town Manager Ritter advised that Transportation Manager Van Dame has done a great job.

Town Manager Ritter also reported that the Town recently received supplemental tax billing from the County and hope to mail them in a couple weeks. He reported on the ESVBA, Broadband update. He advised that the contractor has completed installation of the fiber on the Island except some terminal points. They still have to pull the fiber through the conduit for the Fish and Wildlife Service. He advised he will be going to the Virginia Local Government Managers Association (VLGMA) February 15, 16, & 17, 2012. The workshop for February has been canceled as there were no items for the agenda. The Town will work on the fiscal year 2013 budget to be handed out on or before April 1st. He also reported that staff has been working on the Business License renewals.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to adopt the agenda as presented. Motion carried

Ayes- Jester, T. Howard, J. Howard, Richardson, Muth

Nays- None
Absent- Conklin

1. Consider Adoption of the Minutes

- **Regular Council Meeting of January 3, 2012**
- **Council Workshop Meeting of January 19, 2012**
- **Council Special Budget Workshop of January 24, 2012**

Councilman T. Howard asked that the excerpt that Mr. Spiro Papadopoulos presented to council at the Regular meeting of January 3 be included in the final minutes.

Councilman J. Howard motioned, seconded by Vice Mayor Richardson to adopt the minutes with the additional information to be included in the January 3, meeting minutes. Motion carried.

Ayes-Jester, T. Howard, J. Howard, Richardson, Muth

Nays-None

Absent- Conklin

2. Eastern Shore Virginia Broadband Authority Update

Mr. Nick Pascaretti gave Council an update on the Broadband project known as the Chincoteague Network Construction. He stated that 99% of the fiber has been placed. The remaining piece is to the Refuge. The contractor needs to bore from one side of the road to the other to reach the conduit that was placed by the Refuge and then the fiber can be installed. Fiber is being spliced now and that is approximately 90% complete. There are active customers on the network now being served by ESVBA and others. Fiber optic splicing work at the old jail is complete.

He reported that the ESVBA is serving Rural Health offices downtown and the ANEC substation. The schools are connected and the Town office has been installed and will be served by ESVBA. He added that ESVBA has received a request for information from a carrier regarding service to Associated Insurance on Maddox as well. They will also serve any customers who request their service. The ESVBA Internet product offering is for dedicated and symmetrical internet access. This service is comparable to Verizon's T1 service which typically costs approximately \$800 to \$1200 per month. However, the ESVBA service is not comparable to Verizon's DSL service, which is typically used by residential and small business customers.

3. Financial Report Presentation by Robinson, Farmer, Cox Associates

Mayor Tarr introduced Mr. Aaron Hawkins from Robinson, Farmer, Cox who presented an overview of the Town's Fiscal Year 2011 audit. Mr. Hawkins highlighted key areas in the audit and showed no discrepancies. The audit firm was grateful for the help from staff.

There were no questions from Council concerning the report.

Mayor Tarr thanked Mr. Hawkins.

4. Public Hearing on the Zoning Ordinance Amendment

Mayor Tarr opened the public hearing and requested a brief presentation by Staff.

Town Planner Neville reviewed the planning process that led up to the public hearing including the recommendations of the Planning Commission and a summary of the public comments received to

date. Comments received from the public prior to the hearing were provided to Council members in a handout. Additional public comments were given as follows:

- Bruce Hamilton, Unit #3 Fiddler Bay Townhomes, expressed concern over the proposed zoning of Salt Marsh to the C-4 Resort Commercial District.
- Peggy Thomas, Eastside Road, requested information to confirm that there would be no change to the C-1 Commercial and R-3 Residential zoning of her property.

Town Planner Neville stated that the zoning district boundaries would be the same and offered to meet her at the Town Office to answer any questions.

- Larry Whitlock, Owner of 'Island Village' subdivision on North Main Street, stated that his 17.5 acre property was 70% uplands. He asked if the Town Council would add a 'grandfather clause' to the zoning district regulations for existing subdivisions. He also requested that the proposed R-4 Resort Residential District would apply to his entire property including the existing lots that have frontage along Main Street (currently zoned R-2 Residential).
- Inga Veneziano, Piney Island resident, opposed the proposed C-4 Resort Commercial zoning of the marsh along both sides of Beach Road leading to the Refuge.
- Jim Rauth, Marsh Island resident and representative of Marsh Island property owners association, supports the proposed zoning change from C-1 Commercial to R-3 Mixed Use Residential. He requested that the Town Council consider changing the Public Piers and Boat Ramps use in the R-3 district from the permitted list to the special permit list. His concerns were for potential conflicts of parking, trailer storage and traffic conflicts on the new bridge spur if a commercial pier or marina was permitted without adequate review by the Town.
- Jane Turlington, Herbie's Lane resident, requested information regarding the proposed zoning of her property to make sure there was no change.

Town Planner Neville stated that the R-3 Mixed Use Residential zoning would be the same with a change to the district regulations making mobile homes and mobile home parks a special use approval rather than permitted by right.

Mayor Tarr asked if there were any other speakers wishing to be heard. There were none. The public hearing was closed, however the public record will be kept open as advertised for 25 days for the submission of additional written comments.

5. Public Hearing on the Possible Budget Amendment

Mayor Tarr opened the public hearing at 8:41 p.m.

There were no comments.

Mayor Tarr closed the public hearing at 8:42 p.m.

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to approve the budget amendment as presented. Motion Carried.

Ayes - Jester, T. Howard, J. Howard, Richardson, Muth

Nays - None

Absent – Conklin

BUDGET AMENDMENT FY'12

NAME	TYPE ACCT	ORIGINAL BUDGET	AMENDED BUDGET
<u>GENERAL FUND 10</u>			
TRANSFER FROM LGIP GENERAL FUND SAVINGS	REVENUE	14484	109670
SRTS GRANT	REVENUE	0	205840
ATTORNEY/LEG CONSULTANTS	EXPENSE	50600	81200
OLD ELEMENTARY SCHOOL GYM	EXPENSE	5000	33000
PARKS & RECREATION EXPENSE	EXPENSE	12375	36161
TRANSFER TO TROLLEY FUND	EXPENSE	23200	36000
SRTS PROGRAM PROJECTS	EXPENSE	0	205840
<u>MAIN STREET FUND 20</u>			
TEA-21 GRANT MAIN ST	REVENUE	197558	476558
MAIN STREET PROJECT	EXPENSE	231652	510652
<u>TROLLEY FUND 70</u>			
TROLLEY GRANTS	REVENUE	45200	352400
TRANSFER FROM GENERAL FUND	REVENUE	23200	36000
TROLLEY PURCHASE	EXPENSE	0	320000

6. Public Works Committee Report of January 4, 2012

Mayor Tarr presented Council with the Public Works Committee meeting report; at which time there were no comments.

7. Recreation & Community Enhancement Committee Report of January 10, 2012

Councilman Jester reviewed the work program of the Island Activity Center and discussed the draft rules and guidelines. He also reviewed the possibility of adding a member of the Garden Club to the Recreation & Community Enhancement Committee. He reported that there were two action items Council wanted to discuss, one being the Committee Appointments and the other being Rules and Guidelines of the Island Activity Center.

Councilman Jester motioned, seconded by Councilman Muth to add an additional member to the Recreation and Community Enhancement Committee. Motion Carried.

Ayes: Jester, Muth, T. Howard

Nays: J. Howard, Richardson

Absent: Conklin

Councilman T. Howard motioned, seconded by Councilman Jester to adopt two year term limits for the Recreation and Community Enhancement Committee. Motion Carried.

Ayes: Jester, Muth, T. Howard, J. Howard, Richardson

Nays: None

Absent: Conklin

Town Manager Ritter will review the two year terms with the Committee. This matter will be brought back to Council at the next regular meeting in March. The rules and guidelines were also discussed.

Vice Mayor Richardson requested something official allowing the Coast Guard to use the Island Activity Center three times per week in the mornings to show the Town's appreciation for the hard work that they put into helping renovate the Island Activity Center.

The rules and guidelines were discussed in great length with the major issue of whether to allow citizens to reserve to Island Activity Center for the purpose of running a business.

Town Manager Ritter advised that it would be a service to the Committee if self-defense was taught at the facility. He also mentioned that currently staff would like to keep the rules and guidelines fluent and should an issue arise that needs to be addressed changes can be made. This is currently the best way to run the facility, since we have never been in the business of having a gym.

Council agreed to allow staff to make the necessary changes, should an issue arise by calling them Rules and Guidelines.

8. Ordinance Committee Report of January 12, 2012

Councilman T. Howard gave Council a report of the recent Ordinance Committee meeting. He stated that the Committee reviewed the Town Charter and did not see anything that was significant to report back to Council. He advised that his original intent to review the Charter was to review what is declared a regular council meeting. He also stated that he does not feel that the Town should call two regular Council meetings per month unless the Ordinance is changed. He advised that the next Ordinance Committee meeting will be February 21, 2012, at 5:00 p.m.

9. Possible approval of a Bid on the Demolition of Unsafe Structures on a Property

Town Manager Ritter reported that on January 9, 2011 and January 16, 2011, staff advertised the notice for bids for the demolition of an unsafe structure belonging to James Berry on Mumford Street. He stated that on January 31, 2012, the Town received two.

The bids are as follows:

- | | | |
|----|---------------------------------|------------|
| 1. | Allen Clark Construction | \$3,995.00 |
| 2. | Adams General Contractors, Inc. | \$7,800.00 |

After reviewing the bids, staff made the recommendation to Council to accept the low bid of \$3,995.00 from Allen Clark Construction.

Councilman Muth motioned, seconded by Councilman Jester to approve the award to the lowest responsive bidder, Allen Clark Construction, for \$3,995.00 to complete the demolition of the dwelling and the garage of James Berry, located at 6306 Mumford Street. Motion carried.

Ayes: Muth, T. Howard, Richardson, Conklin, Jester

Nays: None

Abstain: J. Howard

Absent Conklin

10. Mayor's Ball Donation

Mayor Tarr asked Vice Mayor Richardson to preside over the meeting so that he could excuse himself to make a donation to the Town from the Mayors Ball.

Mayor Tarr presented the Town with a donation in the amount of \$22,000 that was raised from the Mayor's Ball for the purpose of Beach Access and Replenishment. He requested that the money go into a fund for the Beach Access Committee to advise Council of the proper use of the funds.

11. Mayor & Council Announcements or Comments

There were no comments from Council

12. Closed Meeting in Accordance with Section 2.2-3711(A)(1) of the code of Virginia

- **Personnel Matters**

Councilman T. Howard moved, seconded by Councilman J. Howard to convene a closed meeting under Section 2.2-3711(A)(1) of the Code of Virginia to discuss personnel matters. Motion carried.

Ayes- Jester, T. Howard, J. Howard, Richardson, Muth

Nays- None

Absent- Conklin

Vice Mayor Richardson moved, seconded by Councilman Jester to reconvene in regular session. Motion carried.

Ayes- Jester, T. Howard, J. Howard, Richardson, Muth

Nays- None

Absent- Conklin

Vice Mayor Richardson moved, seconded by Councilman Muth to adopt a resolution of certification of the closed meeting. Motion carried.

Ayes- Jester, T. Howard, J. Howard, Richardson, Muth

Nays- None

Absent- Conklin

WHEREAS, the Chincoteague Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A)(1) of the Code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from

open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

VOTE: Ayes- Jester, T. Howard, J. Howard, Richardson, Muth
Nays- None
Absent- Conklin

Adjourn

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to adjourn. Motion carried.

Ayes- Jester, T. Howard, J. Howard, Richardson, Muth
Nays- None
Absent- Conklin

Mayor

Town Manager

MINUTES OF THE FEBRUARY 28, 2012
CHINCOTEAGUE SPECIAL TOWN COUNCIL MEETING

Council Members Present:

John H. Tarr, Mayor
Ellen W. Richardson, Vice Mayor
Nancy B. Conklin, Councilwoman
John N. Jester, Jr., Councilman
Tripp Muth, Councilman
Terry Howard, Councilman

Council Members Absent:

John H. Howard, Councilman

CALL TO ORDER

Mayor Tarr called the meeting to order at 9:00 a.m.

INVOCATION

Councilman T. Howard offered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Tarr led in the Pledge of Allegiance.

AGENDA ADDITIONS/DELETIONS AND ADOPTION

Councilwoman Conklin motioned, seconded by Vice Mayor Richardson to adopt the agenda as presented. Motion carried.

Ayes: Conklin, Richardson, Muth, T. Howard, Jester

Nays: None

Absent: J. Howard

1. Discuss the Department of Recreation and Conservation, Land and Water Conservation Fund (LWCF) Grant for the Downtown Newly Purchased Property.

- **Possible determination of the design for the area.**
- **Possible motion to fund Land Studio Professional Corporation to design the Park area for the purpose of writing the grant.**

Mrs. Kat Edwards explained that the grant deadline of March 15th is the reason for the short notice of the Special Council meeting. She also explained that funding is available through Land and Water Conservation fund and the Town has used this fund before in the Robert N. Reed Downtown Waterfront Park along with the Veteran's Memorial Park. She advised that the sub-consultant, Land Studios, for the Streetscape Project met on the new lot last week and gave some possibilities.

Mayor Tarr stated that Council needs to decide whether they want to pursue this project and grant. He advised this is a 50/50 match and the maximum award is \$100,000, which means the maximum match could be \$100,000 minus any in-kind services that the Town provides. He also added that the Land Studios Services could come out of this fund also.

Mrs. Edwards added that this is a three-year reimbursement grant. She advised that the Town would have to budget the funds and could be done over the next three years. She also stated that

construction will not take three years but they will have three years to complete the project. She explained options such as engineering in the first year but will have three years to use the money.

There was discussion about Bridge Street and the potential project.

Town Manager Ritter showed Council pictures.

Mayor Tarr stated that first, Council needs to decide if they want to move forward with the grant and second, there will be a meeting Thursday with Land Studio to review and gather ideas.

Councilman Jester feels they should pursue the project as it is an asset to the community.

Councilman T. Howard feels they should go forward with the investment that's already been made.

Councilman Jester motioned, seconded by Councilwoman Conklin to move forward with the DCR Grant. Motion Carried.

Ayes: Jester, Conklin, T. Howard, Muth, Richardson

Nays: None

Absent: J. Howard

Mrs. Edwards asked if Council wanted her to come back March 5th with a blank resolution to move forward.

Mayor Tarr asked staff to review the resolution.

Mrs. Edwards explained that in Exhibit 1 the consultant explained that this is based on function and 2a is based on function plus form. She explained the plan to Bridge Street and utilizing the Kiwanis parking lot.

Mayor Tarr stated that he is a little confused after leaving the site because the parking lot has been included in all the drawings.

Town Manager Ritter stated that in Exhibit 2a it shows the potential for 7 cars within the radius along with a fire truck.

There was discussion about the parking lot, parking along Bridge Street and a kiosk.

Mr. Ron Halbert, with the Chincoteague Kiwanis stated that the Medical Center does not like the plan of ingress and egress to their parking lot. He stated that when there are events this parking lot and the Medical Center's parking lot are filled. He doesn't feel this is a good solution for the Medical Center. He discussed the landscaping, but reiterated the discord of using the parking lot for ingress and egress.

There was further discussion as to the placement of the kiosk and the turn radius along with parking placement.

Mayor Tarr announced the meeting Thursday to review the designs.

Council continued to review and discuss the designs with creative ideas and possible changes. Mrs. Edwards further added that the funds are for Park development and if Council wanted to broaden the project area into the existing Park it is allowed.

Councilman T. Howard asked about parking on Bridge Street.

Mayor Tarr and Mrs. Edwards explained Exhibit 1 and the parking plans.

Council discussed possible changes to Exhibit 1.

Mrs. Edwards reviewed the list of requested changes: 2-way traffic on Bridge Street, the Bridge Street entrance to the Kiwanis parking lot will be proposed to close off, run a sidewalk on the Kiwanis side all the way out to the pier, the bridge arm, cab and kiosk down toward the end, add something to close off the area, replace the Jersey barriers with the dropdown gate, leaving the Sundial Books area for emergency access and sidewalk to the parking lot, parking spaces on Bridge Street and parking spaces part way into the lot, add some grills and not necessarily a covered area and possibly another small covered area.

Town Planner Neville stated that he feels this was a very good discussion to make good use of Bridge Street. He would like to see a shared use with the Kiwanis lot.

Town Manager Ritter suggested a 1:30 p.m. meeting on Thursday to discuss the project ideas.

Mrs. Edwards asked if she should invite the stakeholders to the next meeting.

Mayor Tarr advised she should.

Adjourn

Councilman T. Howard motioned, seconded by Vice Mayor Richardson to recess the Special Council meeting until Thursday, March 1st, 2012 at 1:30 p.m. Motion carried.

Ayes: T. Howard, Richardson, Conklin, Muth, Jester

Nays: None

Absent: J. Howard

Mayor

Town Manager



Chincoteague Cultural Alliance

PO Box 257, Chincoteague Island, VA 23336
www.ChincoteagueCulturalAlliance.org
ChincoteagueCA@aol.com

To: Mayor John Tarr
Vice Mayor Ellen Richardson
Councilman Tripp Muth
Councilwoman Nancy Conklin
Councilman John H. Howard
Councilman Terry Howard
Councilman John Jester
Robert Ritter, Town Manager ✓

From: Bob Behr, President-Chincoteague Cultural Alliance (CCA) *Bob Behr*
Date: February 21, 2012
RE: Virginia Commission for the Arts/Grant Application

Enclosed please find a copy of the Virginia Commission for the Arts 2012-2013 Local Government Challenge Grant application information for your review. The CCA board of directors is requesting that you consider reapplying for this very important grant. As in the past, I am very willing to assist in the grant application preparation process.

Also, included is CCA's Robert Reed Park reservation schedule for 2012. We hope you will attend some or many of these events. All together, CCA has over 30 major events scheduled for the upcoming year beginning with a staged reading of Agatha Christie's "And Then There Were None" at the Senior Center on February 19th. These events would not be possible without this funding and our small (but growing) army of volunteers.

Please note this grant requires a 1 to 1 dollar match and that the Town must submit this application not CCA. The maximum is \$5,000 from the Town of Chincoteague and the Virginia Commission for the Arts will match with \$5,000. After confirmation of the grant award, each local government will confirm in writing to the Commission that its governing board has appropriated the matching funds. The Commission will pay the grant in full after receiving this confirmation. The application deadline is April 1, 2012.

Please accept my sincere thanks for your valuable time and careful consideration regarding our grant request.



Second Saturdays
Art Stroll



Chincoteague Concerts

Chincoteague Cultural Alliance
Robert Reed Park
Reservations Request
(As of January 19, 2012)

April 14	2 nd Saturday Art Stroll 12 noon- 9pm
May 12	2 nd Saturday Art Stroll (Mother Earth Day) 7 am - 9 pm
May 27	Blessing of the Fleet 12 noon - 5 pm
June 9	2 nd Saturday Art Stroll 12 noon- 9pm
June 30	Music at the Dock (Salisbury Brasswerkes) 5 pm
July 5	Films at the Park 7 pm - 11 pm
July 14	2 nd Saturday Art Stroll 12 noon – 9pm
July 19	Films at the Park 7 pm - 11 pm
July 28	Music at the Dock (Proverbs Reggae Band) 7 pm
August 2	Films at the Park 7 pm - 11 pm
August 4	Music at the Dock (Interesting Monsters) 5 pm - 9 pm
August 11	2 nd Saturday Art Stroll 12 noon – 9pm
August 16	Films at the Park 7 pm - 11 pm
August 30	Films at the Park 7 pm - 11 pm
September 8	2 nd Saturday Art Stroll POKER RUN
October 13	2 nd Saturday Art Stroll 12 noon – 9pm
November 10	2 nd Saturday Art Stroll 12 noon – 9pm

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Local Governmental Challenge Grants

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Purpose

Description

Eligible Applicants

Eligible Activities

Deadlines

Amount of Assistance

Criteria for Evaluating Applications

Application Form and Required Documents

Application

Purpose

To encourage local governments to support the arts.

Description

The Commission will match, up to \$5,000, subject to funds available, tax monies given by independent town, city, and county governments to arts organizations. The money, which does not include school arts budgets or arts programming by parks and recreation departments, may be granted either by a local arts commission/council or directly by the governing board.

Eligible Applicants

Independent city, town, or county governments in Virginia.

Eligible Activities

Grants to independent arts organizations for arts activities in the locality. The Commission does not match payments paid to performers for specific performances. Local governments seeking such funding should apply in the Performing Arts Touring Assistance Program.

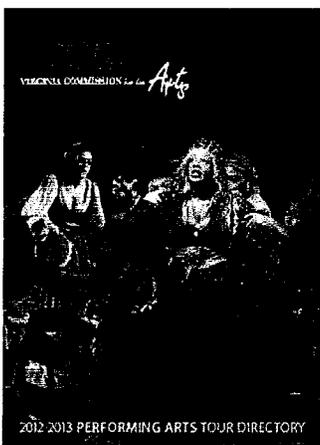
Deadlines

April 1, 2012, for local government grants awarded in 2012-2013.

NOTE: A local government that has not approved its budget by the grant deadline may apply conditionally and confirm the application as soon as possible.

Amount of Assistance

Up to \$5,000, subject to funds available. Local government match must be from local government funds; federal funds may not be included.



2012-2013

Performing Arts
Tour Directory

Criteria for Evaluating Applications

- Artistic quality of the organizations supported by the city/county/town.
- Clearly defined policies and procedures for awarding local funds to arts organizations.
- Degree of involvement of artists and arts organizations in the local process of awarding grants.
- Responsiveness to community needs.
- Evidence of local government support of the arts.

Application Review and Payment Procedure

1. Local governments submit complete application forms by the deadline (not a postmark deadline). The Commission does not accept application materials via facsimile transmission or other electronic means (e.g. e-mail).
2. The Commission staff reviews each application for completeness and eligibility.
3. The Commission staff makes recommendations on levels of funding for each application.
4. The board of the Commission reviews the staff recommendations and takes final action on the applications.
5. After confirmation of the grant award, each local government will confirm in writing to the Commission that its governing board has appropriated the matching funds. This confirmation must be provided to the Commission no later than February 1, 2013. The Commission will pay the grant in full after receiving this confirmation.

Application and Final Report Forms

- [2011-2012 Local Government Challenge Grant Application \(WORD\)](#)
- [2011-2012 Local Government Challenge Grant Application \(PDF\)](#)
- [2012-2013 Local Government Challenge Grant Application \(WORD\)](#)
- [2012-2013 Local Government Challenge Grant Application \(PDF\)](#)



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Virginia Commission for the Arts • Lewis House • 223 Governor



STAFF REPORT

To: Mayor Tarr and Town Council

Through: Robert Ritter, Town Manager

From: Bill Neville, Director of Planning

Date: March 1, 2012

Subject: Zoning Map and District Update
Summary of Public Hearing Comments

- ❖ **Town Council Public Hearing was held on February 6, 2012 and the record was kept open for written comments for 25 days.**
 - ❖ **A summary of the comments received is presented for possible Town Council action to accept or modify the proposed Zoning Map and District Regulations**
-

A description of the planning process for adoption of a new Town of Chincoteague Zoning Map was included in the January 2012 Public Hearing Staff Report. Please refer to that document for more information about the following issues:

- 1) Commercial zoning of salt marsh areas surrounding the Island.
- 2) R-4 Resort Commercial District uses permitted by right if contiguous to an existing campground, mobile home or travel trailer park use.
- 3) Proposed zoning district boundaries along North Main Street
- 4) Landowner requests for proposed zoning changes

Each of these issues is presented for a possible decision by Town Council to accept or modify portions of the Draft Zoning Map and District Regulations, as presented at the February 6th public hearing, prior to taking action on the Comprehensive Zoning Amendment.

PUBLIC COMMENT

1) Commercial zoning of salt marsh areas surrounding the Island

Two speakers and 11 written comments have requested use of the RC Conservation district on the Island to protect natural features and water quality, particularly the salt marsh areas located on either side of Beach Road leading to Assateague Channel. One landowner has requested that a privately owned salt marsh area located at the south end of Marsh Island should not be rezoned.

- A) 88 acres of marsh land are currently zoned R-3 Residential and are reported to be under contract to the USFWS. The proposed Zoning Map was prepared to illustrate the C-4 Resort Commercial recommendation of the adopted 2010 Comprehensive Plan.
- B) 20 acres of marsh land are currently zoned C-1 Commercial. The proposed Zoning Map was prepared to illustrate the R-3 Mixed Use Residential recommendation of the adopted 2010 Comprehensive Plan

PC recommendation: Forward this issue to the Town Council showing the recommended land use from the adopted Comprehensive Plan as it was advertised for public hearing. The Planning Commission has generally applied the following approach and principles:

- Apply the RC Conservation district only to parcels that are in public ownership and/or are under permanent conservation easement
- Retain the existing zoning for parcels in private ownership unless otherwise shown in the Comprehensive Plan
- Apply zoning districts that follow property lines not natural features
- Recommend the appropriate zoning district that does not significantly change a property owners permitted uses or zoning district standards when the public has objected to the recommendations of the Comprehensive Plan. (example – Resort Commercial use along North Main Street was revised to Resort Residential)

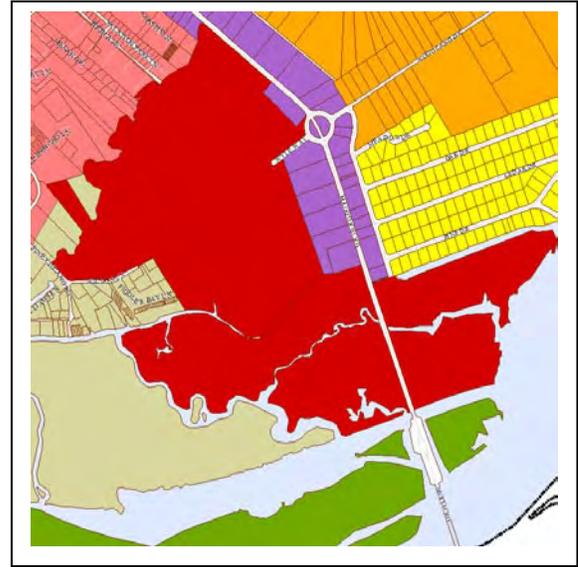
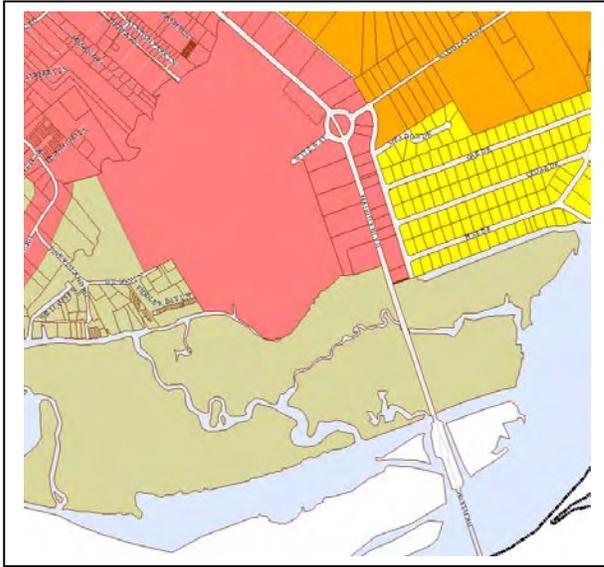
Staff recommendation: Maintain a consistent, ‘comprehensive’ approach that would propose (A) to retain its existing R-3 residential zoning until or unless it is purchased by the USFWS, and (B) to retain its existing C-1 commercial zoning while allowing the remainder of Marsh Island to be mapped as R-3 Mixed Use Residential based on its existing land use.

Motion: To accept the proposed zoning of marsh lands surrounding Chincoteague Island as recommended by the adopted 2010 Comprehensive Plan land use map, or

Motion: To modify the proposed Zoning Map as described in the Staff recommendation

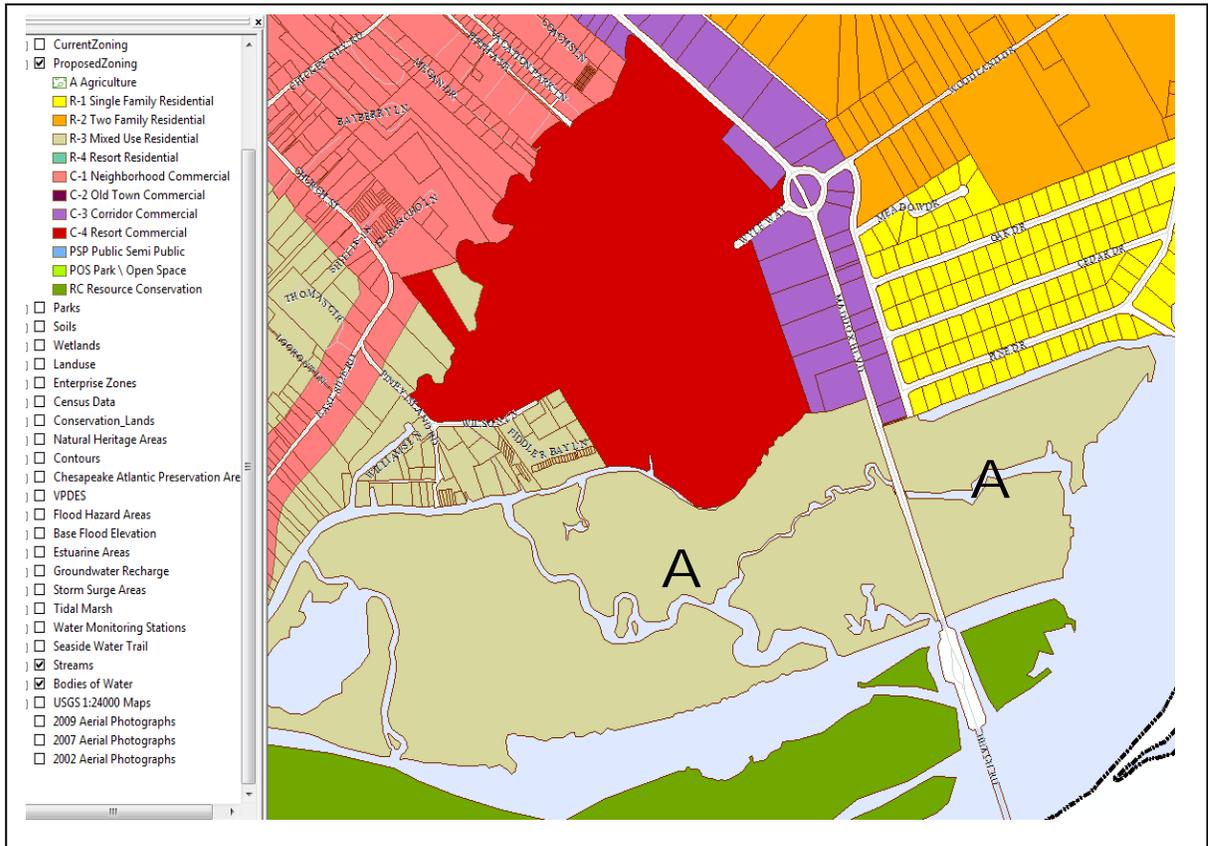
<See following Map Exhibit>

Zoning Topic Worksheet – C-4 Commercial District (Marsh land)



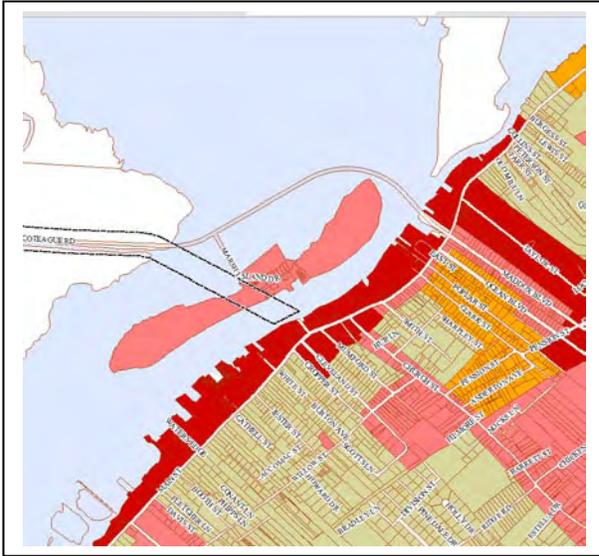
Existing Zoning Districts

Public Hearing Draft Districts

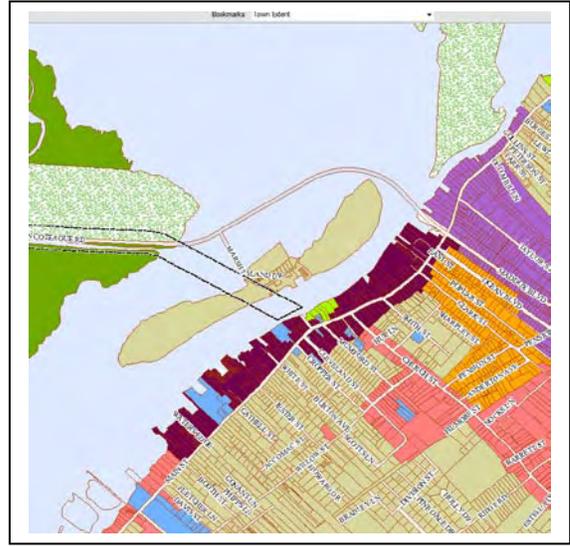


Alternate Draft Zoning Districts

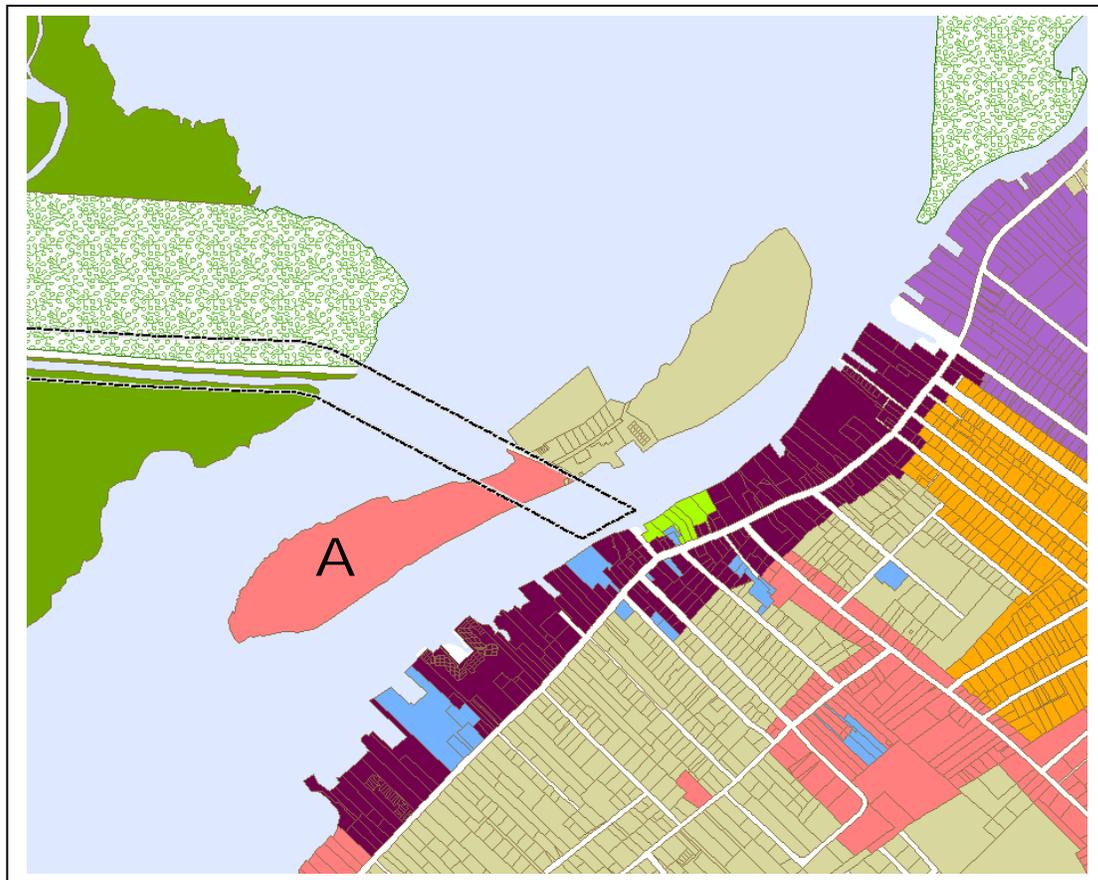
Zoning Topic Worksheet – R-3 Residential District (Marsh Island)



Existing Zoning Districts



Public Hearing Draft Districts



Alternate Draft Zoning Districts

PUBLIC COMMENT

2) **R-4 Resort Commercial District uses permitted by right if contiguous to an existing campground, mobile home or travel trailer park use**

Concern for the possible expansion of commercial uses in the Resort Residential and Resort Commercial districts has been expressed by property owners at the north end of the Island. This led to a revised Zoning Map that reduced the size of the proposed C-4 Resort Commercial district.

One property owner of an existing campground (C-4) has requested that adjacent property currently under the same ownership (R-4) should be allowed to develop as an expansion of the campground use without having to obtain a special use permit.

PC recommendation: Within the proposed R-4 district, new Campground and Camper/ Travel Trailer Park uses will continue to be permitted by Special Exception/ Special Use Permit approval. Existing Campground uses may be expanded as a permitted use on a contiguous parcel.

*Sec. 3.10.25 – Campgrounds, camper/travel trailer parks.
Expansion area for campground use may be permitted if contiguous to an existing campground or camper/travel trailer park.*

Additional public comment has been presented with a concern for the potential traffic impact to North Main Street if all of the ‘contiguous’ undeveloped land (approximately 80 acres) was to be developed as a campground.

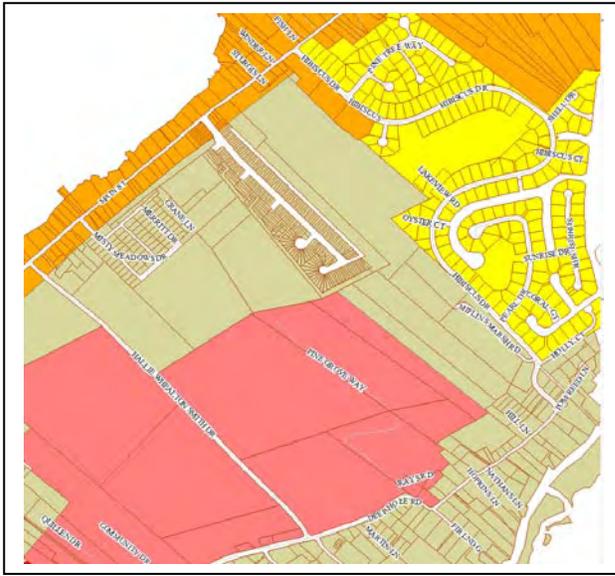
Staff recommendation: The potential development of 80 acres as any one of the permitted uses in the R-4 district will have implications for the surrounding neighbors and public infrastructure. Campgrounds are supported by the Comprehensive Plan land use policies. Staff supports both proposed motions.

Motion: To accept the proposed R-4 district amendment as proposed by the Planning Commission, or

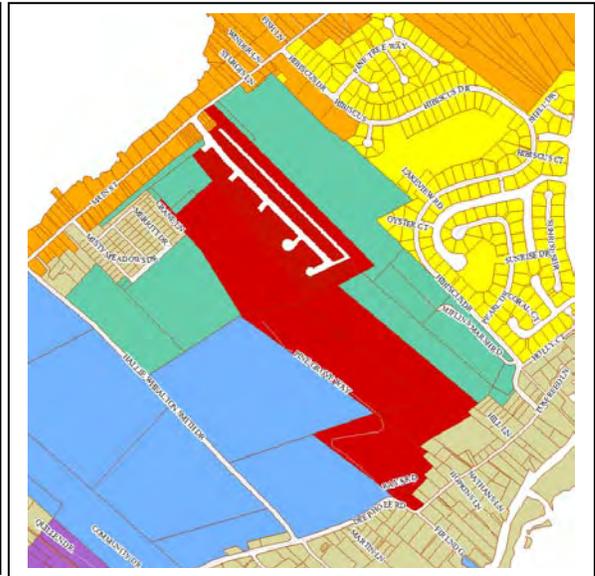
Motion: Modify the proposed Ordinance Section 3.10.25 to limit expansion area to no more than a 100% increase in land area of the original permitted use.

<See following Map Exhibit>

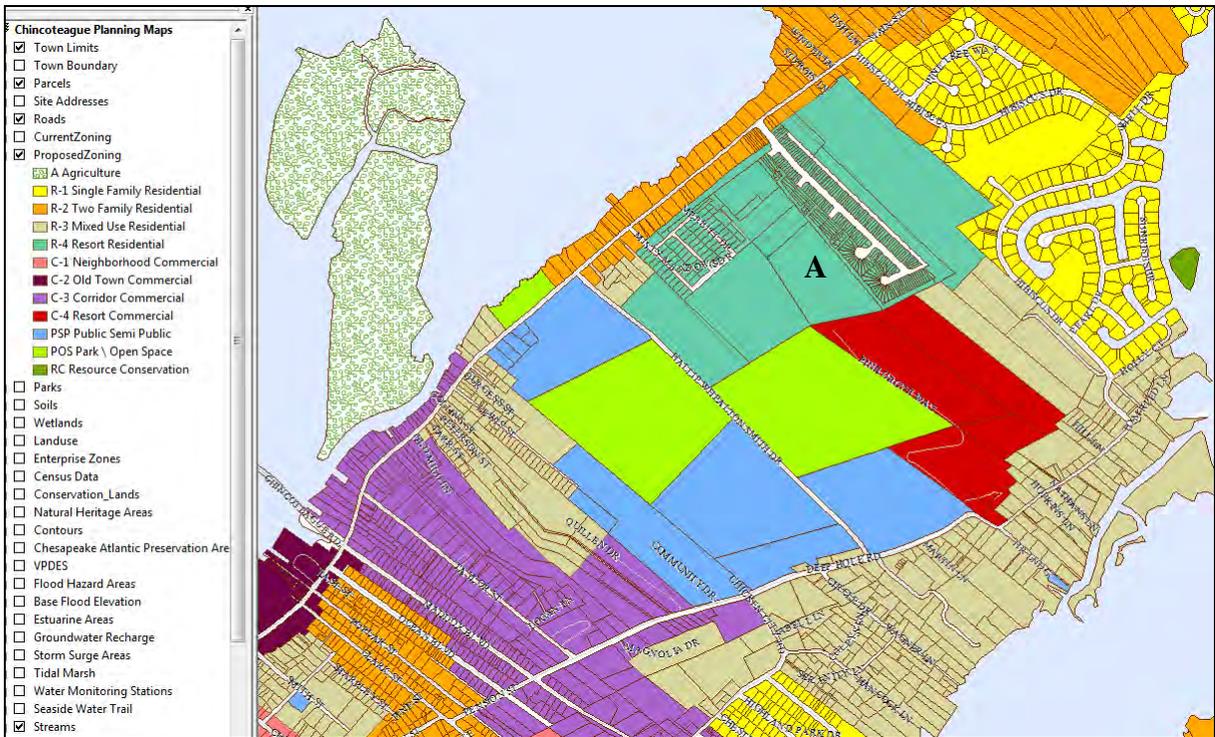
Zoning Topic Worksheet – R-4 Resort Residential District (North)



Existing Zoning Districts



Public Hearing Draft Districts



Alternate Draft Zoning Districts

PUBLIC COMMENT

3) Proposed zoning district boundaries along North Main Street

One property owner has proposed the amendment of both existing and commercial zoning districts along Main Street north of the Island Motor Inn to a residential district. Five written comments have been received, both for and against the zoning of existing 'Island Village Subdivision' lots to the R-2 zoning district.

PC recommendation: Maintain the R-2 zoning along the Main Street frontage to a depth of approximately 125 feet and map the remainder of the 'Island Village' property to the R-4 district.

The Planning Commission has not reviewed the proposed residential zoning amendment for lots to the north of Island Motor Inn, however, this proposal would not be consistent with the following principles adopted for this project:

- Propose zoning districts that align with the adopted 2010 Comprehensive Plan land use map.
- Retain the existing zoning for parcels in private ownership unless otherwise shown in the Comprehensive Plan
- Recommend the appropriate zoning district that does not significantly change a property owners permitted uses or zoning district standards.

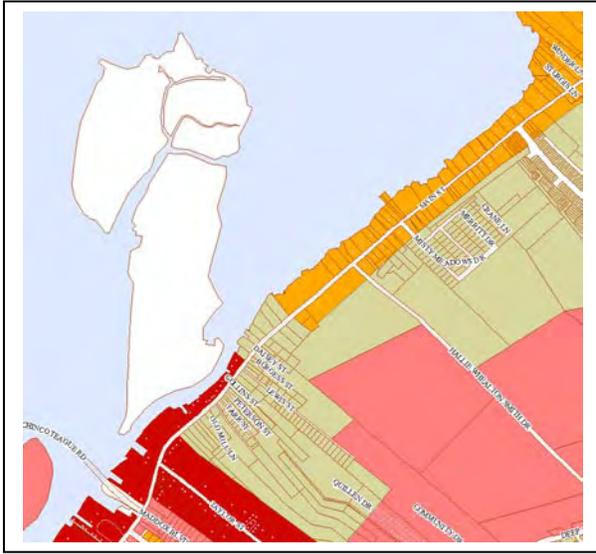
Staff recommendation: Staff supports both motions

Motion: To accept the proposed Zoning Map amendment as recommended by the Planning Commission, or

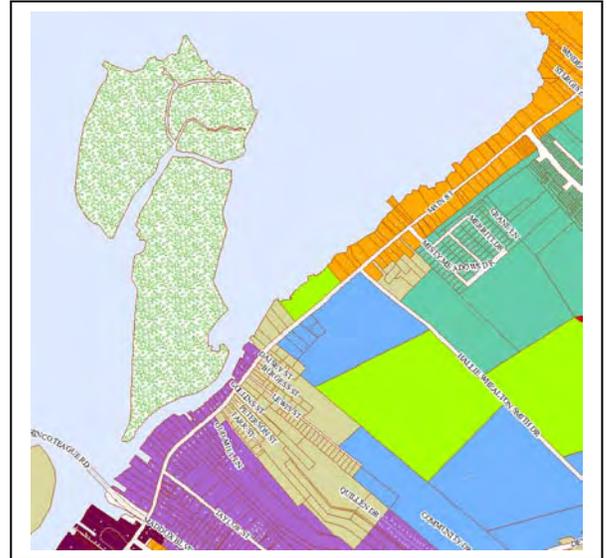
Motion: To modify the proposed zoning of the Island Village subdivision so that all lots are included in the R-4 Resort Residential district.

<See following Map Exhibit>

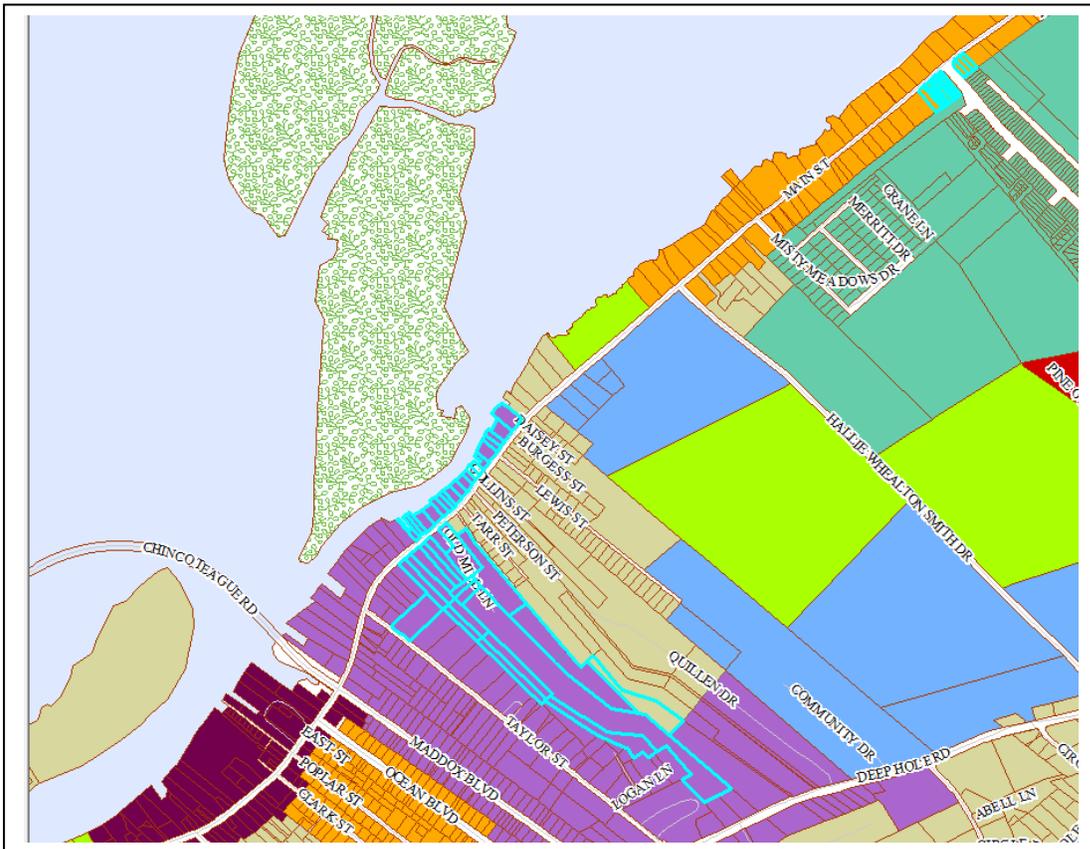
Zoning Topic Worksheet – North Main Street Districts



Existing Zoning Districts



Public Hearing Draft Districts



Alternate Draft Zoning Districts

PUBLIC COMMENT

4) Landowner requests for proposed zoning changes

Individual landowner requests and suggestions for changes to the proposed Zoning Map and Zoning Districts have been evaluated on whether they meet the intent of the comprehensive zoning amendment. Lot specific proposals were not generally encouraged at this time unless there was an error, or if the proposed change could improve on the implementation of the Comprehensive Plan.

The Town Council may wish to consider the following requests in more detail prior to taking action on the overall amendment.

- A) Rauth – Request to revise the R-3 zoning district regulations so that Public Piers and Boat Ramps would require special permit approval
- B) Ullmann – Request to include Redman Cemetery in the POS Parks and Open Space zoning district along with other cemetery parcels on the Island
- C) Potts – Suggestion that the existing Fire House on the corner of Main Street and Cropper Street should be included in the proposed C-2 commercial district
- D) Conklin – Request that an existing seafood business/former barber shop building on Ridge Road to be included in a commercial zoning district
- E) Meals/Seaman – Suggestion that existing subdivided lots on Bay Street currently in residential use should be included in the Resort Commercial District
- F) Neeley – Suggestion that several parcels along the east end of Ocean Boulevard currently in residential use should be zoned to the R-2 district in order to preserve the residential character of the street.

PC recommendation: These issues were generally not considered by the Planning Commission because they were parcel specific or because they have been submitted recently as a result of the Town Council public hearing.

Staff recommendation: Maintain a consistent, ‘comprehensive’ approach that implements the Comprehensive Plan and adopts the Zoning Map as presented in the public hearing. Only (B) or (E) above could be accomplished as a ‘correction’ to the Zoning Map prior to adoption.

Motion: To accept the proposed comprehensive zoning amendment as presented at the public hearing, or

Motion: To modify the proposed Zoning Map including specific corrections including _____.

ERRORS/CORRECTIONS: Final corrections to the proposed Zoning Map and Zoning Districts as a result of Town Council motions or as listed below will become a part of the final document.

- Remove Town zoning from inside the Route 175 right of way
 - Add existing boundary line of the Assateague Island National Seashore to the Zoning Map
 - Amend the map legend to note the existing Floodplain Overlay District that applies to the entire Island
-

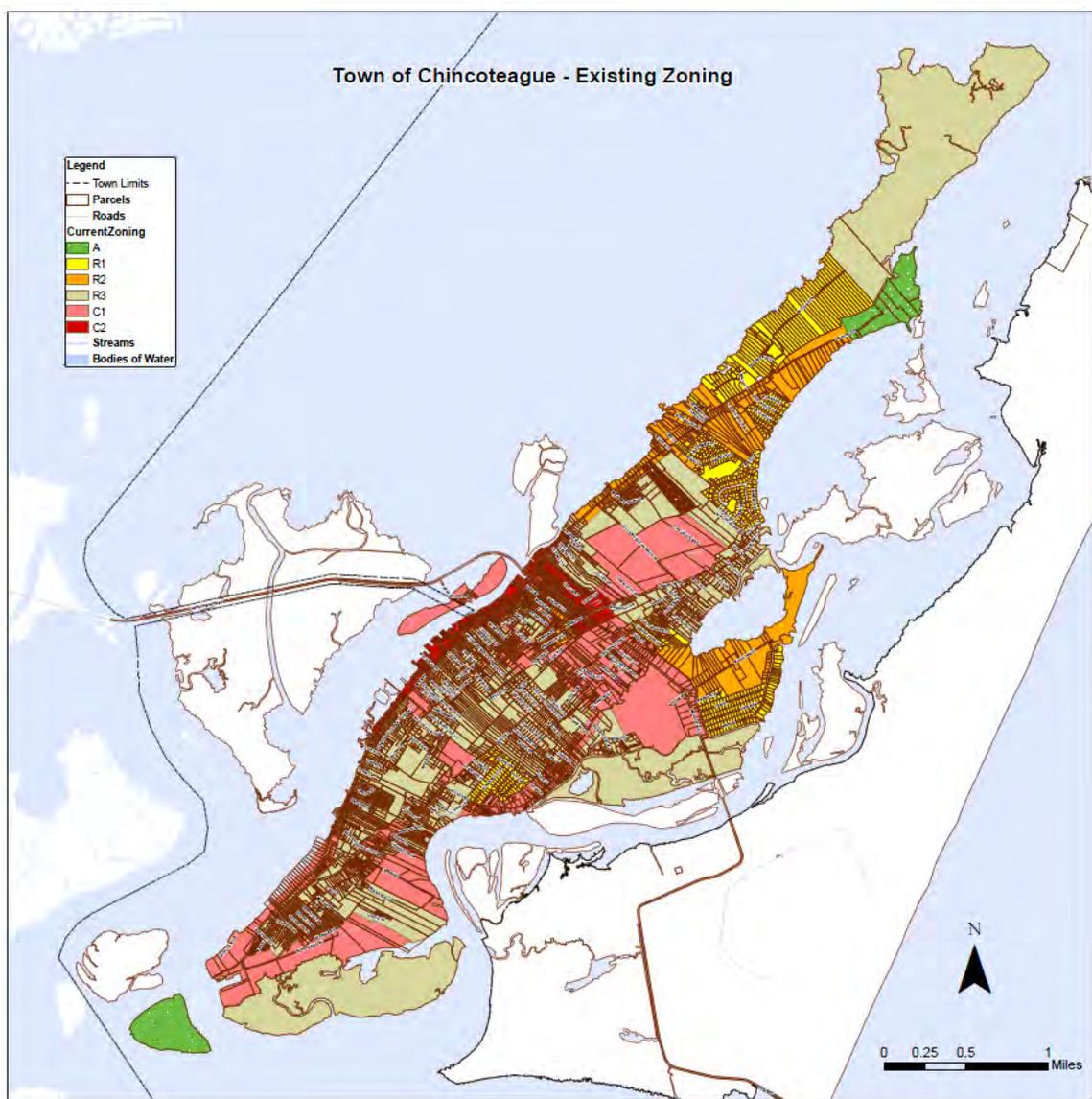
OUTSTANDING ISSUES: Several involve a broader policy decision by Town Council, these issues will be presented by Staff at the Council meeting and may need to be resolved prior to final action.

- Consider a grandfather clause that clearly establishes the status of existing uses, zoning with conditions, and any exceptions (if any) to the applicability of new zoning map boundaries and zoning district standards.
 - Route 175 Right of Way/Annexation Boundary
-

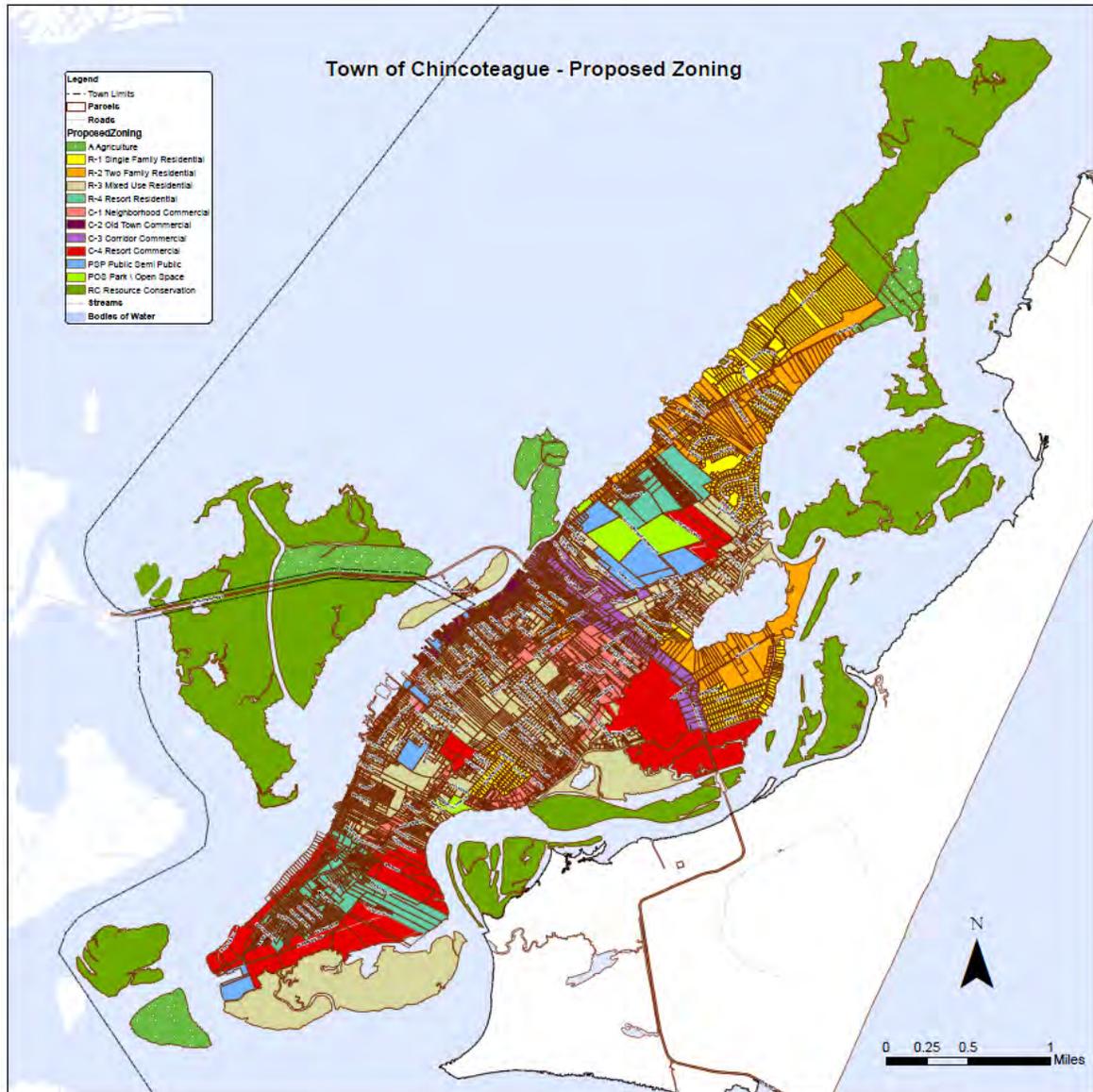
PROPOSED ACTION: Consider public comment at the regular Council meeting, or a Council workshop, to take action on any final revisions and prepare the Comprehensive Zoning Map and District Amendments for a vote at the next regular Town Council meeting.

Following review of this staff report, the Town Council and the Public may have questions or comments that can be resolved at the regular Council meeting or during a Council workshop.

- Maps illustrating the Current Zoning and Proposed Zoning, and Redline Changes to the Zoning Ordinance are available in the lobby and on the website for public review prior to the Town Council meeting.
- A Summary of Public Comment from 2012 is attached.



Existing Zoning Map



Proposed Zoning Map

PUBLIC COMMENTS and QUESTIONS				
2012 Zoning Map Amendments				
Comment	Date	Contact	Zone	Comment
1	1.14	Lawrence Whitlock	R-3 to R-4	Letter submitted. Support for proposed R-4 zoning, request single zoning district for subdivision, request grandfather clause
2	1.31	Donald Thornton	R-3 to R-4	Call to confirm no changes in permitted uses, etc. Request potential to expand campground to parcel adjacent to Mifflin Lane parcels.
3	1.31	Richard Braun	R-2	Call to confirm no zoning change at 131 Pension Street. Propose sign for downtown businesses coming onto the Island.
4	1.31	Owen Meals	R-3 to R-4	Call to confirm zoning at 2499 Seashore Drive. Property backs up to Bunker Hill Rd. Would prefer residential zoning beside and behind lot.
5	2.1	Mike Myers	RC to R-1	Small island is part of Lot 26 Smugglers Cove. Proposed zoning should be R-1
6	2.1	Ed Risley Trust	R-3	Call to confirm no zoning change at 5398 Deep Hole Road
7	2.1	Myra Thome	R-3 to R-4	Call to confirm no changes in Misty Meadows
8	2.1	Dave Seaman	R-3 to R-4	Proposes that new residential lots on Bay Street with access through Bayfront Lane should be zoned to a residential district rather than commercial as shown on the maps.
9	2.2	Tom Brockenbrough/ Accomack County	C-1 to R-3	Question regarding former Route 175 right of way across Marsh Island and possible Town/County boundary line adjustment
10	2.2	Steven Pearce	C-2 to C-1	Confirm zoning along Main Street near intersection with Booth Street
11	2.2	Carl Zimmerman/NPS	RC	Confirm logic behind applying a Town zone to land within the National Seashore boundaries
12	2.2	Butch Hofer	R-3	Confirm zoning for 7209 Mason Lane
13	2.2	Tim and Julie	C-4	Letter submitted. Question whether the C-4 Resort Commercial restricts any uses such as commercial parking lots.
14	2.3	Robert Porter	R-3	Confirm no change in zoning
15	2.3	Ted & Charlotte Neely	R-2 and C-3	Confirm residential zoning at 6245 Ocean Blvd. Request that zoning maintain Ocean Blvd. as a residential street, consider eliminating commercial zoning from several parcels near Deep Hole Road.
16	2.6	Edward Tull	C-1 to R-3	Objection to zoning change from commercial to residential on south end of Marsh Island due to pending lawsuit with VDOT
17	2.6	David Conklin	R-3	Request to consider commercial zoning on small parcel (3356 Ridge Road) formerly a barber shop, now Burton's Seafood, potential commercial retail.
18	2.6	Owen and Lela Curtis	R-3 to C-4	Letter submitted. Oppose commercial zoning of marshland.
19	2.6	Paul Brzozowski and Louisa Flaningam	R-3 to R-4	Letter submitted. Oppose R-4 option for campgrounds by-right if continuous to an existing campground
	2.6	Public Hearing Comments		See Minutes from Town Council meeting
		Bruce Hamilton	C-4	Concern for proposed commercial zoning of marshland
		Peggy Thomas	C-1, R-3	Confirm zoning for property along East Side Road
		Lawrence Whitlock	R-4, R-2	Support for R-4 district, request entire property as R-4, request for 'grandfather clause'
		Inga Veneziano	C-4	Opposed to commercial zoning of marsh
		Jim Rauth	R-3	Letter submitted. Support for R-3 zoning of Marsh Island, request that Public Piers and Boat Ramps should be made a special permit use.
		Jane Turlington	R-3	Confirm zoning for property

20	2.7	Alex Hubb	R-3 to R-4	Confirm zoning for 3015 Ridge Road
21	2.7	Jim Lewis	R-1 to R-1	Confirm zoning for lot in Oyster Bay 1
22	2.7	Mike Krulfeld	C-1 to C-4	Confirm zoning for 3110 South Main Street
23	2.7	Dolly Shell	R-3 to R-4	Confirm zoning for 8278 Seagull Drive
24	2.8	Deborah Ullmann	C-2 to C-3	Questions about zoning along North Main Street (see letter on 2.20.12)
25	2.9	Inga Veneziano	C-4	Concern for proposed commercial zoning of marsh, unintended consequences and possible uses by USFWS
26	2.9	Patricia Dardinski	R-3	Confirm zoning for 5375 Britton Drive
27	2.10	Helen Elliott	C-3 to C-4	Confirm zoning for 8162 Seagull Drive. Concern for lack of adequate zoning control over septic, wetlands, and trailer/mobile home permits
28	2.13	Eva Jane Hook Turlington	R-3	Confirm zoning for 7441 Herbies Lane. Question whether the proposed special permit requirement for mobile homes in the new R-3 district would affect placement of a temporary trailer for the elderly. Concern for drainage issues.
29	2.13	Howard Eckles	C-4	Letter submitted - concern for commercial zoning proposed for marsh
30	2.14	Geraldine Abell	R-3	Owner of 6 existing mobile home/trailers. Concern for difference in taxes and values created by different zoning districts. Oppose commercial zoning of proposed fire station site based on potential tax increase from zoning.
31	2.14	Bunny Ridell	R-3 to R-4	Confirm zoning for property on Ridge Road
32	2.15	Debbie Connelly	R-3	Confirm zoning for 7133 Wayne Road
33	2.15	Edward Tull	C-1 to R-3	Request to leave C-1 commercial zoning the way it is on the south end of Marsh Island (see letter dated 2.28.12) Oppose the proposed R-3 zoning
34	2.17	Betsy Washington	C-4 to RC	Letter submitted. Oppose proposed commercial zoning of marsh, request RC conservation zoning
35	2.21	Nancy Hamilton	C-4 to RC	Oppose proposed commercial zoning of marsh, request RC conservation zoning
36	2.22	Bob Barton	C-1	Confirm zoning for 4447-57 Chicken City Road
37	2.22	William and Maria Karrash	C-4 to RC	Oppose proposed commercial zoning, request RC conservation zoning
38	2.23	Deborah Ullmann	multiple	Letter submitted. Propose cemeteries to be zoned POS Open Space. Oppose commercial zoning on additional properties along North Main Street. Propose residential zoning for waterfront properties along North Main Street north of the motel.
39	2.24	Jeff Potts	multiple	Letter submitted. Propose current firehouse on Main Street should be zoned C-2 Commercial. Propose that Island Village subdivision on North Main Street should be one zone as a recorded subdivision.
40	2.26	Barbara and David Heckman	C-4 to RC	Letter submitted. Oppose proposed commercial zoning of marsh, request RC conservation zoning
41	2.27	Diane Lyons		Letter submitted. Request for more natural resource protection and 'green' on the zoning map
42	2.28	Paul Hubbard	R-1 to R-1	Oppose proposed R-4 district regulation that would permit expansion of existing campground use to contiguous parcels
43	2.28	Dave Hudgins	R-1 to R-1	Letter submitted. Oppose proposed R-4 district regulation that would permit expansion of existing campground use to contiguous parcels
44	2.28	Paul Gentile	C-4 to RC	Letter submitted. Oppose proposed commercial zoning of marsh, request RC conservation zoning

45	2.28	Louisa Flaningam and Paul Brzozowski	R-4, R-2	Letter submitted. Oppose proposed R-4 district regulation that would permit expansion of existing campground use to contiguous parcels. Support for R-2 zoning along both sides of North Main Street.
46	2.28	Edward Tull	C-1 to R-3	Letter submitted. Request that 20 acre parcel at south end of Marsh Island retain C-1 Commercial zoning. Opposes the proposed R-3 zoning district recommended by the Town Plan
47	2.29	Newman Merritt and Mary Ann Merritt	R-4, R-2	Letter submitted. Oppose proposed R-4 district regulation that would permit expansion of existing campground use to contiguous parcels. Support for R-2 zoning along both sides of North Main Street.

January 14, 2012

via email: wneville@chincoteague-va.gov

Honorable Mayor John H. Tarr and Council
Town of Chincoteague, Virginia
c/o Mr. William Neville, Planning Director

Re: Workshop Comprehensive Update, Official Zoning Map and Zoning Districts scheduled For January 19, 2012 (prior to a tentative Public Hearing scheduled for February 6, 2012). Outstanding issues with regard to an existing subdivision of record of collective property owned by Messrs. J. J. Miller, Richard Young, Esq. and Lawrence T. Whitlock as related to the current draft "Update"

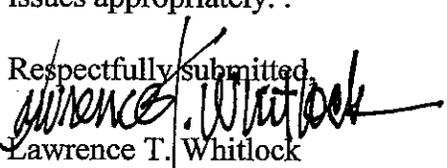
Dear Mayor Tarr and Council:

Your Planning Director has been kind enough to keep me informed of the progress and hard effort of the Planning Commission with respect to comprehensively updating the "Town's" Zoning Ordinance and Official Zoning Map. If I am incorrect in my understanding of the draft status, the error is mine; please correct me accordingly.

It is my understanding that the proposed Zoning Map splits our property fronting on North Main Street. More specifically, it illustrates R-2 (Two Family Residential) abutting North Main Street with the bulk of the property to the East proposed as R-4 (Resort Residential). The current zoning code allows a property owner of large parcels to petition that all of the contiguous tract remain in one zone. In this case, we request that our property abutting North Main Street be R-4 (Resort Residential). We are not in opposition to R-4 zoning as currently drafted since this appears to be compatible with the existing subdivision of record. This would not be the case with R-2 zoning as proposed setbacks would conflict with the size and arrangement of existing subdivision lots.

This brings up the question of "Grandfathering" the existing subdivision pursuant to proposed new setbacks dimensions. Please do not put us in a situation of all of the existing lots of record being viewed as "non-conforming" because we would not be able to meet the new setback requirements. Can we be an "approved" status with respect to the existing subdivision of record to preclude this issue from arising? We have called this existing subdivision "Island Village". Thank you for your consideration into these matters. I plan to attend the scheduled public hearing in person. Please feel free to ask any questions you have for provide additional data as may be necessary to clarify these issues appropriately. .

Respectfully submitted,


Lawrence T. Whitlock

Cc: J. J. Miller, Richard Young, Esquire



ZONING COMMENT FORM

PUBLIC HEARING ON PROPOSED COMPREHENSIVE AMENDMENTS TO THE OFFICIAL ZONING MAP AND ZONING ORDINANCE OF THE TOWN OF CHINCOTEAGUE, VIRGINIA

Property Information (street address, parcel #, general location or landmark)

(zoning district)

EXISTING
Small Lot Subdivision @ N. Main
North & East of Christ Saviour Sanctified
Holy Church

R-3

Comment or Question

REQUEST THAT THE ENTIRE EXISTING "SMALL LOT" SUBDIVISION (+17 ACRES) BE R-4 RESORT RESIDENTIAL (AS PROPOSED BY THE DRAFT CODE) RATHER THAN SPLIT THE PROPERTY BETWEEN R-2 & R-4

I SUPPORT THE R-4 AS BEING CONSISTANT WITH THE ADOPTED COMPREHENSIVE PLAN & ITS GOALS & OBJECTIVES,

R-2 RESIDENTIAL WOULD MAKE THE EXISTING LOTS OF RECORD NON-CONFORMING AS TO SIZE & SETBACKS OF LOTS. I WOULD APPRECIATE A GRANDFATHERING PROVISION.

Contact Information (mailing address, phone# or email)

LAWRENCE T. WHITLOCK
P.O. Box 110, BERLIN MD, 21811
443-831-2118
LTWAL@AOL.COM

The public is invited to express their views on the proposed zoning districts and revised zoning map.

Written comments may be submitted into the public record at the Town Office, 6150 Community Drive, Chincoteague Island, Virginia 23336 or by email to wneville@chincoteague-va.gov. All comments will be considered by the Planning Commission for recommendation to the Town Council.

William Neville

From: Tim and Julie [timandjulie@windstream.net]
Sent: Thursday, February 02, 2012 5:03 PM
To: wneville@chincoteague-va.gov
Subject: Zoning ordinance changes

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Zoning Map

Hello,

I am writing in response to the proposed zoning ordinance changes. The Maddox campground is proposed to be listed as a C-4 zone. Two questions:

1. Does this preclude the use of a C-4 area as a parking lot for beach use (Maddox campground)?
2. If it doesn't, why not?

I realize the owner's of the campground would not be happy about this but, it is apparent the the FWS is not interested in working with the town, maybe it is time to stop working with them.

I am not a resident, but I do own a property on the island.

Thank You for your time;

Tim

William Neville

From: owen [o.curtis@comcast.net]
Sent: Monday, February 06, 2012 9:59 AM
To: wneville@chincoteague-va.gov
Subject: Proposed Comprehensive Amendments to the Zoning Map and Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Zoning Map

For the public record in re: Proposed Comprehensive Amendments to the Official Zoning Map and Zoning Ordinance of the Town of Chincoteague, Virginia:

My wife and I have owned a home on Piney Island since 1994. Our home overlooks the marshes along Assateague Channel, across from the lighthouse. The marsh, the view, and the relationship of Chincoteague to Assateague are why we invested, why we remain, and why we are concerned with one of the elements in the proposed rezoning.

The marsh just past the ends of our docks is in private ownership by our neighbors who own and operate the Maddox Family Campground. The current zoning designation for the marsh is R-3, and that is proposed to be changed to C-4, Resort Commercial. We believe this is not the best and proper designation for the marsh. Most of the marshes surrounding Chincoteague are designated today or are proposed to be RC, Resource Conservation. Some are proposed to be designated A, Agriculture, and a smaller area is proposed to remain R-3. Only the marsh in front of our homes is proposed to become C-4, Resort Commercial.

We believe RC, Resource Conservation, is the correct and proper designations for marshland. The marshes around Chincoteague are at the core of what the island offers to its residents and visitors. The marshes are the source of or support for much of the marine life on which the watermen live. The marshes are the home to a variety of wildlife which visitors come to see. The marshes provide a filtering of the waters surrounding the island, improving the water quality and the overall health of all living things, people included. They need to be preserved for their economic, environmental, and aesthetic value to the community.

One of the principles which the Town adopted in its plan development is that a parcel would be under one common zoning designation in the plan. For the holdings of our good neighbors, the Maddoxes, that creates an issue. Part of their parcel is Piney Island, on which they run their successful business, which is an asset to the Town and the local economy. But the balance is the marsh, which is one of the attractors to those who patronize the campground. Their customers seek the same peace and beauty which attracted us next door to buy and build our homes. If, somehow, in the future, someone were to take advantage of the proposed Resort Commercial zoning, and develop the marsh in front of the campground and our homes, the value of the marsh would be lost to the town and the campground visitors, and the value of our homes would be degraded, likely lowering tax revenues to the town.

Now, with the latest and controversial news of the \$1.5 million grant which would enable the purchase of some of the Maddox property, we believe that there remains no reasons why their landholdings should all be under a common zoning classification. Moreover, the Maddox parcel has historically been in two classifications (currently C-1 on the island, and R-3 in the marsh). We see no reason to reunite two dissimilar pieces of land under a common, more intense zoning classification. Zoning designations are widely held by law in Virginia to be fundamentally about proposed use, not about ownership. The creation of a common classification for this parcel gives precedence to ownership over use in a manner which opens the door to unintended and adverse consequences for the community.

We urge the Town to place all of the marsh between Piney Island and Assateague Channel into the Resource Conservation (RC) classification. Designating this marsh as Resource Conservation would preserve for one and all the

core value of the marsh, which brings to the Town more revenue and value in a preserved state than it would in a developed state.

We appreciate the opportunity to provide input on this important matter, and we thank you for your service to the community.

Owen P. and Lela L. Curtis
7204 Fiddler Bay Lane
Chincoteague Island, VA 23336

Address of record:
5465 Fillmore Avenue
Alexandria, VA 22311

To the Mayor, Town Council and Planning Commission

We, Paul Brzozowski and Louisa Flaningam of 5122 Main Street regretfully can not be at tonight's important meeting due to work commitments. We want to thank the planning commission for listening to the people of Chincoteague as far as North Main Street is concerned. If there has to be new zoning changes, we applaud them for basing the new R-4 zoning on the exiting R-3 zoning and not the C-1 zoning. We believe campgrounds and camper/travel trailer parks are an integral part of Chincoteague and are part of Chincoteague's unique character. And we believe that if existing campgrounds or travel trailer parks want to expand that's great.

However, according to the new R-4 zoning on North Main Street (Section 3.10.25) there is an asterisk stating that "by right"

"expansion area for campground use may be permitted if "contiguous" to an existing campground or travel/trailer park."

This clause using the word of "contiguous" property opens up a possible problem. If a campground already exists and the properties surrounding it are therefore allowed to become campgrounds, then the properties adjoining those 'new' campgrounds can become campgrounds and on and on and on like a game of dominos. This scenario may seem extreme but it's a good idea to take a look at what could happen. One 17 acre parcel on North Main Street is already plotted out for 300 individual lots suitable for campsites. That is 17 lots per acre which would mean 300 more cars going up north main street

In an extreme case, and the town should consider all possibilities, the new R-4 as written could mean all 80 acres could become a "contiguous" campground or travel trailer park That would mean a possible 1,000 to 1,300 lots or 1,000 to 1,300 cars going up Main Street past our high school. And these cars would be coming up North Main Street to a quiet two lane residential area where adults and children walk and bike and where children go to school

The mission statement for the old R-3 and even the new R-4 states that the zoning should be:

"of a character unlikely to develop extreme concentrations of traffic."

Surely, the "by right" possibility of 1,000 to 1,300 cars going up North Main Street is in dramatic conflict with the mission statement of R-4.

We believe the town can come up with a better formula for helping campgrounds and travel trailer parks expand, while at the same time retaining the character of the North Street neighborhood. Our main concern from the beginning has been that the new zoning plan be very carefully constructed. We hope the town will make sure that while encouraging a variety of development they maintain the towns ability to have oversight of how the last remaining open space is developed.

We thank you so much for all of your hard work...proud to be property owners on Chincoteague

COMMENTS TO COUNCIL @ ZONING PUBLIC HEARING MONDAY 6 FEBRUARY 2012

Subject: Remarks at the Town Council Meeting on the new Comprehensive Zoning Plan

Thank you, Mr Mayor, and members of Town Council

My name is Jim Rauth and I am a resident and home owner on Marsh Island and I am here this evening to represent three (3) HOA's of Marsh Island... These HOA's consist of 32 property owners, which is 94% of the property owners of Marsh Island. First I would like to thank the Council for conducting this public hearing to allow the property owners to express our opinions on this Comprehensive Plan and second for ALL your work in putting together this PLAN, which was approved by Council in January of last year.

There are three Home Owner's Associations on Marsh Island and we ALL agree that the land use for all of Marsh Island should be changed from C-1 to R-3 Mixed Use Residential, which the Planning Commission has recommended for Marsh Island.

I appeared before the Planning Commission several times and made recommendations, which the Commission has agreed to recommend, but there is one which the Planning Commission has recommended and states that Public Piers, Public Boat ramps will continue to be a permitted use and not made a special exception. It is incomprehensible to us that this would be a permitted use without a public hearing to allow input from the residents affected by such action. Particularly on Marsh Island, where parking is at a premium, to allow a public pier and/or public boat ramp to be constructed without considering the impact on the residents to be heard, we feel would be unfair.

We are not totally against a public pier or boat ramp, but we feel that you should at least give the nearby residents a 'fair and open hearing' before you decide to place one on Marsh Island. And this is my reason for being here this evening ..

Thank you for this opportunity to voice our concern and we hope that the Council will change this part of the R-3 to move any public use or non-residential use such as Section 3.7.22 and make it conditional use under Section 3.8.

Jim and Susan Rauth
Marsh Island

Howard H. Eckles
13616 SE 47th Terrace
Summerfield, FL
34491

February 13, 2012

Chairman, Town Council
Town of Chincoteague
6150 Community Drive
Chincoteague, VA 23336

Dear Sir:

I am writing concerning the zoning map which is under consideration by the Town Council. The marsh area beyond the Chincoteague Museum, The McDonalds Restaurant, and all along Pine Dr. is all shown as C-4 resort commercial.

I am sure the Council is aware that this whole area is a Wet Land. In this category no building or any type of development is allowed by the Federal EPA or by the County Wet Lands Board. For example, this past summer I had a bulkhead installed on the canal in front of my property at 7203 Pine Dr. I was required to pay the county \$792 for the destruction of sea grass caused by the project. This is a requirement of wet lands regulations. Another example of such regulations is the denial by the county of a project to fill an area in the marsh to make parking space for people attending the Museum. I believe the area in question should be zoned R-C resource conservation.

Sincerely,

Howard H. Eckles

Howard H. Eckles

February 17, 2012

Dear Mayor Tarr and Members of the Town Council,

I am writing to express my dismay about the potential plan to rezone the marsh adjacent to the campground as Resort Commercial. This is a significant change in zoning and could potentially affect the whole character of Chincoteague Island as a beautiful and scenic vacation destination. The property in question is literally in the marsh, between Piney Island and Assateague Channel, and adjacent to the bridge to Assateague that welcomes all visitors with breathtaking and panoramic views of unspoiled marshes, bays, and inlets. This unspoiled beauty, is what sets Chincoteague apart and makes it such a special destination for so many people. These rich and productive marshes are nursery grounds for our recreational and commercial fishes, as well as important recreational areas for hunters, birdwatchers, photographers, kayakers, and those just wanting to sit beside the bridge and enjoy the pristine views.

As a nearby property owner in Fiddler Bay, the impact would be enormous and would certainly destroy the unspoiled beauty of the marshes and the life within them, that are the very reasons our residents, visitors, and renters come to Chincoteague in the first place. In fact, we like so many others, chose to buy property in Chincoteague because of the lack of large hotels and commercial development along lining the marshes and waterways. This is what makes Chincoteague so very special and sets it apart from other nearby beach destinations.

Rezoning the property as Resort-Commercial would be extremely shortsighted, and would negatively affect the entire town of Chincoteague as well as the vibrant tourist industry. I implore you to designate this unspoiled and productive marshland a Resource Conservation area, thereby protecting it from potential development, and insuring that the unparalleled natural beauty of this beautiful "gateway" to Assateague Island be protected for future generations and all of the many people that love Chincoteague and its unspoiled marshes.

Thank you for your consideration,

Betsy Washington, owner
7912 Fiddler Bay Lane

February 22, 2012

Mr. William Neville
Town Planner
6150 Community Drive
Chincoteague, VA 23336

Dear Mr. Neville,

We are writing to you to voice our opinion **AGAINST** zoning the marsh area between the Maddox Family Campground property and Assateague Island as Resort Commercial. In reviewing the new zoning plan and doing a significant amount of research to better understand the new designations and their definitions, we are extremely concerned that if this parcel of marsh is rezoned into the Resort Commercial category it may facilitate future development of the ever receding marsh land into a parking lot or be used for some other man-made use. As a long time resident of Chincoteague, we have steadily witnessed the rising tides, the shrinking marsh land and other man-made changes to the island that in our opinion take away from "The Beautiful Land Across the Water".

In addition, we are increasingly concerned about recent reports associated with the Fish and Wildlife Service's proposed purchase of Maddox Campground property for the development of a parking lot and shuttle bus facility to be used to transport vacationers to and from the beach. While we are not opposed to the development of such a facility, we are wary of rezoning the marsh area associated with the Maddox Campground into a new Resort Commercial category that could possibly allow for the development of this marsh parcel into a parking lot under such a scenario. The marsh area in and around Chincoteague and Assateague represents perhaps the greatest natural resource in the area (in our opinion as important as the beach and refuge) and to set up a situation where there is even a remote chance that it could be developed in such a manner would be a poor decision for the future of the entire Island.

As generations of families and children have enjoyed the beauty of the marsh area and have spent countless hours crabbing and kayaking in and around it, we respectfully urge you to consider rezoning this valuable resource as **Resource Conservation** and not Resort Commercial.

Respectfully submitted,



William and Maria Karrash
7198 Fiddler Bay Lane, Unit # 10
Chincoteague, VA 23336

12-20-12

Deborah A. Ullmann
4374 Main Street
Chincoteague, Virginia 23336
(410) 603-9140

February 20, 2012

Mr. Bill Neville
Director of Planning
Town of Chincoteague
6150 Community Drive
Chincoteague, Va. 23336

Re: Proposed Changes to Zoning Map

Dear Mr. Neville:

Thank you for providing me with a close up copy of the proposed changes to the zoning map for my neighborhood (Up the Creek). I submit this letter for consideration as a public comment to the proposal.

1. Behind my property is Red Men's Cemetery. This Cemetery has been given a zoning classification of commercial. I believe that this is an absurd classification for a cemetery and should be changed to either park/open space, or a separate classification for all Island cemeteries should be developed.
2. Under the present zoning map, my property (4374 Main Street) is the last commercial property (C-2) on the east side of Main Street heading north. Past my house, all additional properties are classified as residential (R-3). Under the proposed zoning map, an additional eight properties on the east side of Main Street are changed to the commercial classification (C-3). I am against this zoning classification change.

You stated that the change in the zoning classification for the eight additional houses may have been done because of the motel (Island Motor Inn) located on the adjacent west side of Main Street. You stated that the rationale for this change might have been that zoning policies promote properties on both sides of a street having the same classification. I do not believe that this zoning policy should be followed in our neighborhood for the following reasons:

- a. Our neighborhood was historically, and continues to be, residential. I have a photocopy of a picture of the end of my driveway that shows that houses existed on the west side of Main Street where the motel is now located. It is my understanding that the Stubbs family had their home on the property with a

seafood processing (shucking house) plant behind their home on the water. The family decided to develop the property and build their motel, which in later years they expanded. The Stubbs family continues to have their primary residence on the motel property above the office. As the motel is both a residence and a commercial property, but maintained with the love and care of a residence, the surrounding adjacent properties should not be subject to commercial classification. The quiet and clean ambiance in which the motel is maintained is in conformity with being surrounded by a residential neighborhood. To show my good faith in requesting residential classification for the eight homes north of mine, the town has my permission to reclassify my home also as residential.

- b. Our neighborhood actually has full time residents. Of the nine properties involved, five have residents living in their homes all year round. (2 additional homes to the south are also lived in year round) Given the fact that census data indicates that Chincoteague has a falling population, preserving this enclave of stable residential housing, without commercial pressures, should be a priority.
 - c. It is my understanding that the Town of Chincoteague wants to concentrate its commercial districts to downtown Main Street and to Maddox Blvd. Expanding the commercial district north on Main Street is not consistent with this plan. Expanding the commercial district creates additional competition for businesses that are already struggling in this economy and exacerbates commercial sprawl.
 - d. The commercial district should not be expanded closer to the high school. Schools should be located in residential districts for the safety of our children. For some unknown reason, two properties on the west side of Main Street south of Daisy have been reclassified as commercial. These properties should remain residential just as the eight properties north of mine should remain residential.
3. I personally believe that the properties on the west side of Main Street, north of the motel, should be reclassified as residential. I understand that even under the present zoning map, these properties are commercial. It is my understanding that, historically, all properties along the water were classified as commercial because they had shucking houses behind their waterfront homes. The area in question also had an "old mill" along the water. These commercial conditions no longer exist in the area and there is no observable commercial operations. The "old mill" has been moved across the street. My observation of these properties is that they are all residential in nature. (There is one property where I observed a large number of crab pots being stored. If necessary, that property could be grandfathered in to the residential classification.) Changing the zoning of these properties to residential would insure that there would always be a buffer of residential housing on the approach to the high school and to Leonard Park.

Thank you for the opportunity to submit these comments.

Sincerely,



Deborah Ullmann

NEW ZONING

Having reviewed and analyzed the **Town of Chincoteague's** new proposed zoning map from top to bottom and east to west; I can only recommend a few minor changes to this proposal; based on the public comment period and my own personal opinions:

1). **FIREHOUSE** (corner of Main & Cropper) Tax Map 30A5-16-A)

Currently Zoned **R-3**

Proposed Zoning **Public- Semi- Public**

Where as ;the fire department has full intentions to sell this property to help off-set the construction costs of their new firehouse , this property should immediately be re-zoned **C-2 Old Town Commercial**; as to save any prospective purchaser the time, money, and hassle of another zoning change; and to assure that the fire department is getting the highest and best use dollar amount for this **Town** owned property. This change could help the fire department by having a couple less fund raising events required for the new firehouse.

2). **WHITLOCK 17.5 ACRES** (North Main St.) Tax Map 30A7-1- Lots 1 thru ?

Currently Zoned **R-2** (first 170 ft., **R-3** remainder acreage) Proposed Zoning ?

Where as; all platted recorded subdivisions to date have never had their zoning split (although individual lots and acreage parcels have) and based on this property's nearby approved land uses; this entire property should be re-zoned **C4** Resort Commercial.

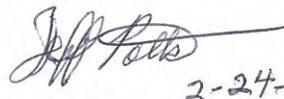
3). **MADDOX CAMPGROUND** Tax Map 31-A-47

Currently Zoned **C1** Commercial

Proposed Zoning **C-3** Comm. Corridor & **C-4**

This large 200 acre parcel (47 ac. Uplands, 153 ac. Wetlands) is not a subdivision; so based on the Town's zoning history and the current Comprehensive Plan ; this property can include both a Commercial Corridor and Resort Commercial zoning changes.

Comment- The 153 acres of designated wetlands on this property is currently assessed @\$1,000 per acre for tax purposes; and future development of this property even though possible is highly unlikely whatever zoning it receives.


2-24-12

WE NEVER STOP MOVING



Home **EASTERN SHORE** Additional Info Login

Powered by WorldView Solutions Inc.

Search Criteria Search Results Property Sheet Map

Printer-Friendly

View Property in Interactive Map

Map ID: 30A5-16-A Parcel ID: 030A51600A00000 GPIN: 3887-38-1230

Summary Land Building

Owner's Name:
TOWN OF CHINCOTEAGUE
No Data

Mailing Address:
6150 COMMUNITY DR
CHINCOTEAGUE VA 23336

Zoning: Incorporated Town

Tax District: *Subscription Only*



Sale Information

Transfer Date: *No Data*
Sales Price: *No Data*
Grantor: *No Data*
Deed Reference: *No Data*
Plat Book: *No Data*
Plat Page: *No Data*

Assessment Information

	2011	2012
Land Value:	\$460,000	\$414,000
Improvement:	\$316,100	\$316,100
Total Value:	\$776,100	\$730,100

*The assessment information is obtained from the total value of these parcels...
30A5-16-A*

4243 CAPTAIN'S CORRIDOR, P.O. BOX 219
GREENBACKVILLE, VA 23356
TOLL FREE (800) 258-5843
FAX (757) 854-4247
OFFICE (757) 854-4141
www.CaptainsCoveVa.com

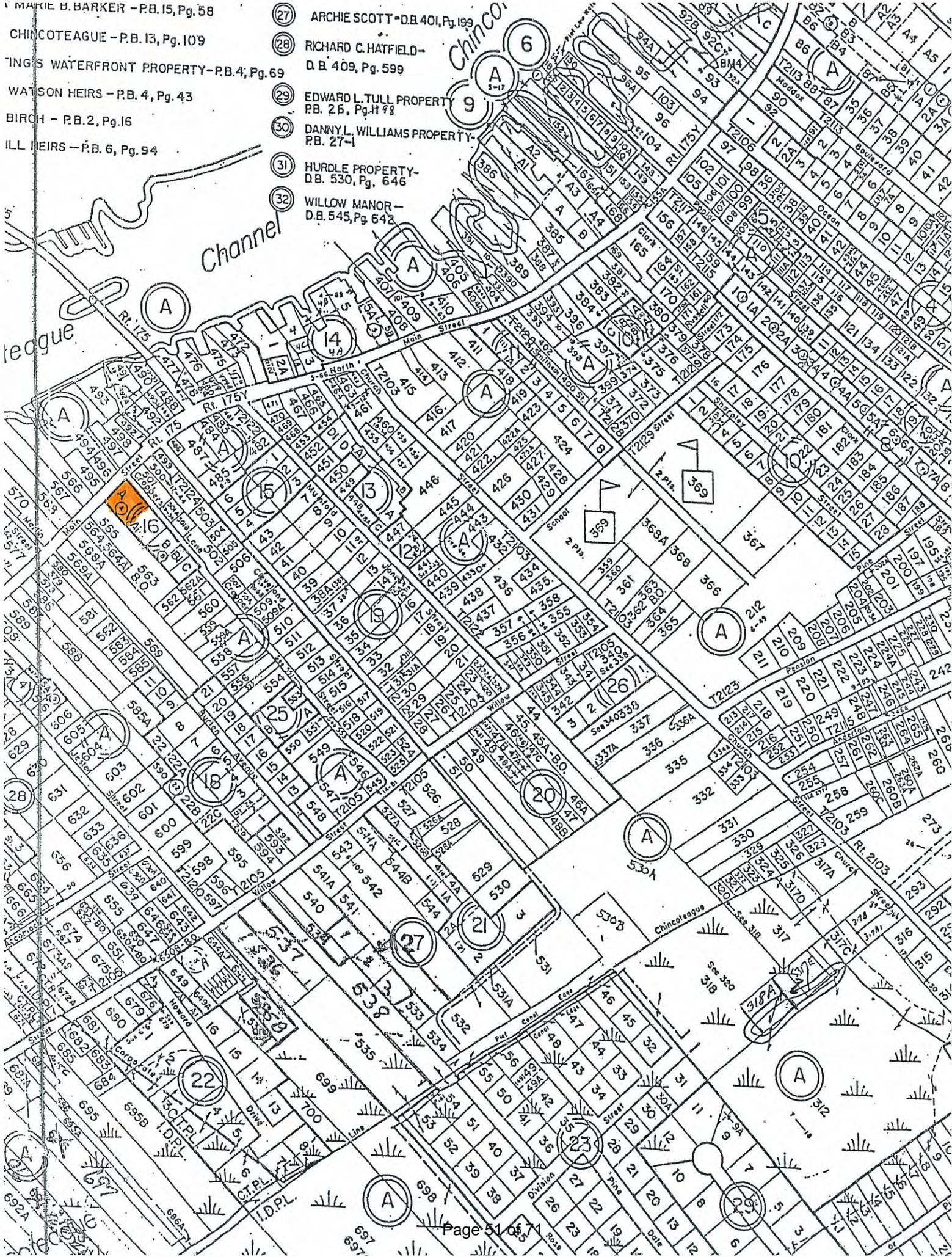
513 MARKET STREET
POCOMOKE CITY, MD 21851
TOLL FREE (800) 680-0240
FAX (410) 957-4446
OFFICE (410) 957-2220
www.ColdwellBankerEasternShore.net

Each Office Is Independently Owned And Operated.



MARIE B. BARKER - P.B. 15, Pg. 58
 CHINCOTEAGUE - P.B. 13, Pg. 109
 KING'S WATERFRONT PROPERTY - P.B. 4, Pg. 69
 WATSON HEIRS - P.B. 4, Pg. 43
 BIRCH - P.B. 2, Pg. 16
 ILL HEIRS - P.B. 6, Pg. 94

- (27) ARCHIE SCOTT - D.B. 401, Pg. 199
- (28) RICHARD C. HATFIELD - D.B. 409, Pg. 599
- (29) EDWARD L. TULL PROPERTY - P.B. 26, Pg. 173
- (30) DANNY L. WILLIAMS PROPERTY - P.B. 27-1
- (31) HURDLE PROPERTY - D.B. 530, Pg. 646
- (32) WILLOW MANOR - D.B. 545, Pg. 642



ACCOMACK COUNTY

Christ Sanctified Church

LOCATION INSERT 31B1
RA 175Y

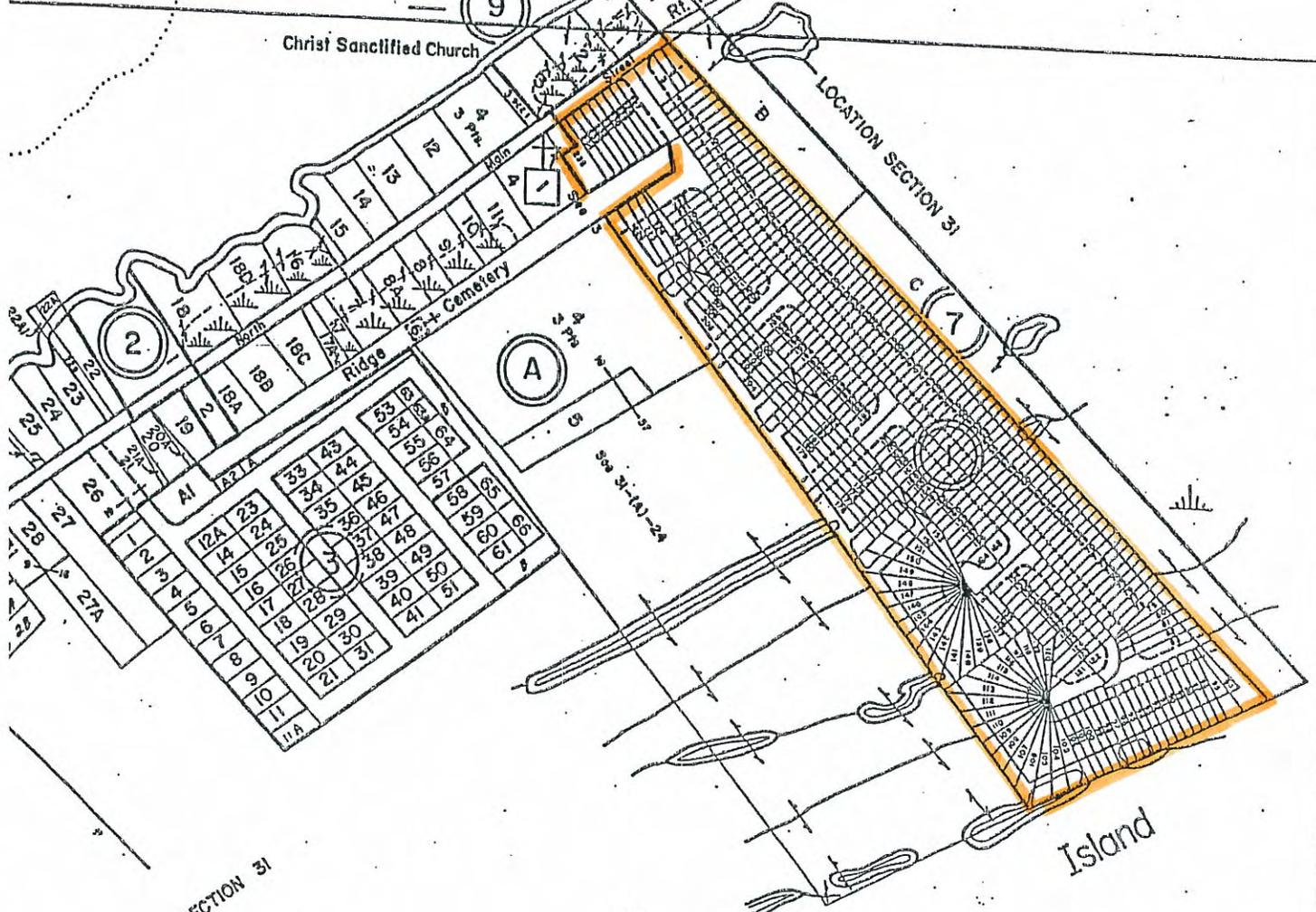
LOCATION SECTION 31

(7)

(A)

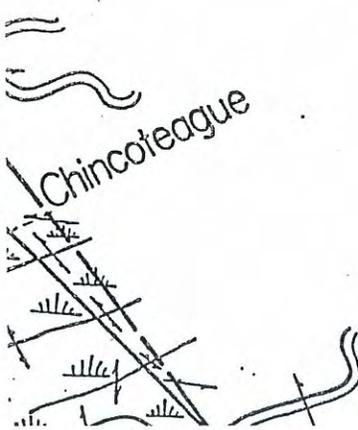
Island

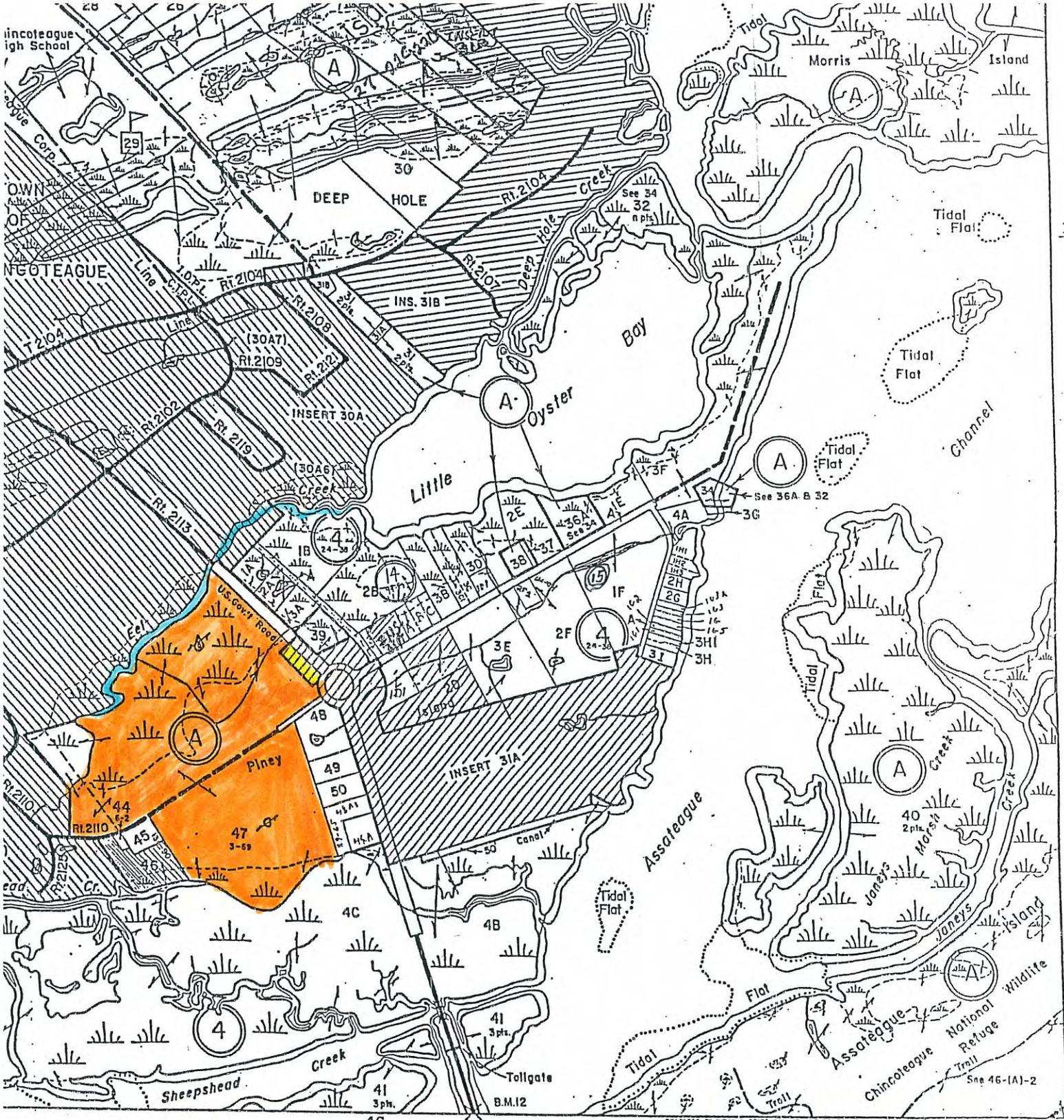
LOCATION SECTION 31



- (A) ACREAGE PARCELS
- (1) PENINSULA PROPERTIES INC.-PRELIMINARY LOT LAYOUT--P.B. 18, Pg. 97
- (2) A.F.BURTON -P.B. 8, Pg. 24
- (3) MISTY MEADOWS-MOBILE HOME SITES -P.B. 19, Pg. 31
- (4) FRANK E. & MARTHA L. WERNER -P.B. 10, Pg. 44
- (5) REUBEN J. JESTER -HEIRS -P.B. 4, Pg. 15
- (6) MRS. DECATUR BURCH -P.B. 12, Pg. 74
- (7) CLIFTON R. & EMMA E. JESTER -P.B. 21, Pg. 31
- (8) MELVIN & MARGRET RIZZIE PROPERTY -P.B. 22, Pg. 73
- (9) MERRITT PROPERTY - D.B. 377, Pg. 89
- (10) TULL PROPERTY - D.B. 508, Pg. 207
- (11) PT. PROPERTY OF ACCOMACK CO. SCHOOL BOARD -DR 523

TAX MAP
30A7





2400
800

ISLAND DISTRICT

SECTION 31
INSERT

(15) PARADISE BAY DEEP HOLE
Lots 44-48

MADDOX CAMPGROUND

Search Criteria Search Results Property Sheet Map

Printer-Friendly

View Property in Interactive Map

Map ID: 31-4-4C Parcel ID: 03100A000004700 GPIN: 3887-83-9846

Summary Land Building

Owner's Name: MADDOX,WAYNE 1/3 TR ET ALS C/O K MADDOX

Mailing Address: 5519 WOODLAND DR CHINCOTEAGUE VA 23336



Zoning: Incorporated Town

Tax District: Subscription Only

Sale Information

Assessment Information

Transfer Date: 02/06/2009
Sales Price: \$0.00
Grantor: HICKMAN,MAY 1/3 TR
Deed Reference: 2009 00032
Plat Book: No Data
Plat Page: No Data

Table with 3 columns: Assessment Item, 2011, 2012. Rows include Land Value, Improvement, and Total Value.

The assessment information is obtained from the total value of these parcels...

31-4-4C
31-A-47

BARBARA AND DAVID HECKMAN
198 CROSSLANDS DRIVE
KENNETT SQUARE, PA 19348

February 26, 2012

Mr. William Neville, Town Planner
6150 Community Drive
Chincoteague Island, VA 23336

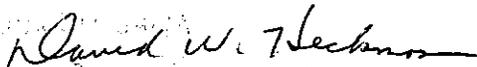
Dear Mr. Neville,

As taxpayers and part time residents of Chincoteague for over 17 years, we feel we must express our concern regarding the proposed zoning changes to the marsh adjacent to the Maddox property.

We strongly urge the Council to support the Resource Conservation zoning for that area. This keeps the marsh available to the public for QUIET recreation, such as crabbing, kayaking, bird watching, or just sitting on the dock appreciating the natural beauty of the area. Such activities are very important to residents and visitors to Chincoteague Island. Those who camp at Maddox and those of us who live overlooking the marsh urge support of the Resource Conservation Zoning, thereby protecting one of the few public accessible wetland environments in the area.

Thank you and the Council for your consideration.

Sincerely,



Barbara Heckman and David Heckman (7214 Fiddler Bay Lane, Chincoteague Is.)

Mr. W. Neville
Town Council of Chincoteague
6150 Community Dr
Chincoteague Island VA 23336

February 27, 2012

Thank you for the opportunity to offer comments on the proposed zoning for the island.

There are many financial, commercial and political reasons for making the proposed changes.

However, I hope that in all the zoning discussions, there are those who are speaking up for the health and welfare of the island itself. It feels as though Assateague Island has powerful people protecting every inch of it. I hope Chincoteague Island has people looking out for her too. Not just as a commercial enterprise, but as the island jewel that it has been for centuries. I understand our dependence on the tourist trade, which is a relatively short period of time each year, and by protecting our island we can insure that we will remain a popular destination. Chincoteague is a full time home to a stunning array of birds and animals who thrive in its natural habitat of old trees and marshes. Our residents are somewhat protected from flooding because of the marshlands.

I hope that all of the people who have decision making power will spend just a little time walking the two Island Nature Trails before making final decisions, and really take the time to appreciate the magnificence of our nature. Sometimes we forget what we really have here as we get caught up in our busy lives. Chincoteague is every bit as beautiful as Assateague. Please take a little time to really soak in the beauty of our marshes and of our tall old trees, really "see" what we're going to lose. It's not just colors on a map, but the real living island. (The zoning map has very little green.) The Official Chincoteague Homepage advertises our "beauty of unspoiled nature." I really hope that won't eventually have to be deleted. But if we keep erasing our nature, then it will be spoiled.

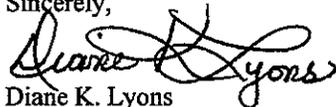
Trees are going down in Chincoteague, salt marshes are being filled in and paved over, and it's all done just as a matter of business. On Hallie W. Smith a lovely part of the island was clear cut and a huge bonfire sent a little more of our beauty up in smoke.

Ecotourism is a form of tourism involving visiting fragile, pristine, and usually protected areas, intended as a low impact and often small scale alternative to standard commercial tourism. We could take advantage of this new trend in the "off" season. This is important for the future. The definition is "Responsible travel to natural areas that conserves the environment and improves the well-being of local people." We should be part of this new form of tourism. Chincoteague should become *the* destination. Chincoteague Island has approximately 6720 acres, right now only 75 acres are saved for the trails. We need more trails. We can attract artists, photographers, birders and the people trying to escape their own overdeveloped towns and cities. There are always cars parked at the trail entrance, not just tourists but residents love them too.

The stewardship of our island has been given into your hands, as well as the landowners and developers. Please keep in mind the health, beauty and longevity of Chincoteague, and we will pray that the landowners and developers will have the same compassion. **"Imagine losing such a place! Preserving the Seaside's natural heritage presents unique conservation challenges. But progress is being made and you can help!"** This quote is taken directly from the Island Nature Trail sign.

Chincoteague can't speak for herself, but to disregard the health of this beautiful, fragile, yet gutsy little island would truly be a travesty. Please preserve our wild loveliness and natural charm for those of us living now and the generations who will follow. Thank you for your time.

Sincerely,



Diane K. Lyons
5101 Main St, Chincoteague Island

-----Original Message-----

From: Dave Hudgins [mailto:mdhudgins@qis.net]

Sent: Tuesday, February 28, 2012 4:08 PM

To: rritter@chincoteague-va.gov

Subject: Zoning ordinance

Dear Mr. Ritter,

My name is Dave Hudgins. I am a Chincoteague part-timer with a home in the Oyster Bay II community.

I have heard that there is a plan to change the Chincoteague zoning ordinance that would allow a buyer of an adjoining property to designate the new property with the same zoning. So, if I own a commercial property and I purchase an adjoining residential property, I can designate the new parcel as commercial without having to follow a rezoning process.

If this is true, then I will offer the following comments. This change undermines the purpose of the planning and zoning processes (and due process when a rezoning request is raised). As such, it would seem that the town would have no interest in approving such an amendment. I am against this type of policy.

I would suggest that changing the rules to further whatever personal interest is no different than the tact that the Fish and Wildlife folks are taking with the comprehensive plan (beach access, etc.) for the Chincoteague Wildlife Refuge. I very much enjoy the town of Chincoteague and hope that it remains healthy as the economy slowly recovers.

Please accept these comments as appropriate.

Very respectfully,

Michael David Hudgins
5314 N. Hibiscus Drive
Chincoteague, VA, 23336

William Neville

From: paulgentile5@aol.com
Sent: Tuesday, February 28, 2012 2:51 PM
To: wneville@chincoteague-va.gov
Cc: jtarr@chincoteague-va.gov; erichardson@chincoteague-va.gov; jjester@chincoteague-va.gov; nconklin@chincoteague-va.gov; jhoward@chincoteague-va.gov; thoward@chincoteague-va.gov; emuth@chincoteague-va.gov
Subject: Rezoning of Maddox Marshlands from Resource Conservation to Resort Commercial - Violation of State Law and Accomack County Ordinance/Due Process

Good Morning Mr. Neville:

As a homeowner on Chincoteague, I was very concerned that the Town of Chincoteague through the consideration and passing the Maddox zoning change would be in violation of the Commonwealth of Virginia Statue and Accomack County Ordinance and missing several due process steps. My reading of the Virginia Resources Marine Commission's "Management Plan for the Ungranted State Lands in Accomack and Northampton Counties – Regulation 4 Vac. 20-1020-10 et seq and citing §28.2-1504 of the Code of Virginia, says that the goal of this management plan shall be to conserve and protect the shores of the sea, marsh and meadowlands, and the natural values and natural processes associated therewith. To the extent not inconsistent with that goal, the management plan shall also consider the traditional uses of such properties and the promotion of tourism and commerce. However by Chincoteague rezoning this land as Resort Commercial is directly inconsistent with that goal and consideration of the plan. The issue of this plan is in conflict with this zoning change has never been brought up.

The purpose of this management plan is the development of a comprehensive conservation and management strategy whereby these lands may be managed in such a manner as to conserve and protect the natural values associated with those lands (habitats, food webs, plant and animal species) while accommodating compatible traditional uses. This plan envisions single agency management with involvement of local interests and state natural resource agencies in the conservation and management of these lands, and provides a mechanism for the resolution of conflicting uses. These lands, and their management, do not stand alone. They are, especially on the Eastern Shore seaside, an essential and integral part of a large and complex working ecosystem which is subject to regulation and management by numerous agencies, government and non-government, at many different levels.

In Accomack County, the land surrounding the ungranted state lands in Accomack County fall into two categories of the Accomack Zoning Ordinance: (1) the Agriculture District which covers portions of the county occupied by various open uses such as marsh lands, beaches, forests, parks and farms, and (2) the Barrier Island District. In addition, Accomack County has a Wetlands Ordinance and a Chesapeake Bay Preservation Ordinance which overlay the zoning ordinance. Any development in these zoning districts is subject to the restrictions and regulations of the Accomack Zoning Ordinance. So, therefore, this change in the Chincoteague zoning plan is in direct conflict and contradicts the County Ordinance.

Most of the ungranted state lands addressed by this plan are wetlands. It has long been the public policy of the Commonwealth of Virginia to preserve wetlands and to prevent their despoliation and destruction and to accommodate necessary economic development in a manner consistent with wetlands preservation. In keeping with this policy, it is the goal of this management plan to conserve and protect the shores of the sea, marsh, meadowlands, commons, and other coastal lands subject to this plan and the natural values and natural processes associated with these lands and the complex working ecosystem of which they comprise an important part. In a manner consistent with this goal, the management plan shall also consider the traditional uses of such

properties and the promotion of tourism and commerce. Rezoning salt marshlands as Resort Commercial is inconsistent and incompatible with this plan.

State owned lands defined in the management plan must, be subject to state and federal laws, be kept open and accessible for the use of the citizens of the Commonwealth. Traditional compatible uses (e.g., hunting, fishing and fowling) will be accommodated as provided for by local, state or federal laws.

Resource protection will rely on a network of federal, state and local laws and regulations. Requirements for local, state and federal permits and licenses will be observed, and the usual application procedures will be followed. Surveillance and enforcement mechanisms will remain in effect. The ungranted state lands fall under a number of different and overlapping jurisdictions and coordination and cooperation among all levels of government is essential as is centralized storage and management of ungranted state lands information.

I am wondering why, consistent with state and county laws and regulations, that the Virginia Marine Resources Commission or the Virginia Coastal Land Management Advisory Council have not been consulted about this change in zoning? I have heard of no hearings from these entities that must be consulted before any change can occur.

Virginia Marine Resources Commission (VMRC)

As specified in §28.2-1501(B), VMRC shall have the power to promulgate regulations and guidelines necessary to implement the policies in this plan, and to protect and preserve the ungranted state lands on the Eastern Shore. Management regulations and guidelines shall be promulgated in accordance with Va. Code Ann. §28.2-103 and the Management Issues section of this plan.

Virginia Coastal Land Management Advisory Council (VCLMAC)

A Virginia Coastal Land Management Advisory Council is established to advise the VMRC on issues relating to the management of ungranted state lands on the Eastern Shore. The VCLMAC shall meet at the call of the Commissioner of the VMRC or at least once per year. The VCLMAC may recommend proposed regulations or guidelines for the ungranted state lands to the VMRC. The VMRC shall have final decision making authority on the promulgation of proposed regulations and guidelines. The VCLMAC may recommend to the VMRC resolutions to conflicts between parties on the use of the ungranted state lands. The VMRC shall have the authority to decide cases of conflicting uses. The VCLMAC may recommend amendments to this management plan. The VMRC shall have final decision making authority on proposed amendments to this plan.

§ 28.2-1503. Management of lands.

The VMRC shall manage all ungranted shores of the sea, marsh and meadowlands, and all other lands of the Commonwealth for which management duties have been given to the Commission, as steward for the property interests of the Commonwealth. All agencies of the Commonwealth shall cooperate with the Commission and, upon request, shall assist the Commission in the performance of its duties and responsibilities under this chapter.

To my knowledge neither the Commission nor the Council has been consulted about this change. Therefore, I am recommending to you that you follow the process that has been established for making these determinations before repromulgating Chincoteague's zoning ordinances.

Virginia Case Law Zoning – Dillon Rule

I would also like to point out the Dillon Rule in Virginia zoning law. In Virginia, a locality has “only those powers that are expressly granted, those necessary or fairly implied from expressly granted powers, and those that are essential and indispensable.” *City of Chesapeake v. Gardner Enters, Inc.*, 253 Va. 243, 246 (1997). The Dillon Rule represents a necessary check on local power, which sometimes is exercised by politicians who may not enjoy substantial land-use experience, or local planners that may try to take advantage of part time

electd officials who maybe ignorant of a particular agenda being advanced by staff or others.

Bypassing the VMRC and the VCLMAC, smacks of indifference to mandated government reviews that have been view as superfluous by the Town of Chincoteague. To not touch base with the basic approval process, insults those entities, the people of Virginia and Accomack Counties, and local Chincoteague residents and property and business owners.

The Town Planner has recommended, at the request of the campground owners, that the parcel of their property which is actually in the marsh be re-zoned as Resort-Commercial meaning that it could conceivably be developed. We have urged the Town Planner and the Town Council to instead re-zone it as Resource Conservation, protecting it from development in the future so that we and future generations do not have to worry about a big developer purchasing the property and building a resort out on the marsh.

The marsh is of such value to all of us in its current natural state and the thought of a resort out on the marsh should be a worry to all of us who love Chincoteague and its natural beauty. I hope that the Mayor and Town Council follows the law by stopping this process and create a new process that includes the VMRC and the VCLMAC in order to preserve and protect this living asset by keeping the marsh protected so that development can never happen.

Best regards,

Paul J. Gentile

P. O. Box 468
Chincoteague, VA 23336
February 28, 2012

Mr. Bill Neville
Director of Planning
Town of Chincoteague
6150 Community Drive
Chincoteague, VA 23336

Re: Tax Map No. 03000A000000200

Dear Mr. Neville:

I currently own a 20 acre parcel, Tax Map No. 03000A000000200, in the Town of Chincoteague. I do not wish to have this parcel rezoned to Mixed Use Residential, but request that it remain zoned as Neighborhood Commercial. Your assistance in this matter is appreciated.

Sincerely yours,



Edward Lunn Tull

William Neville

From: Patti Merritt [angelhorse@mail.com]
Sent: Wednesday, February 29, 2012 12:07 PM
To: wneville@chincoteague-va.gov; rritter@chincoteague-va.gov
Subject: new zoning proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Zoning Map

Attn: Bill Neville

I am sending this on behalf of my parents, Newman Merritt and Mary Ann Merritt, life-long residents of the Island.

"We agree with the new R-4 zoning which will implement tighter restrictions to protect predominately residential neighborhoods. We are concerned, however, that by giving "contiguous" rights to proposed new campgrounds or travel trailer parks (adjacent to existing campgrounds) that corresponding new development could result in heavy traffic inconsistent with the R-4 stipulation that zoning should be "of a character unlikely to develop extreme concentrations of traffic." We also urge the Town to retain the R-2 zoning for all campground sites for all of North Main St. We hope the Town will continue to facilitate smart development and maintain control over our remaining open spaces."

Sincerely,

Newman Merritt

Mary Ann Merritt

We would like to alert you to what's happening concerning the new zoning being purposed for North Main St. This would particularly affect the last 80 or so undeveloped acres there.

Remember the public comment session of the Zoning Commission meeting on June 14th, 2010? There was a great turnout of concerned citizens...many spoke up about the proposed changes. Petitions with about 100 signatures were turned in and many others sent in their comments to ask the Town to give more thought to the proposed changes in zoning. The Town listened and based the new R-4 zoning on the existing R-3 zoning and not the C-1 (commercial) zoning. This means there will be tighter restrictions to protect a predominately residential neighborhood. The town should be applauded for that.

However, we have a concern. There are over 80 acres of undeveloped land in this area. One proposed change in the zoning allows a property to become a campground or travel trailer park "by right" if it is "contiguous" with an existing campground/travel trailer park. We believe camper/travel trailer parks are an integral part of Chincoteague's unique character and if existing campgrounds or travel trailer parks want to expand that's great. It's the use of the word "contiguous". If a campground exists and the properties adjacent to it are therefore allowed "by right" to become campgrounds, then the properties adjacent to these "new" campgrounds can become campgrounds and on and on like a game of dominos. To take it to the farthest extreme, the entire 80 acres "could" end up campground/travel trailer parks.

One 17 acre parcel is already plotted for over 300 lots (these lots are supposedly "grandfather in" and do not meet today's lot size specified for campgrounds). So...that would mean 300 more cars going up and down North Main St. If another property was "contiguous" to this land and also became campgrounds than it could mean hundreds more cars. The statement of "intent" for our existing R-3 zoning and the new proposed R-4 states that the zoning should be: *"of a character unlikely to develop extreme concentrations of traffic."* The possibility of a great increase of traffic is in dramatic conflict with the mission statement for R-4.

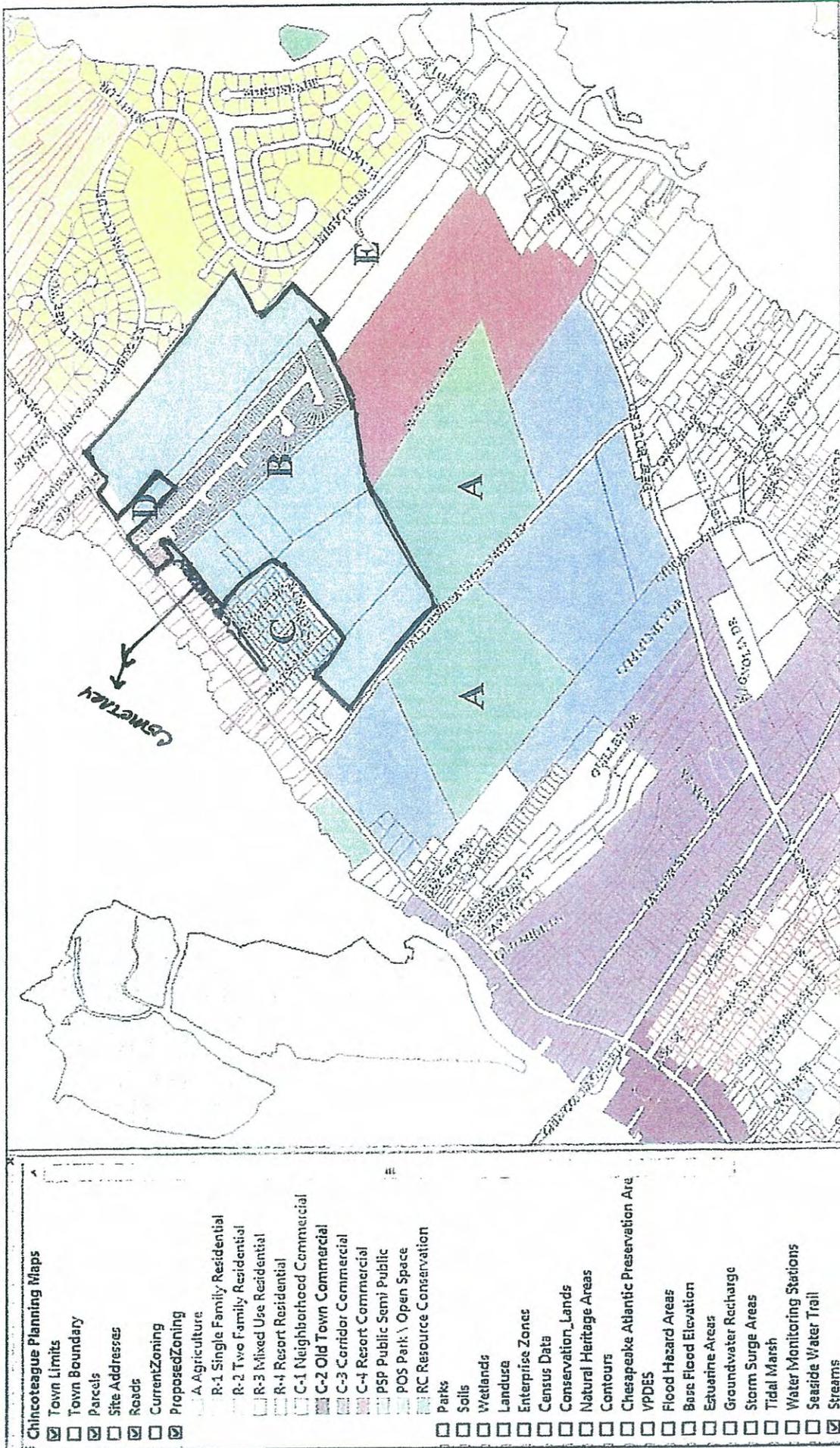
The Town also proposes to have a R-2 zoning on both sides of North Main St. for 150 ft. back from the road. That is a great idea and we support that. However, the 17 acre parcel in question is asking the Town to zone all of their 300 lots R-4 which would then allow campers only 10 ft. off Main St. surrounding Christ Sanctified Church. We encourage the Town to retain the R-2 for all of North Main St. for at least 150 ft. back from the road...no exceptions.

They listened to us before. We know they care deeply about the future of Chincoteague. **We believe the Town can come up with a better formula for helping the existing campgrounds and trailer parks expand. We also believe they can maintain the mostly residential character of North Main St. We hope the Town will encourage smart development and maintain control over what happens to the last remaining open space.**

Please.... send your comments to Town Planner Bill Neville wneville@chincoteague-va.gov or Town Manager Rob Ritter rritter@chincoteague-va.gov before the public comment period ends March 2nd.

Thank you....Louisa Flaningam and Paul Brzowski.....5122 Main St..

914-589-7733 pjandlouisia@optonline.net



Alternate Draft Zoning Districts

A: Park B: zoned new R-4...with "contiguous" exception for campgrounds and travel trailer parks...outline includes the undeveloped land in question and the 300 supposedly "grandfathered" lots.

C: Misty Meadows D: Historic property to remain R-2 E: Remap from R-4 to R-3

WHAT WE BELIEVE
TO BE UNDEVELOPED
AND PROPOSED
R-4

Mr. Bill Neville
Director of Planning
Town of Chincoteague
Chincoteague, VA 23336

March 1, 2012

Dear Mr. Neville:

We would like to include this letter in the public comments regarding the proposed re-zoning of Chincoteague Island. Although we are relatively new to this island, our feelings run very deep in our commitment to this island and community. Our restoration of the Timothy Hill House is one example of that commitment. We do have concerns regarding the new zoning being purposed for North Main St. This would particularly affect the last 80 or so undeveloped acres there.

We want to thank the Planning Commission for listening to the many concerns voiced by us and many others at the June 14th, 2011 meeting and during that public comment period. If there has to be a "new" R-4 zoning in our area, we are glad that it is based on the existing R-3 rather than the C-1 template. North Main St. is predominately a residential neighborhood and we applaud any efforts to maintain that character. Any change in zoning should allow the Town to have input into what type of development will be allowed and not opening it up to any inconsistent commercial development.

However, there are over 80 acres of undeveloped land in this area. One proposed change in the zoning allows a property to become a campground or travel trailer park "by right" if it is "contiguous" with an existing campground/travel trailer park. We believe camper/travel trailer parks are an integral part of Chincoteague's unique character and if existing campgrounds or travel trailer parks want to expand that's great. It's the use of the word "contiguous". If a campground already exists and the properties adjacent to it are therefore allowed "by right" to become campgrounds, then the properties adjacent to these "new" campgrounds can become campgrounds and on and on like a game of dominoes. To take it to the farthest extreme, the entire 80 acres "could" end up campground/travel trailer parks.

One 17 acre parcel is already plotted for over 300 lots (these lots are supposedly "grandfathered in" and do not meet today's lot size specified for campgrounds). So...that could mean 300 more cars going up and down North Main St. If another property was "contiguous" to this land and also became campgrounds than it could mean hundreds more cars. The statement of "intent" for our existing R-3 zoning and the new proposed R-4 states that the zoning should be: "*of a character unlikely to develop extreme concentrations of traffic.*" The possibility of a great increase of traffic would be in direct conflict with the mission statement for the new R-4.

The Town also proposes to maintain the R-2 zoning on both sides of North Main St. north of the High School for 150 ft. back from the road. That is a great idea which we totally support because it will maintain an appropriate character for that neighborhood. If the 17 acre parcel mentioned above was allowed to lose the R-2 zoning in a number of their lots that are directly on Main St....that could mean campers only 10 ft. off the road and surrounding Christ Sanctified Church. We support maintaining the R-2 with no exceptions allowed.

In fact, the entire length of Main St. north of the bridge needs to be protected from extreme concentrations of traffic and inappropriate commercial development. The zoning should reflect the quiet, residential character of a neighborhood with schools, nature walks and well cared for homes

that show the variety and history of Chincoteague's architecture. We support maintaining the current R-3 and R-2 zoning that runs along both sides of North Main St.

We believe the Town can come up with a better formula for helping the existing campgrounds and travel trailer parks expand. We also believe you can maintain the mostly residential character of North Main St. We know the Mayor and Council care deeply about Chincoteague. We hope their careful consideration in making changes to the zoning will lead down the path toward smart development. We hope they will take great care in decisions regarding the last remaining open space.

Chincoteague is a truly beautiful and charming place that so many people have fallen in love with over the years. Prosperity for the future may mean new development and changes. But, changes that diminish that which makes Chincoteague attractive and compelling...changes that take away that which has been a great part of it's appeal...could be very costly to us all. Will all the natural beauty be lost in the name of progress? Will all the charm be replaced by well known chains and typical high rise or sprawling development that is evident in so many other shoreline communities? Or, will it be thought out and planned carefully to bring out Chincoteague's beauty and charm even more so that the island's appeal will be an even greater draw for visitors and residents alike. We hope that you, the Town, will give Chincoteague the future it deserves.

Respectfully, Louisa Flaningam and Paul Brzozowski

5122 Main St. Chincoteague and
22 Lilly Rd., Wanaque, NJ 07465
pjandlouis@optonline.net

Public Safety Meeting Minutes

February 7, 2012

Chairman Tarr called the meeting to order at 17:08

Present: Mayor Tarr, Chairman
Vice Mayor Richardson
Robert Ritter, Jr., Town Manger
Bryan Rush, EM Coordinator
Robert Lappin, Fire Chief

Absent: Councilman Jester
Edward Lewis, Police Chief

Public Participation

There were no comments.

Agenda Adoption

A motion was made by Councilwoman Richardson to adopt the agenda and a second by Chairman Tarr. The motion was unanimously approved.

1. Monthly Emergency Management Report

Report given by Bryan Rush

PLANNING

WALLOPS FLIGHT FACILITY REGIONAL RESPONSE

In response to the planned increase rocket launches at the Regional Space Port on Wallops Island, the local emergency managers from Chincoteague, Accomack County, Wallops Island, and the Virginia Department of Emergency Management conducted an initial planning conference on January 26, 2012. The conference enabled face to face communications between the affected parties, reviewing the hazard/vulnerability analysis of such an event and planning a tabletop exercise in the near future to ensure that emergency response plans are in place. The planning committee is planning a workshop at the Chincoteague Community Center on March 14 at 0800. The actual tabletop exercise will be held on July 18 at the Chincoteague Community Center.

DISPERSANT WORKSHOP

The United States Coast Guard is conducting a workshop for local emergency management officials, key responders, aquaculture interests, and tourism promoters focusing on the use of dispersants used to mitigate a major oil spill that could occur in the area. These dispersants were of major concern to stake holders along the Gulf Coast during the Deep-water Horizon spill in 2010. The Chincoteague area is susceptible to large spills (i.e. Bow Mariner Spill 2004) and this information could be critical to future events.

SPECIAL NEEDS SHELTERING

The Eastern Shore Disaster Coalition has been discussing sheltering needs, especially those of “special needs individuals”. The coalition has formed an ad hoc committee to discuss the results of the survey sent out to capture sheltering needs. This committee is comprised of members of the health department, Community Services Board, home health care, the Red Cross, and social services.

(Mayor Tarr suggests involving elected officials of Accomack County as it is their responsibility by state code to shelter.)

TRAINING

ICS 300

The Accomack County of Public Safety will be hosting an ICS 300 class in April. The date and time are pending. (Fire Chief Lappin suggests having the classes on the weekends to allow more volunteers to participate.)

LOGISTICS

HURRICANE IRENE

The Town is awaiting final approval and payment of \$28,244.54 from FEMA, which is their share of seventy five percent of \$37,659.38 for reimbursement for the Town’s response to prepare for the storm and the large amount of debris removal incurred because of the storm. Damage to Veteran’s Memorial Park was also included in the total.

911 MAP UPDATES

The Eastern Shore of Virginia 911 Center has placed the map books of both Counties in PDF format. This action will allow each user to print updates; without printing the whole map book. The updates will occur in the winter and summer every year.

PUBLIC INFORMATION

IRENE

Information on Irene recovery dollars is included in the February edition of the Town’s newsletter, with additional information to remind citizens to prepare for winter emergencies, reinforcing the over-all message that citizens need to be prepared for emergencies.

GOVERNOR MCDONNELL

2011 brought an untold amount of disaster damage to the Commonwealth. Many people thought they were covered by their insurance policies. However, not many individuals were aware that earthquake coverage is not included in many homeowners policies and were therefor, not insured. Governor McDonnell is currently trying to propose legislation that will require insurance companies that exclude earthquake coverage to provide notice of such exclusion and to inform customers of its availability in a separate policy.

2. Chincoteague Volunteer Fire Company Report

Fire Chief Lappin reports that the department is working on the Fire Tax issue that is to come before the Accomack County Board of Supervisors on February 15, 2012. The chief also reports that department radios will be replaced per the narrow banding guidelines. The replacement is made possible by a grant secured by the Eastern Shore 911 Center. Chief Lappin also asked if Police Chief Lewis was aware of this and stated other municipalities are utilizing the same grant.

3. Discussion on Public Information Mailer

Emergency Management Coordinator Rush asked the committee if they would like any changes to the annual mailer that reminds the public about the area hazards and how to prepare for them. Mr. Rush also advised the committee that he would be sending the information to Town Planner Neville so that the proper information could be included to meet the Community Rating System guidelines for flood insurance. Vice Mayor Richardson suggested that the word “west” be removed as a direction to evacuate as some tourists may end up in Saxis, Virginia. No other comments were made.

4. Committee Member Comments

Mr. Rush reminded everyone to be in attendance at the Accomack County Board of Supervisors meeting on February 15, 2012, at 5:00 PM in the Board Chambers to oppose the proposed Fire Tax for Chincoteague.

Meeting adjourned at 17:27



MEMORANDUM
Town of Chincoteague Inc.

To: Mayor & Town Council
From: Robert Ritter, Town Manager
Date: March 1, 2012
Subject: Recreation & Community Enhancement Committee Appointments

At the previous Council meeting, Council voted on adding an additional fifth member to the Recreation and Community Enhancement committee and that member being a person from the Garden Club. Also, at the Council meeting, the Council voted on giving each committee member terms that would be staggered two year limits. At the meeting, the Mayor asked the Town Manager to go over the ending terms with each member for adoption at the March 6, Council meeting. When going over the ending terms with each committee member, Ms. Cathy Plant stated that she did not want to continue serving on the committee. Everyone on the committee has been contacted and they are okay with the ending terms and wanted to continue to serve on the committee. Lastly the Garden Club identified Ms Nancy Lane as their representative on the committee (see attached).

The following are the suggested staggered terms for two years:

	<u>Term Ends</u>
1. Jack VanDame	December 31, 2012
2. Robert "Bob" Conklin	December 31, 2012
3. Gene Wayne Taylor	December 31, 2013
4. Nancy Lane	December 31, 2013
5. ?	December 31, 2013

Note: If Council so chooses to accept each member above for the four positions, I will advertise the fifth position in the month of March and bring back the candidates that have applied for the position to the Council, at the next regular Council meeting on April 2, 2012.

February 26, 2012

Mr. Robert Ritter, Town Manager
Town of Chincoteague
6150 Community Drive
Chincoteague Island, Virginia 23336

Dear Mr. Ritter:

I am writing this letter to identify a member from the Chincoteague Garden Club to serve on the town's Recreation and Community Enhancement Committee (RCEC). The Club has identified me, Nancy Lane, to serve as their representative to the RCEC.

Please let me know if you need additional information from the Garden Club regarding this nomination.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nancy Lane", with a long horizontal flourish extending to the right.

Nancy Lane, President
Chincoteague Garden Club
3890 Main St.

cc: Mr. John Jester, Chair, RCEC