

Town of Onancock  
Planning Commission Meeting  
Tuesday  
September 21, 2021  
5:30 P.M.

Call to Order and Roll Call:

Chairman Judith Grier called the meeting to order at 5:30 P.M.

Commission members Bill Bagwell, Brandon Brockmeier, T. Lee Byrd, Larry Frey, Judith Grier, Scott Schreiber, and Carol Tunstall were present. Commission member Robert Bloxom was absent. A quorum was established.

Town Manager Matt Spuck and Deputy Clerk Mariellen Mearsheimer were present. See Attendance Sheet (attached) for others present at the meeting.

Minutes:

Chairman Grier asked for a motion to approve the August 17, 2021 minutes.

*Commission member Bill Bagwell made a motion to approve the August 17, 2021 minutes as presented.*

*Commission member Scott Schreiber seconded the motion. No discussion was held. The motion was approved by unanimous voice vote.*

Items of Business:

- a. Update on the status of the Comprehensive Plan Review  
Town Manager Spuck informed the Commissioners that Town Council will meet on Monday September 27, 2021 to vote on the Comprehensive Plan. He has met with some Council members about the Plan. He stated the Council will make a motion to adopt the Plan, they will discuss it and make changes or corrections. He added with or without changes the Planning Commission is finished with their part.

- b. Review zoning application – 18 Market Street - Change of zoning from residential to business.

*Commission member Bill Bagwell made a motion to recommend to Town Council they approve the change in zoning from residential to business for 18 Market Street. Commission member T. Lee Byrd seconded the motion.*

Discussion followed. Mrs. Fosque gave an overview of how the property was used in the past. Commission member Larry Frey was concerned with the fact that a change of zoning was just made last year. Commission member Schreiber wanted the process of zoning change explained. Town Manager Spuck mentioned the shared backyard space that was the reason for the last zoning change. Commission member Brockmeier asked if the zoning change last year was meant to be temporary. Commission member Bagwell asked if there was a business license for a business at the location. With no further discussion Chairman Grier called for the vote.

*Commission members Bagwell, Brockmeier, Byrd, Grier, Schreiber, and Tunstall voted yes. Commission member Frey abstained. The motion was approved, 6 yes, 0 no.*

- c. Review current version of Homestay ordinance.

Town Manager Spuck presented the Commission members with the most recent version of Section 38-77.- Special exceptions. He stated the Town needs to define who we are and write an ordinance that fits that definition. Discussion followed. Mr. Spuck was asked how many special use permits for Homestays the Town currently has on record. He stated eleven; two are used often, two are idle, most of the others are infrequently used and three applications have been submitted since the moratorium. Commission member Bagwell was concerned about keeping the character of our neighborhoods, he wants to know his neighbors. Commission member Brockmeier said the residential areas are not for business, Airbnb's are businesses. Also discussed was requiring a minimum of two hundred linear feet between water meters plus one tax parcel between properties in order to prevent clusters of Homestays in any one area, a three year expiration for the special use permit, the submission of Transient Occupancy Taxes (TOT), who can apply, proof of insurance, limits on the number of days (90) homes can be rented in a calendar year which Mr. Spuck estimated would keep the property from being an overly profitable business, limits on the number of people that could stay in the house at one time (four for each full bath), the availability of off street parking for all types of vehicles and local contact information for the responsible party given to police and adjoining property owners. There was some discussion of Airbnb's in the downtown Business zone (B1) but it was decided by the Commissioners to defer that discussion for a later time.

Public Comment:

Chairman Grier opened the discussion to the public.

Residents had concerns about, keeping the residential areas residential and considered Airbnb's businesses', keeping home ownership and rentals affordable to locals, the 90 day limit and its effect on property rights, the minimum two hundred linear foot requirement being a good idea but homeowners should also have a say about Homestays near them and finally not allowing anymore Homestays than we have right now and making no changes to the ordinance, and concerns about inspections , oversight and enforcement and the costs to the Town. A resident from Onancock shared information collected about other localities on the Chesapeake Bay that had Homestays and a resident of Cape Charles, Virginia shared information about that Town's experiences with Homestays.

Adjourn:

Chairman Grier asked for a motion to adjourn.

*Commission member Frey made a motion to adjourn. Commission member Brockmeier seconded the motion. The motion was approved by unanimous voice vote.*

The meeting adjourned at 7:15 P.M.



Judith Grier, Chair



Mariellen Mearshelmer, Deputy Clerk