

**Town of Onancock
Town Council Meeting
Monday, October 24, 2022
7:00 PM**

1) Call to order and Roll Call:

Mayor Fletcher Fosque called the meeting to order at 7:01 PM and roll was called. Mayor Fletcher Fosque and Councilmembers Ray Burger, Thelma Gillespie, Cindy Holdren, Joy Marino, Sarah Nock and Maphis Oswald were present. A quorum was established. The roll was called for Planning Commission. Commissioner Bagwell, Commissioner Frey, Commissioner Fosque, Commissioner Tunstall and Chairperson Schreiber were present. Commissioner Brockmeier and Commissioner Byrd were not present. Town Manager Matt Spuck and Town Clerk Debbie Caton were also present. A quorum was established.

2) The Pledge of Allegiance was recited.

3) Consideration and Approval of August 22, 2022, Meeting Minutes:

Councilmember Oswald moved to approve the minutes. Councilmember Burger seconded the motion. The motion was passed with a 6-0 vote.

4) Consideration and Approval of September 26, 2022, Meeting Minutes:

Councilmember Holdren moved to approve the minutes. Councilmember Oswald seconded the motion. The motion passed with a 6-0 vote.

5) Public Presentation: Historic Onancock School

Joani Donahoe, Executive Director of the Historic Onancock School gave an updated progress report on the Performance Pavilion. Groundbreaking started and footers were poured. Construction will continue through the fall by installing the foundation and setting steel for the roof. In the early spring, it will be easy to wrap up construction with the hopes of a Grand Opening on May 31, 2023. Because the project was still in the planning phase when the ARPA funds were allocated, Ms. Donahoe is asking for \$100,000 from the Town reserves or ARPA funds to contribute to the cost of construction.

Council discussion:

- Councilmember Oswald asked Town Manager Spuck for a feasibility study of what revenue streams can be used to ensure the Town can commit to \$100,000.
- Mayor Fosque asked for the timeframe for the Town's pledge. Ms. Donahoe stated the timeline can be whatever the Town is comfortable with and can even be up to a few years. Rick King stated the preliminary budget was \$350,000 but with the continued price increases of materials it is unlikely the project will come in under or at budget.
- Councilmember Nock asked if the back of the pavilion would be closed during performances to benefit acoustics. Rick King, Project Manager answered, "yes."

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- Councilmember Marino asked what plan is in place to raise the additional funds needed to complete the project. Rick King personally made a significant donation, and a Fundraising Campaign is being planned.
- Councilmember Burger asked for the projected overall cost including upgrading the parking lots, lighting and install fencing for a ticket area. Mr. King responded \$500,000.
- Mayor Fosque asked Town Manager Spuck to present the possible funding streams available to assist in the \$100,000 donation at next Town Council meeting. Councilmembers should email Town Manager Spuck with any suggestions.

6) Public Hearings – Open Public Hearing at 7:19 PM.

a) Homestay – 12 Lake St.

- Terry Swain at 45 Ames St spoke on behalf of Dennis and Diane Custis at 6 Lake St. The Custis' have concerns about the application. The two main concerns are noise and property value. The Custis' were not notified by letter of the public hearing. Town Manager Spuck explained the property owner does not fall within the contiguous property guidelines, but all adjacent property owners were notified.

Public Hearing closed at 7:22 PM

Council discussion:

- Councilmember Oswald asked if and how many noise complaints have been reported. Town Manager Spuck responded with zero in two years and Chief Williams also reported zero. Councilmember Oswald feels the Town of Onancock is a small town and does not attract the party crowd.
- Councilmember Nock asked for the mix of local owners and owners that live outside of Town.
- Councilmember Burger asked if any contiguous neighbors responded to the letter. Town Manager Spuck reported he received one phone call. The property owner was confused about the difference between an Airbnb and a BNB. After further explanation, the property owner was comfortable.

Councilmember Oswald moved to approve the application. Councilmember Burger seconded the motion. The motion failed with a 2 yay (yes) -0 nay (no) -4 abstentions. Councilmember Oswald and Councilmember Burger voted yes. Councilmember Holdren, Councilmember Marino, Councilmember Nock and Councilmember Gillespie abstained.

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Council discussion continued after the vote.

- Councilmember Marino noted the existing code has not been discussed with public comment or voted upon by Council; therefore, the code could be challenged.
- Councilmember Holdren is reluctant to vote until the ordinance is nailed down and reflects the Town's intent.
- Mayor Fosque suggested the applicants reapply once the ordinance is updated. It was agreed by the Town Council and the Town Manager an additional fee would not be charged upon resubmission.

b) Zoning Change – Marshall St. Extension – Town of Onancock Open Public Hearing opened at 7:30 PM. Planning Commission opened at 7:30 PM.

Town Manager Spuck explained changing the zoning from R1A to R1B will allow houses to meet the required setbacks to build houses. Many of the contiguous properties are R1B.

Public Comments: No Public Comments were recorded.

Town of Onancock closed Open Public Hearing at 7:31 PM. Planning Commission closed Open Public Hearing at 7:31 PM.

Planning Commission recommend the zoning changes.

Councilmember Oswald moved to change the zoning from R-1A to R-1B for the 3 parcels in the application. Councilmember Gillespie seconded the motion. The motion passed with 6-0 vote.

7) Council Discussion – Mayor Fosque added two items for discussion.

- Open Council Seat – Town Council will have an open seat effective January 1, 2023. It was decided to advertise for any interested parties for the fourth seat. The applications will be due mid-December with a January appointment from the new Town Council.
- Industrial Revitalization Fund (IRF) - Onancock Main Street would like to apply for a planning grant for 20 Market St (the old House of Deals) and 51 Market St (the old Wise Drugstore). The original loan application was submitted in August for revitalization of the Lilliston Building. The other buildings meet the same criteria. The Town office will administer the grant.

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Councilmember Nock moved to approve. Councilmember Gillespie seconded.
The motion passed with 6-0 vote.

8) Public Comment:

- Terry Swain – 45 Ames St. – Ms. Swain spoke to the interest of the Homestay ordinance. She would like the density of Homestays be reduced and suggested the neighbor notifications encompass additional property owners. Other property owners are also impacted. Ms. Swain would like to see additional safeguards for the community be implemented. Ms. Swain added she was thrilled with the Performance Pavilion progress.
- Tom Duncan – 21 Meadville Dr. – Mr. Duncan was speaking on behalf of Sharon Haydon at 50 Ames St. Mr. Duncan read a letter from Ms. Haydon into public record. The letter spoke to her concerns with the Fiege application for a Homestay at 50 Ames St.
- Laurie Rackas – 27 Kerr St. – Ms. Rackas moved to Onancock in August 2022. The draw was the town’s safe and friendly neighborhood. Ms. Rackas had a recent break-in incident. The Police Department was called, and a report was filed.
- Jim Forwalk – 6 Johnson St. – Mr. Forwalk attended the meeting with other residents from Johnson St. Mr. Forwalk understands the builder at Carnival Grounds plans to complete the two homes under construction but will not complete the development. “For Sale” signs were placed in the remaining undeveloped lots on Jefferson St. The current homeowners are concerned these lots will be rezoned and single- family homes will not be built. Town Manager Spuck did not have any current rezoning applications or information to indicate the developer and new builder will defer from original plan to develop a single-family home development.
- Karen Gravelle – 4 White St. – Ms. Gravelle shared an incident concerning a potential break-in at her neighbor’s house. She feels the town may have a break-in problem. Mayor Fosque encouraged residents to report all issues.
- Brittney (did not give a last name) – This speaker does not live in Onancock. She has attended Parksley Town Council meetings and Parksley is looking to Onancock for guidance on Airbnb’s. Brittney shared her own positive experiences with Airbnb’s and wishes others can share those same experiences by visiting the Eastern Shore. She asked to reconsider Mr. Lancaster’s application.
- Nancy Arnold – 28 Ames St. – Ms. Arnold suggested a local contact be required for Homestay applications. This is a requirement of the current application and ordinance.

7A – Mayor Fosque continued Council Discussion.

- Score Town Plan proposals – After sending out bid solicitations to 15 firms, 4 firms responded with proposals. Mayor Fosque spoke with other firms with the hopes of getting more proposals. Unfortunately, these firms did not respond. The 4 original

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proposals will be considered for the job. A special meeting will be scheduled for Town Council to score and award the project.

9) Committee Reports

- Personnel Committee -the updated employee handbook is waiting for recommendations from the Town Attorney.
- Planning Commission – At the October 3, 2022 meeting, the Planning Commission reviewed the sign ordinance and the property maintenance ordinance.
- Waterfront Committee – At the October 11, 2022 meeting, the Waterfront Committee discussed pricing for the 2023 season and the bulkhead project.

10) Mayor’s Report – Mayor Fosque attended the Mayor’s Institute sponsored by Virginia Municipal League (VML). The 2023 VML conference will be in Norfolk, VA. Mayor Fosque would like to see all councilmembers attend.

11) Town Manager’s Report – Town Manager Spuck updated a few items that were not on this report.

- Bulkhead project – the project will start the week after Election Day.
- Tree Board – For Arbor Day, the Tree Board is planting two crepe myrtles in Town Square. The cork oak from Town Square is being moved to the kayak landing.
- Dog Park – the contractor will start installing the fence.
- Security Cameras – still waiting for shared pole agreement with ANEC. The electrician cannot start work until we receive the agreement.
- Little League – there is an inventory of the touchless faucets and replacement toilets. The work will be done in-house by DPW.

12) Town Councilmember comments

- Councilmember Nock - asked for the update on the King St. sidewalk VDOT TAP grant. Town Manger Spuck submitted the pre-application on October 21, 2022. At this point VDOT will need to ask for the concept drawings. Once drawings are received VDOT will determine if the project fits the grant requirements. Town Manager Spuck feels this will not be a problem but cannot promise the outcome of the application.
- Councilmember Oswald – thanked everyone for attending the meeting. She encouraged residents to attend all meetings to help understand how you are individually affected by the proceedings and council discussions.
- Councilmember Marino – thanked the two residents who shared their concerns about possible break-ins.
- Councilmember Holdren – also thanked the public for attending the meeting. She further explained public input is needed at all discussions.

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- Mayor Fosque – formally requested that the sound system be updated.

13) Closed session, if necessary – A closed session was not necessary.

14) Adjourn – Councilmember Oswald moved to adjourn the meeting. Councilmember Gillespie seconded the motion. The motion was passed with 6-0 vote. The meeting adjourned at 8:35 PM.



Mayor, Fletcher Fosque



Town Clerk, Debbie Caton