

## **Recessed Meeting**

### **Northampton County Planning Commission**

Wednesday, Nov. 17, 2010

This was a recessed meeting of the Northampton County Planning Commission held on Wednesday, November 17, 2010, at 6:30 p.m. in the Exmore Town Office located at 3305 Main Street, Exmore, Virginia for the purpose of conducting regular business and to hold a joint work session with the Exmore Planning Commission.

Those members present were Chair David Fauber, Vice-Chair Martina Coker, Severn Carpenter, Mary Miller, Robert Meyers, Michael Ward and John Wescoat, Jr. Members absent were Roberta Kellam and David Kabler.

Also in attendance was Sandra G. Benson, Director of Planning & Zoning; and Kay Downing, Administrative Assistant.

The county planning commission meeting was called to order at 6:30 p.m. and a quorum established.

The commission reviewed the agenda which was accepted with one minor correction to clarify that Item 4. A. was to specifically address draft language known as Section 154.114 Standards for Wind Turbines and Windmills for On Site Residential or Commercial Production and Use. Motion to amend was made by Commissioner Coker, seconded by Commissioner Wescoat and carried unanimously.

The commission entered into discussion on the latest draft related to small wind energy devices. Commissioner Coker provided additional written information for consideration. She noted that most roof mounted microsystems are loud and inefficient so it may be better to exclude them. Also, she noted that such devices being permitted 18 feet above a roof could cause public concerns and she had been informed that one such device was replaced annually and it was loud when operating. Commissioner Miller suggested that microsystems be deleted at this time since the ordinance could be amended later if someone approaches the county. Commissioner Meyers noted that Microsystem are usually used on sailboats, but not allowed on land. Commissioner Miller voiced her concern since there are no performance standards. Commissioner Ward noted that decibel levels would be covered under the county's adopted noise ordinance. Commissioner Miller questioned if the noise ordinance was being enforced and since there are no setback requirements for such devices placed on rooftops, microsystems should be deleted. Ms. Benson confirmed that if microsystems are not listed in the ordinance they cannot be used otherwise a zoning violation would occur. Motion was made by Commissioner Miller to remove all references to microsystem turbines from the draft standards. Second was made by Commissioner Meyers and the motion carried with Commissioner Ward opposed.

Commissioner Coker suggested that a definition for "survival wind speed" be added as suggested by Ms. Benson. By consensus the commission agreed. Also, Ms. Benson's suggestion that appears in Item (C)

(2) be included as well to read, "Small Wind Turbines and Windmills of 36 feet to 120 feet in total height require a minor special use permit as indicated in Appendix A, Use Regulations, and are subject to the Performance Standards in Section (e) below." On page 3, in Item (15) the words "at least" were added prior to "115 miles per hour". Also, it was decided by consensus to add in Section D new Items (19) limiting the number of devices in certain zoning districts and (20) that addresses abandonment language. Reviewing the table chart Commissioner Coker suggested that the word "total" be inserted in the height column and add the words "property line" in the setback column. The commission agreed that the microsystem column should be removed in its entirety and all regulations that refer to such. Commissioner Coker also suggested that towers be allowed up to 199 feet so the Table Chart would need to be amended by changing 5 acres to 20 for towers up to 199 feet.

Discussion stopped at 7:10 pm. and the joint work session with the Exmore Planning Commission was called to order.

Those attending from the Exmore Planning Commission were Ruth Wise, Jack Sturgis, Gordon Adkins and Perry Whitley as well as Town Manager, Artie Miles. Acting Chairman Whitley brought Exmore's Planning Commission to order.

Introductions were made and discussion began on the Town Edge TE District process.

Mr. Miles gave a brief background summary noting that the county wishes to know what type of uses the town would like to have near its boundaries and to provide input in those areas which are integral to the county's growth and possibly the town's in the future. The meeting tonight should help to define the need to have rules and guidance on how to best accomplish this. He added that there are some misconceptions whereby some residents feel wary about being taken advantage of by others such as the county and developers and such fears need to be alleviated as the process unfolds. He noted that there may be plans for annexation in the distant future and this large amount of acreage has the potential to be developed by the county as well. It is incumbent upon the town on how it thinks future development should occur. Mr. Miles hoped that tonight's meeting would result in how to decide on common goals in order to set up guidelines to future land use in the TE District as the two commissions move forward in partnership discussions and input.

Ms. Benson stated that the goal is to think about a process for how the commissions move forward on the Exmore TE District. She reviewed information from the county's current comp plan as she described a short power point presentation. She noted that the TE District that lies adjacent to Exmore and is subject to the county's planning and zoning controls. The county conceives the towns as primary growth areas within the county and the TE District as possible future development areas. It is hoped that vacant land within the towns would be available for development first before the county approaches development of the TE Districts. She noted that things to consider will be utility services available and any other type of mutual agreements that may be necessary between the town and county. She stated that all land is now zoned TE - 1 Town Edge One District as laid out in zoning ordinance and noted on the county zoning map. Also, it was noted that any intense uses not currently allowed in the TE-1 District would require a rezoning as this area is not considered the most appropriate location for major commercial development at this time. When asked, Ms. Benson noted that concepts and comprehensive plans can change if deemed appropriate.

Mr. Miles noted that the towns are not obligated to provide services unless the town decides it is appropriate and that the town does not want to repeat some dubious decisions as made in the past with its central water and sewerage services. Ms. Benson agreed and noted that the county would consider what the town would like to do or could do.

Mr. Adkins pointed out an error in the TE District zoning map and Ms. Benson explained that a portion of Accomack County had been shown incorrectly and has now been corrected.

Ms. Benson suggested that the next step is to schedule a public meeting with town residents to glean public input then the county commission could develop a draft plan to present to Exmore's commission. After a thorough review by the town, the draft plan would be presented again to the public before the public hearing process is conducted. Mr. Miles suggested that the town commission meet again before a public input meeting is held. Ms. Benson cautioned that public perception should be considered so that residents do not get the impression that the commission has already decided on this matter before public input is solicited. However, Mr. Miles stated that he wanted town residents to be comfortable that its commission has reviewed and considered options. Ms. Benson offered to provide the town with any assistance necessary to start their process. Mr. Miles stated that the town planning commission would conduct its own work shop or charette first in order to develop concepts appropriate for the comprehensive plan and then meet again with the county to present their concepts and then he would like to schedule the public input meeting.

Commissioner Meyers suggested that the town consider its infrastructure and public services as an integral part of their discussion as well.

Discussion then followed on one specific parcel located in the Exmore TE District described by Mr. Miles as the arrowhead shaped triangular piece near Belle Haven. He noted that this parcel is being considered for expansion of the town's infrastructure and should not be used for development. He stated that the New Roads Community has its sewage system located near the northern boundary of this parcel as well.

When asked Ms. Benson explained that the TE District area was determined using a variety of information. It originally started as a one-quarter mile radius around each town and was then refined when zoning was amended for the county and after discussions were held with each town council. Also, soil types were considered as well as existing development patterns.

Commissioner Miller added that guidance from Exmore at the time was concern of expanding services such as police service, trash pickup, lighting, etc., to areas beyond the best interest of the town itself.

Mr. Miles added that certain property owners did not want to be included in the TE District as public discussion was held on those county zoning ordinance amendments.

Commissioner Miller stated that information such as population growth, adequate commercial space, green space or buffers and traffic patterns are topics to consider as discussion goes forth. Mr. Miles commented that the town's population is growing and the town would like its economic base to grow, too. He added that to his knowledge the town has not considered green areas or buffers around its boundary and there are no traffic issues at this time. However, he stated that a bio-diesel issue may be a concern in the future. He added that the town's comprehensive plan was last updated in

1998 and much has come to fruition with expansion.

Mr. Miles suggested that another meeting with the two commissions be scheduled sometime in January of 2011 before scheduling a public input meeting.

Commissioner Miller requested that an outline be provided to the county commission prior to the next joint session in order for commissioners to prepare. She suggested that the "chip game" be used with maps and small group discussion held so everyone will be able to envision the concepts as may be developed in the future.

There being no further business, the work session with the Exmore Planning Commission was concluded at 8:00 p.m., at Acting Chairman Whitley's request for a motion to adjourn. A motion to adjourn Exmore's meeting was made by Commissioner Adkins and was seconded by Commissioner Sturgis. The motion carried unanimously.

At the conclusion of its meeting with Exmore the county commission continued discussion on standards for wind energy devices with Commissioner Coker recapping prior discussion.

Commissioner Wescoat suggested that the new Item (19) be revised from a 1 year stipulation to allow a 2 year time frame for abandonment purposes. The commission agreed by consensus.

A new column was added for lots up to and greater than 20 acres can accommodate wind devices more than 120 feet and up to 199 feet in height with the setback being 3 times the total height of the wind device and allowed by a major special use permit.

The commission also changed Section (F) Submission Requirements by deleting in (1) the word "minor" from the first line and to delete Item (1) v in its entirety.

The commission noted that revisions to reflect those changes as discussed should be made to Appendix A Use Regulations as well.

Motion to accept the draft language with changes made tonight was made by Commissioner Wescoat and seconded by Commissioner Meyers. The motion carried unanimously.

Commissioner Meyers then moved to schedule the public hearing on the draft language for the December 7, 2010 planning commission meeting. Second was made by Commissioner Wescoat and carried unanimously. Commissioner Coker noted that she would not be able to attend this meeting.

The commission then moved the work session scheduled on December 1 to discuss the comp plan to December 2.

**Recess**

Motion to recess until December 2 at 7:00 p.m. was made by Commissioner Meyers and seconded by Commission Miller.

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Chair

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Secretary