

Minutes
Northampton County Planning Commission
Joint Public Hearing
May 12, 2015
16404 Courthouse Road, Eastville, VA
7:00p.m., 2nd Floor Administration Conference Room & Board Chambers

Those present – Dixon Leatherbury, Jacqueline Chatmon, Mark Freeze, Kay Downing, Michael Ward and Sylvia Stanley

Also in attendance were Peter Stith, Long Range Planner and Nyoka Hall, Recording Secretary

The meeting was called to order and a quorum was established.

The agenda was reviewed and approved as submitted.

Consideration of Minutes:

March 19, 2015 work session minutes – The minutes were reviewed and a motion to accept with amendments was made by Commissioner Ward and a second from Commissioner Downing. The motion carried with all in favor (6-0).

March 25, 2015 work session minutes – The minutes were reviewed and a motion to accept with amendments was made by Commissioner Ward and seconded by Commissioner Stanley. The motion carried with all in favor (6-0).

April 7, 2015 public hearing minutes – The minutes were reviewed and a motion to accept as submitted was made by Commissioner Chatmon and seconded by Commissioner Ward. The motion carried with all in favor (6-0).

Unfinished Business:

Chairman Leatherbury informed the Commission that there were a few more tasks that needed to be completed and were near completion. It was stated that one more meeting would see the end of the Future Land Use Map review complete and ready for a cursory review for any inconsistencies. The Comprehensive Plan Goals were also noted as being very near completion and the Agri-tourism language still needs to be reviewed. Peter Stith provided the edits from Brett McMillan, who reviewed the part II Environment section of the Comprehensive Plan for Groundwater. He asked that the Commissioners review those edits for any possible changes or suggestions. He also provided Commissioner Ward's introduction and report to the Commission and asked that it be reviewed and considered at the next meeting. Discussion took place regarding the public input process and data collection done during the comprehensive plan review. Mr. Stith then informed the Commissioners that the plan would have to be reviewed by the CPAC and Stakeholders Group again prior to the final product being submitted for the Board's public hearing.

The session was concluded to take part in the joint public hearing with the Board of Supervisors.

A motion to recess to the Board Chambers was made by Commissioner Downing and seconded by Commissioner Stanley at 8:25pm. The motion carried with all in favor (6-0).

The Planning Commission reconvened at 8:55pm and a quorum was established and meeting called to order by Chairman Leatherbury.

Peter Stith, read the following into the record:

Revise **Section 159: Floodplain Management** in the following areas:

- (a) Provide a required statement on cumulative rise
- (b) Modify the definition of "New Construction" to include a date of August 11, 1976 (the date of the first Flood Insurance Map issued to the County). This is a required correction which directly impacts flood insurance ratings.
- (c) Addition of language relative to requirements of subdivision proposals
- (d) Correct such other minor clerical and typographical errors as necessary

The hearing was then opened to the public for comment.

Charlie Banks, agent for the Department of Conservation and Recreation was present and offered background on the floodplain management program and added that the community rating system is a benefit to the community.

Art Schwartzchild of Willis Wharf, spoke in favor of the revisions and added that the community rating system would be beneficial to the community and should be considered. He added that the Special Use process works and serves the purpose of protecting and preserving communities.

The public hearing was closed to the public as there were no further comments.

With no further comment the hearing was closed to the public. After brief discussion Commissioner Ward motioned to approve the Section 159: Flood Plain Management Ordinance as revised for the Town of Nassawadox and the County. The motion was seconded by Commissioner Ward and carried with all in favor (6-0).

Peter Stith then read the following into the record:

Special Use Permit 2015-06: Cherrystone I, LLC has applied to operate a Guide/outfitter services, waterfront service with accessory goods/services (Appendix A, Category 3 Commercial Uses, #47) on property located at 6499 Sunnyside Road in Oyster. The property, described as Tax Map 85A, double circle 3, parcel 6 and Tax Map 85A, double circle 3, parcel R, and is zoned WV-WC, Waterfront Village Waterfront Commercial.

The hearing was opened to the public for comment.

The applicant, Mr. Eyre Baldwin was present and provided a brief history of the property and the intent of the proposed project. He added that the employees' education and licenses have been paid for by Cherrystone I. This would enable the individuals to run tours and operate the tour boat as soon as the operation was running. This project is a great opportunity to provide jobs as well as revenue to the County. He asked that the application be approved.

Robert Richardson spoke stating new business is definitely needed in the County. He's fine with the business locating in Oyster, but did note that the Oyster Harbor has been condemned for shellfish sales. His only concern was with the sewerage issue due that could create a potential problem during the tide surge.

Roberta Kellam spoke in favor of the application. She noted that the issues that have been raised and have delayed the project could have been eliminated through a zoning text amendment.

Art Schwartzchild spoke in favor of the application. He works in Oyster and noted the use was fine for the area and was in alignment with the Oyster Vision Plan.

With no further comments from the public the hearing was closed.

After brief discussion amongst the Commission, Commissioner Freeze motioned to approve the application as submitted. The motion was seconded by Commissioner Stanley and carried with all in favor (6-0).

Peter Stith then read the following into the record:

Special Use Permit 2015-07: Cherrystone I, LLC has applied to operate an Inn, historic – pre 1950 structure with accessory goods goods/services (Appendix A, Category 3 Commercial Uses, #51) on property located at 6499 Sunnyside Road in Oyster. The property, described as Tax Map 85A, double circle 3, parcel 6 and Tax Map 85A, double circle 3, parcel R, and is zoned WV-WC, Waterfront Village Waterfront Commercial.

The hearing was opened to the public.

The applicant, Mr. Eyre Baldwin, was present and noted that the request is for one room. He added that you can't make a living off of just one room. This one room is a great opportunity for anyone to get a great education about Oyster and what it used to be and still is to Northampton County. It's a very simple request and parking for the one room should not be an issue. He asked that the Board approve the application.

Art Schwartzchild spoke in favor of the application. He referenced the lengthy and expensive process his organization has gone through in the recent past; having to install fuel tanks. He noted it's a part of life in today's world of regulation. We may not like them, but they are there to protect the property and property owners.

Katie Nunez read a letter into the record from Sara Morgan who opposed the application and asked that it be denied. The proposed project of a 1950's Historic Inn goes against the Oyster Vision. The district is zoned commercial waterfront and should not become a home for any type of residential operation.

With no further comments from the public the hearing was closed.

There was brief discussion amongst the Planning Commission. Commissioner Chatmon motioned to approve the application as submitted and the motion was seconded by Commissioner Freeze. The motion carried with all in favor (6-0).

With no further business the Commission recessed till the May 20th, 2015 work session.