

**Town of Onancock
Town Council Meeting
Monday, August 26, 2024
7:00 PM**

- 1) **Call to order and roll call:** Mayor Fosque called the meeting to order at 7:00 PM and roll was called. Councilmembers Cindy Holdren, Joy Marino, Sarah Nock, Maphis Oswald, Paul Weitzel and Mayor Fosque were present. Councilmember Ray Burger was not present. Town Manager Matt Spuck and Town Clerk Debbie Caton were also present. A quorum was established.

- 2) **Pledge of Allegiance**

- 3) **Approve minutes from July 22, 2024, meeting.** Councilmember Weitzel moved to approve the meeting minutes. Councilmember Oswald seconded the motion. The motion passed with a 5-0 vote.

- 4) **Public Presentation**
 - a. **Onancock Farmer’s Market** – Mayor Fosque read a request from the Onancock Farmer’s Market Board of Directors. The request asked for the town to submit and administer a grant application titled Governor’s Agriculture and Forestry Industries Development Fund Infrastructure Grant Program. If awarded, the Onancock Farmer’s Market will need to raise \$10,000 for a match. Currently, a capital campaign is in place to raise these funds. (The request is attached.) Town Manager Spuck agreed to offer staff time to assist with this request. Councilmember Nock moved that the town support the Onancock Farmer’s Market in submitting this state grant for the match for the winter market building. Councilmember Holdren seconded the motion. The following vote was recorded.
 - Councilmember Holdren – aye
 - Councilmember Marino – nay
 - Councilmember Nock – aye
 - Councilmember Oswald – nay
 - Councilmember Weitzel – nayThe motion failed with a 2 to 3 vote.

 - b. **Groundwater technical analysis - Britt McMillan, Geologist, Arcadis** – Mr. McMillan gave a presentation which is available in the town council packet on the source of fresh groundwater as it relates to the proposed new housing development outside of town limits. Council discussion ensued along with questions for Mr. McMillan.

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- c. **Coastal Square – Chris Carbaugh, Developer, Atlantic Group** – Mr. Carbaugh gave a presentation which is available in the town council packet on the phased housing development outside of town limits. Council discussion ensued along with questions for Mr. Carbaugh.

Chairperson Schrieber called the Planning Commission meeting to order at 8:15 PM. Commissioners Jake Dillon, Larry Frey, Fletcher Fosque, Carol Tunstall, and Chairperson Schrieber were present. Commissioner T. Lee Byrd was not present. A quorum was established.

5) Public Hearings

- a. Article II: Stopping, Standing, Parking – The public hearing opened at 8:18 PM. The following public comments were recorded.
 - Mary Clements – see attached notes.
 - Dana Simson – Ms. Simson asked, “what was the rush to push Article XII through?” At the planning commission meeting where this was decided, a quorum could not be established until Mayor Fosque was appointed as the town council representation after Councilmember Brockmeier resigned. Ms. Simpson stated there was a conflict of interest pushing it through because it will benefit the sale of the Town Manager’s property. Because the planning commission is down two members, Ms. Simson feels a full roster should be present for voting purposes. Ms. Simson thinks it is undemocratic for neighbors’ opinion to not be considered when approving a special use permit.
 - Priscilla Hart – Ms. Hart would like to see a resolution limiting the parking in the business district so that we do not have upstairs tenants parked in front of businesses and residences during operating hours. She is relying on Town Council and Planning Commission to produce a solution that would be workable for businesses.
 - Cherie Tapman – Ms. Tapman admitted to parking in front of the business owned by her mother. Her mother is elderly and has mobility issues. She does not think the 3-hour parking limit is enough time for patrons.
 - Rosemary Paparo – Ms. Paparo suggested a separation of districts where each district would have different parking regulations.
 - Dr. Greg Felthousen – Dr. Felthousen noticed during the Croaker Tournament several residents put out “no parking” signs. He was hoping the parking ordinance could include allowing residents to put “no parking” signs in front of their homes or opening their lots up to allow parking for a parking fee.

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- Mark Sinclair – Mr. Sinclair is neutral on the parking time limit but thinks Onancock must be successful if parking problems are an issue.

The public hearing closed at 8:35 PM. The Town Council tabled discussion and action on this until the September 9, 2024, meeting.

- b. Article XV: Special Use Permits (SUP) – The public hearing opened at 8:37 PM. The following comments were recorded.
- Rosemary Paparo – Ms. Paparo is concerned the new verbiage eliminates the opinions of neighbors because a previous Council said the opinions of neighbors should be strongly considered. Her other concern is it states a tenant can apply for a SUP.
 - Patsy Felthousen – Mrs. Felthousen has concerns because the line stating neighbors’ opinions has been crossed out. Mrs. Felthousen asked, “why has this protection been eliminated?” She feels this is the only avenue provided to our neighbors to express their feelings about what is happening and what impacts their neighborhood. She suggested the line remain in the ordinance.
 - Dr. Greg Felthousen – Dr. Felthousen reiterated his wife’s earlier comments. We are the citizens of the town and have the right to be heard. Lastly, regarding the SUP between the town and Friends of Onancock (FOS). Who applies for the SUP as FOS is the lessee?
 - Priscilla Hart – Ms. Hart has concerns about removing the statement considering the opinions of neighbors. She thinks it is especially important. Why can a tenant apply for a SUP? There are ramifications to this being in the ordinance.

The public hearing closed at 8:49 PM. The Town Council tabled discussion and action on this until the September 9, 2024, meeting.

6) Council Action

- a. None scheduled.

7) Council discussion:

- a. **Arborist Report** – Mark Belknap, ISA Certified Arborist, discussed the Queen Street Oak Tree Risk Assessment which is available in the town council packet. The risk level is considered level two. Mr. Belknap looked at the tree from 360 degrees. He evaluated the structure from the crown, the branches, the trunk, and the root system. The results are based on three major factors. Those factors are target assessment, tree assessment and risk assessment. Mr. Belknap’s report discusses mitigation options as well as tree care options for the future. One mitigation option is to install a protective fence located

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at least 80 feet from the trunk and surrounding all sides. Town Manager Spuck will provide fence options and pricing to the Town Council.

- b. **Road Diet** – Town Manager Spuck explained the proposed plan was to have the four-lane highway that comes into town reduced to one lane in each direction with a pedestrian and bike path on each side. This would run from Route 13 to the Corner Mart at the Market Street/Hill Street intersection. Accomack County Board of Supervisors have rescinded their support with the Virginia Department of Transportation (VDOT) for the project. Town Council made a unanimous decision with a signed resolution dated June 22, 2020, to support the project. The Town Council decided not to counter the Board of Supervisors decision.

8) Public Comments

- a. Cherie Tapman – Ms. Tapman is inquiring about the cannon that was displayed at the Historic Onancock School (HOS). This historical artifact was gifted to a resident who has since refurbished it. Ms. Tapman feels the cannon belongs to the town and it should be returned to be displayed at the school.
- b. Mary Clements – Ms. Clements thanked Mark Belknap for his tree assessment. Ms. Clements started the yellow ribbon campaign to save the tree. She thinks the town needs to use the tree as a marketing tool with a commemorative plaque along with a dedication to a historical figure from the town. Ms. Clements would like to see a fence installed to help with mitigation.
- c. Glenn Smith – Mr. Smith asked for audience members to stop making comments during the meetings. Mr. Smith inquired about the number of police staff. He had several break-ins to his vehicle and there was a vehicle stolen. He feels the tone from the police officers is blaming the resident. He commented it was a waste of time to file a report because nothing comes of it.
- d. Mark Sinclair – Mr. Sinclair stated the poor quality of the sound when watching the meetings remotely needs to be addressed. There are several meetings where it is a problem. He thinks a successful relationship between HOS and the town council is imperative for the school to be open and operating in 20 years. The Queen Street parking lot should have more trees planted especially since the town is a “Tree City.” He thinks the outdoor lighting fixtures at the Welcome Center need to be switched out to reflect the architectural style of the downtown district.
- e. Dana Simpson – Ms. Simpson stated that because the Purdue Chicken Plant is drawing so much water from the aquifer there is now a cone of depression underneath it. Because the proposed new housing development was a catalyst in the new bike path being eliminated, a new bike bath around the development would be a good solution.
- f. Jay Miller – Mr. Miller is concerned that Mr. McMillan’s report because he was a paid consultant by Accomack County. He hoped Mr. McMillan would be present at the

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meeting as opposed to joining remotely via Zoom to answer questions. The report states if you run short of water from the aquifer then you can move the well to a higher level. This is conflicting data as this is not potable water. He was told from Bundick Well and Pump Company the shallow wells are not potable.

- g. Gina Chapman – Ms. Chapman thanked the town for everything they do to create natural spaces. Her family loves all the places around town to explore and be outside. She supports the fence around the tree to help save the tree. She asked if the community could help fund the fence.
- h. Susan Mastyl – (Ms. Mastyl joined the meeting via Zoom) Ms. Mastyl is on the Groundwater Committee for Accomack County. She addressed Mr. Miller’s concerns about the Colombia or surficial aquifer (aquifers typically less than 50 feet.) Despite what drillers have said, it is perfectly potable water. It is site specific in terms of the quantity and quality of the water and is instantly replenishable with every rainstorm. There is good science on this and currently there is a testing program in place for residential shallow wells. She encouraged anyone to attend the groundwater committee meetings held monthly.

9) Committee Reports

- a. **Personnel – (Cindy Holdren)** – The personnel committee met to draft the town manager’s evaluation. A closed session is being held to review the draft.
- b. **Onancock Main Street (OMS) (Cindy Holdren)** - OMS submitted the Virginia Tourism Micro Business Grant proposal that is a \$10,000 grant with an in kind 1:1 required match. The grant is structured to help market businesses during the shoulder season. The proposed projects are “Valentine’s Week in Onancock “, the design and printing of two seasonal rack cards and a social media campaign. Councilmember Holdren reminded everyone about the community engagement survey on www.experienceonancock.com under the “About” tab. The in-person community engagement events are schedule for September 5, 2024, from 5:00 PM – 8:00 PM at the Peninsula Center and September 7, 2024, from 10:00 AM – 1:00 PM at the Historic Onancock School.
- c. **Historic Onancock School (HOS) (Sarah Nock)** – Councilmember Nock explained as the owner of the school, the town needs to apply for grants. The board voted last week to ask the Town Council to borrow money specifically (\$532,000) from USDA at 4% for 40 years. The loan would cover the expense to replace the HVAC equipment including electrical upgrades and replacement of the single pane windows. The loan payment would be split between HOS and the town. HOS has a plan to raise the funds to cover the loan payment. Construction on the pavilion is progressing well. The school was voted one of the top three upper Shore art galleries for the third year in a row. The next

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“Wine Wednesday” is September 4, 2024. The “Meet the Candidates” forum is Wednesday, September 11, 2024, from 6:30 PM – 8:30 PM.

- d. **Planning Commission (Fletcher Fosque)** – The Planning Commission discussed the two topics from tonight’s joint public hearings.
- e. **Waterfront Committee (Matt Spuck)** – Town Manager Spuck reported the committee talked about the policy for longer term rentals because the boat at the bulkhead has been here for much of the summer. Since we are a transient only marina, the committee decided the floating docks will remain “transient only” according to Virginia Port Authority which means eight days or less. The bulkhead and the M1 slip (the slip beside Mallard’s) will have no restrictions.
- f. **Economic Development Authority (EDA) (Joy Marino)** – The EDA did not meet in August.

10) Mayor’s Report – Mayor Fosque scheduled two additional meetings to serve as a work session for the Town Council. The first meeting is Monday, September 9, 2024, and the second meeting is Tuesday, October 15, 2024. Mayor Fosque announced the Tangier Ferry is not running for the remainder of this season. Mayor Fosque addressed Mark Sinclair’s concerns about the outdoor lights at the Welcome Center to say those are temporary and will be updated when the final selection is made for downtown light poles and signs.

11) Town Manager’s Report

- a. **IRF loan fund** - \$603,000 has been distributed to the developer of the Lilliston Building. A ribbon cutting ceremony is scheduled for Friday, September 13, 2024, at 40 Market Street.
- b. **Police Department Renovations** – Renovations will be complete within the next few weeks.
- c. **Welcome Center** – The Welcome Center will be completed after the grinder pump is installed for the sewage. The pump will be delivered in September.
- d. **Sunset Park** - All bids came back higher than the budgeted price.
- e. **New HVAC upstairs Town Hall** – The bid came in \$5,000 more than budgeted. Town Manager Spuck moved forward with the project.
- f. **Financial Report** – see attached report.

12) Town Councilmembers comments –

- a. **Councilmember Burger** – not present.
- b. **Councilmember Holdren** – Councilmember Holdren asked about the progress of the wayfinding committee. Councilmember Nock responded the committee is close to

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finalizing the fixtures. The prototype will be installed at the corner of Ames Street/Market Street.

- c. **Councilmember Marino** – Councilmember Marino addressed earlier comments from Mr. Sinclair about the sound quality when watching the meetings remotely. Town Manager Spuck is often not heard clearly. She also commented safety is our first concern. The vacancy on the Planning Commission needs to be advertised so the seat can be filled. She also would like to hire a water engineer to address any concerns regarding the new housing development outside of town limits. Lastly, she would like to see a strategic plan, a survey, and a comprehensive plan.
- d. **Councilmember Nock** – no comments.
- e. **Councilmember Oswald** – Councilmember Oswald is thankful for the two extra meetings with hopes of discussing the issues and making informed decisions.
- f. **Councilmember Weitzel** – Councilmember Weitzel thanked everyone for attending the meeting. The more people that attend the more informed we can be, and more information gets around town.

13) Closed Session – Councilmember Marino moved to enter closed session as allowed for in Section 2.2-3711 (A) to discuss personnel matters. Councilmember Weitzel seconded the motion. The motion passed with a 5-0 vote. Closed session started at 10:09 PM.

Councilmember Oswald moved to exit closed session of this regular meeting of the Onancock Town Council and certify by roll call vote that the item discussed in Closed Session align with the purpose stated in the motion made in Open Session. Councilmember Nock seconded the motion. A roll call vote was taken:

- Councilmember Burger – absent
- Councilmember Holdren – yes
- Councilmember Marino – yes
- Councilmember Nock – yes
- Councilmember Oswald – yes
- Councilmember Weitzel – yes
- Mayor Fosque – yes

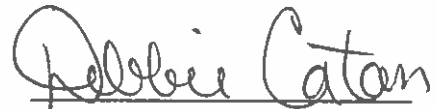
Open session reconvened at 10:29 PM

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- 14) **Adjourn** – Councilmember Oswald moved to adjourn the meeting. Councilmember Nock seconded the motion. The motion passed with a 5-0 vote. The meeting adjourned at 10:30 PM.



Fletcher Fosque, Mayor



Debbie Caton, Town Clerk

Mary Clements R- 8 Joynes Street, Shop- 59 Market Street

I pulled out my old files and realized that I started providing written and oral request for sensible solutions to the parking issues for the business district starting June 26, 2022. I spoke to the Town Council at the meeting on February 26, 2024 and emailed a full page of suggestions to council members on March 4, 2024. It appears that I would have had a better response if I used dynamite.

To review some key points of my previous missives:

- I own both a successful business and commercial building in the heart of the business district, and have done so for almost 25 years. Parking has always been an issue.
- Seven (7) designated parking spaces have been eliminated from the corner of North Street to the corner of College Avenue over the past 15 years.
- If the goal is to increase the business and cultural atmosphere of the town, passing draconian parking regulations is not the way to do so.
- How do you intend to communicate the 3 hour limit? Signs? We still haven't gotten decent 'PARKING' signs yet.
- A 3 hour limit for parking is NOT enough time to browse shops, have lunch/dinner and enjoy other aspects of the town.
- A 3 hour limit is almost impossible to monitor, especially if the town police have other priorities or are not on duty.
- I work in the front section of my shop. I see people who park in the 3 spaces in front of my shop, and the activity of 5 of the spaces across Market Street. Uneven enforcement of the 3 hour limit WILL result in legal actions eventually. If one of my clients gets a ticket for 'excessively long' parking and I observe another person parked for longer than their allowed time, I will be happy to update my client as to the discriminatory enforcement of the ordinance.
- There are STILL no or poorly sized signs directing patrons to parking locations.
- Is there a time limit on this ordinance? Is it 24/7/360?
- Areas where parking is prohibited are poorly marked. Get some buckets of yellow paint and refresh those areas.

- There are NO VAN and LIFT handicapped designated sites in the business district.

I thank council and the Planning Commission for their time and energy and hope that, eventually, there will be a satisfactory inclusive parking ordinance that compliments the growth of the town. This document is NOT it.

Request from the Onancock Market Board of Directors:

The Onancock Winter Market Building Project is eligible for a significant source of funding through an infrastructure grant available from the Virginia Department of Agriculture and Consumer Services (VDACS).

Members of the Market Board are prepared to write the grant, however, VDACS requires that it be submitted and administered by the Town.

The grant is in the form of a 2 to1 match which means that the State will match two dollars for every dollar the Market puts in.

The Market has estimated that the project will cost approximately \$30,000.00 which means that they need to raise \$10,000.00 for their match. They are in the midst of a capital campaign for this project, and they feel confident they will raise the required amount.

The grant application period opens October 1st, and the Board will have the grant ready for submission on that date.

ADDITIONAL INFORMATION:

Grant Title: Governor's Agriculture and Forestry Industries Development Fund (AFID)-Infrastructure Grant Program

Project Types must be infrastructure development projects that directly support local food production and sustainable agriculture/forestry and demonstrate a broad community benefit. Grant funds should be used primarily for capital expenditures.

Consideration will be given to the following project types:

- Processing facilities that are primarily locally owned
- Farmers markets
- Food hubs and other agricultural aggregation facilities

(Additional consideration will be given to projects benefiting multiple small-scale agricultural producers and to projects located in economically distressed communities.)

SUGGESTED MOTION LANGUAGE:

Propose that Town Council authorizes Town Manager, Matt Spuck, to submit a VDACS AFID grant application intended to fund the Winter Market Building on behalf of the Onancock Market, and to administer the funds from the grant if the Market receives the grant.