Minutes

Northampton County Planning Commission

Public Hearing

March 3, 2015

16404 Courthouse Road, Eastville, VA

7:00 p.m., Board Chambers

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

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

Chairman Leatherbury called the meeting to order and a quorum was established.

The agenda was reviewed and amended to include a review of a BZA 2015-02 Exception. Commissioner Freeze motioned to approve the agenda as amended. The motion was seconded by Commissioner Stanley and passed with all in favor (6-0).

> **Special Use Permit 2015-02**: Kiptopeke Villas, LLC has applied to construct and operate a Restaurant less than 2,500 square feet, no drive-thru. The property containing 1.52 acres of land, is described as Tax Map 112, double circle A, parcel 69, is zoned H, Hamlet, and located in Kiptopeke.

General Information/Background

A. **Special Use Permit 2015-02**: Kiptopeke Villas, LLC has applied to construct and operate a restaurant less than 2,500 square feet, no drive-thru. The property containing 1.52 acres of land, is described as Tax Map 112, double circle A, parcel 69, is zoned H, Hamlet, and located in Kiptopeke.

Existing Conditions and Zoning

The special use permit request has been made by the applicant in order to construct a restaurant with no drive-thru on the subject parcel. Currently, the Hamlet district requires a special use permit for a restaurant less than 2,500 square feet with no drive-thru. On January 13, 2015, a special use permit was granted for the construction of three (3) apartments on the subject parcel.

The applicant proposes a 2,200 square foot building to be used as the restaurant. This includes 1,250 square feet as enclosed space and the remaining 950 square feet as a covered porch area.

The property is located on the south side of the intersection between Kiptopeke Drive and Arlington Road. Properties directly north and east are currently zoned Hamlet and are vacant. A special use permit was granted on January 13, 2015 for a mass drainfield on the property to the northeast to serve the apartments. The property to the west is currently zoned Agriculture/Rural Business and is under cultivation and just west of that parcel are the Kiptopeke Condos, which are zoned Existing Subdivision – Existing Business Commercial Waterfront. Kiptopeke State Park is located south and west of the subject parcel and is zoned Conservation.

Environmental Considerations

Soils: The subject parcel consists entirely of MuA, Munden sandy loam soils. This soil is nearly level, very deep, and moderately well drained. Permeability is moderate and surface runoff is slow. The seasonal high water table is 1.5 to 2.5 feet below the surface. Development is limited by rapid permeability and instability of the soil.

Ground Water: The property is located within the main recharge area spine. Permits for the well and septic system must be obtained through the Health Department.

Chesapeake Bay Preservation Areas: The property does not contain a Resource Protection Area.

Section 154.042 (B) (4) *Special use permit approval guidelines* of the zoning code sets forth eleven (11) criteria which should be addressed before issuance of a special use permit. The criteria and staff comments on each follow.

(a) The proposed use and/or structure are allowed under the district regulations or elsewhere in this Ordinance: Yes, it is allowed by-right in commercial districts (EB, TE-CG, and C-1) and by special use permit in H, V-NB, TE-NB and WV-NB.

(b) The proposed use and/or structure complies with the regulations governing individual special uses: The project will comply with all applicable regulations. Compliance with site plan and building code review will be required before any permits are issued. The application has been sent to VDOT and the Health Department but at the time of writing this staff report no comments from either agency have been received.

(c) The proposed use and/or structure are consistent with the County's Comprehensive Plan:
Section 1.3.1 Northampton County Vision Statement says: *Commercial development is centered in towns and villages, at designated crossroads, and in carefully planned and limited extensions to existing towns and villages.* The subject parcel is located at the crossroads of Kiptopeke Dr. and Arlington Rd. in the Kiptopeke Hamlet.

Section 2.2.3 Hamlet states:

These communities grew up at crossroads and usually have specific place names. Hamlets traditionally functioned and continue to function as community focal points and gathering places because they may include such things as a post office, church, general store, or similar facility that serves residents of the immediate rural area. The proposed use will serve the residents of the immediate area, including the State Park, as well as the lower county.

Section 2.2.3.2 Hamlet Community Design states:

b. New development proposed in Hamlets should be designed to be compatible with existing community elements and provide logical connections to existing streets, sidewalks and other features. Design elements should include an interconnected street network and defined open spaces. Design elements may also include multiple uses within a single building, multiple uses adjacent to one another, building fronts set close to the street, and safe pedestrian access between sites and along sidewalks, on-street parking, and parking lots and parking areas located behind buildings. The conceptual plan shows the location of the restaurant facing Kiptopeke Drive with some of the parking area located behind the building. In order to satisfy the goals of this section, the entire parking area could be located behind the building. Semi-

impervious parking areas could be installed to account for any additional impervious surface that would result in extending the parking area behind the restaurant.

c. New structures should be of a scale and type that are consistent with existing structures, and built in a style and with materials that are compatible with the local architecture. The proposed design and scale of the restaurant is in-line with buildings in the vicinity.

(d) The proposed use and/or structure will not change the character of the neighborhood, area, or district in which it will be located: The subject parcel is currently zoned Hamlet. The parcel where the building will be located is currently vacant and a new building will be constructed. The applicant has also received approval of three (3) apartments on the subject parcel. The Hamlet encourages multiple uses adjacent to one another within the district.

(e) The proposed use and/or structure, and accompanying parcel development, are in harmony with the uses permitted by right in the zoning district and with the intent of the zoning district regulations and will not adversely affect the use of neighboring property or impair the value thereof:

The stated intent of the Hamlet district is:

1) To recognize the county's small rural settlements of historic or cultural significance, often located at crossroads;

(2) To provide for a mixture of residential and low-impact commercial uses which are compatible in aspect, design, and form with this rural setting.

The proposed use is allowed in the Hamlet district by special use permit with the limitation on size up to 2,500 square feet and no drive thru.

(f) The proposed use and/or structure will not be hazardous or injurious to or in conflict with the character of the neighborhood considering the size and location of the use, the nature and intensity of the operation involved or conducted in connection with it, its site layout, and its relation to roads giving access to it: The applicant has submitted with the application a conceptual rendering of the proposed structure. The proposed restaurant has adequate frontage and access to Kiptopeke Drive. The size limitation of the building will ensure the scale will not be in conflict with the area.

(g) The proposed use and/or structure will not adversely affect the health and safety of persons residing or working in the neighborhood of the proposed use: There are residences to the north and east of the subject parcels (see map below). The proposed use would not be expected to pose health or safety hazards to those living or working in the vicinity.

(h) The proposed use and/or structure will not be detrimental to public welfare or injurious to property or improvements in the neighborhood: See comments on (e), (f), and (g) above.

(i) The proposed use and/or structure will protect and not cause damage to the County's fresh water aquifer and water quality (including groundwater): The proposed use would not be expected to cause damage to either the aquifer or the fresh/ground water supply. The property is located within the recharge spine. Reuse of stormwater, reduced impervious cover and increased infiltration should be encouraged.

(j) The application, along with the development conditions and safeguards imposed, adequately mitigates the impacts of the proposed use and/or structure: The applicant will be required to go through the site plan review process which will address all zoning, storm water, erosion and sediment control, landscaping and parking among other requirements. Site plans will also be reviewed by the Health Department and VDOT.

(k) The proposed use and/or structure will otherwise be in accord with the provisions of the Ordinance: The proposed use will comply with the provisions of this ordinance. See letter (j) above.

Staff Comment

Hamlet districts are intended to be mixed-use districts that allow for certain low-impact commercial uses to serve the community. The proposed special use permit request would provide for a restaurant under 2,500 square feet. Relocation of as much of the parking area as possible behind the restaurant should be considered to meet the design goals of the Hamlet district.

Water reuse, maximizing infiltration through reduction of impervious surfaces should be considered since this site is located within the recharge spine. Although the Hamlet district does encourage multiple uses adjacent to one another, additional landscaping should be considered between the restaurant and the apartments.

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The hearing was then opened to the public.

The agent for the applicant Mr. Bill Parr and the applicant Mr. Angelo Manuel of Kiptopeke Villas, LLC were present. Mr. Parr spoke for the applicant describing the proposed project along with citing sections from the Northampton County Comprehensive Plan that supported the project's location in the Hamlet District. He addressed the reports of leaking underground storage tanks on the property; stating an investigation was completed by The Department of Environmental Quality (DEQ) on February 10th, 2015 and no tanks were found. He also stated, no record of underground tanks having been on the site was found, nor was there any presence of petroleum odor or contaminants on the site during the inspection. Mr. Parr added that if tanks were to be discovered during construction, the appropriate agencies would be contacted immediately and the tanks would be removed according to state laws and DEQ guidelines. In closing Mr. Parr referenced the sixty plus signatures of legitimate property owners and residents obtained along with letters and emails of support for the proposed project.

Commissioner Freeze asked if the property was zoned commercial in the previous comprehensive plan. Mr. Parr responded; yes, the property was zoned Commercial till the most recent plan in 2009. Commissioner ward inquired if the applicant intended to operate the restaurant. Mr. Parr responded; yes. Mr. Ward proceeded to ask what type or restaurant would be operated, as it was very small. Mr. Parr responded; it would be primarily carry out sandwiches for fisherman and the like, as there isn't any place to get a sandwich. Mr. Ward also questioned the parking area if moved to the rear of the building. Mr. Parr said he supposed it could be done if the entrance was moved to another street and it wouldn't be an issue as there were several streets surrounding the property. Commissioner Freeze asked Mr. Parr what DEQ did on site and what was provided. Mr. Parr stated he did not request a visit with DEQ. The visit was brought on by a complaint that was filed with the agency. He was not notified of the visit time or date. The visit took place and he was then notified via letter of their findings, which was provided to the County for record.

The letters of support along with the DEQ letter were entered into the record by Peter Stith.

DEQ Letter –

Nyoka Hall

From: Charles McSwain <cmcswain@co.northampton.va.us>
Sent: Thursday, March 05, 2015 3:27 PM
To: nhall@co.northampton.va.us
Cc: pstith@co.northampton.va.us
Subject: FW: Former gas station Kiptopeke Dr. Northampton Co.

Please include this in the applicant file for Kiptopeke Villas LLC project.

From: Madigan, Thomas (DEQ) [mailto:Tom.Madigan@deq.virginia.gov]
Sent: Wednesday, February 11, 2015 12:46 PM
To: cmcswain@co.northampton.va.us
Cc: Nold, Maria (DEQ)
Subject: Former gas station kiptopeke Dr. Northampton Co.

Northampton County Economic Development
Attn: Mr. Charles McSwain – Director

Mr McSwain:

I have reviewed the information provided in your email of February 9, 2015. This office requires a street address in order to research files; although a street address is not provided, I am aware of the property location and was able to conduct additional research. The file search reveled that this office does not have any current or historical Underground Storage Tank (UST) listings or investigations for the subject property.

In addition, due to the report of petroleum odors at the site, DEQ representatives inspected the site on February 10, 2015. The inspection did not reveal the presence of petroleum contamination in the surface soils and surrounding area, or the presence of petroleum odors. The Department has no evidence of a petroleum release at this time and as such, does not have a basis for further investigation pursuant to the below cited regulations and guidance. Should additional information regarding this property become available, please forward to this office for evaluation.

The DEQ UST Regulation 9 VAC 25-580-10 et. seq. provides the regulatory framework for defining ownership and responsibilities for regulated USTs in Virginia. The companion Technical Guidance Manual effective May 10, 2011 further clarifies the application of the Regulation to USTs. The Manual addresses the proper activities associated with the closure of tanks that were in operation after December 22, 1988 as well as those considered closed or out of operation prior to December 22, 1988. (see Technical Manual Section 7 for details on both).

Please follow the links below to view the Technical Manual and current Regulation. If you have any questions or need additional information, please contact me at (757) 518-2115 or by the email address below.

http://www.deq.virginia.gov/Portals/0/DEQ/Land/Tanks/012024d.pdf

http://lis.virginia.gov/000/reg/TOC09025.HTM

Sincerely,

Tom Madigan
Petroleum Program
Pollution Response Program
Virginia Dept. of Environmental Quality
5636 Southern Boulevard

1

60 Legitimate Residents

Kiptopeke Villa LLC

IN SUPPORT OF

This petition is being presented to property owners in Northampton County, voters and Patrons of the Kiptopeke State Park

This is a Petition to allow a restaurant to be built and open for business on parcel 112-A-69, Currently zoned Hamlet

This is a Triangular lot located on the corner of Kiptopeke Drive and Arlington Road in Northampton County right in front of the Kiptopeke State Park

A plat showing the proposed location of this request and an elevation of the proposed building has been shown to each signing citizen

The Applicant has applied for a "Special Use Permit" (major) to build 1 Small Restaurant, near the entrance of the Kiptopeke State Park

Those persons who sign this petition are in favor of a special use permit for approval of a restaurant on this lot.

Petition Contact: Angelo S. Manuel 757-289-9266 email: angelo@parrproperties.com

Name_____Telephone_____email_____O,V,P_____Address_____

1 Angelo S. Manuel 757-289 9266/o/p angelo@parrproperty.com
Cabinet O,V.

2 x Nancy C. Parks 757-331-2726 Plantation Drive C.C.
Nancy C. Parks

3 x Rudi Whitmore 757-678-5188 Arlington Rd, Va O,V,P

4 x MS, ARLINGTON Road C.C. VA. Voter / Prop. owner

5 x Tammy SANKer 26438 LANKford HWY Cape Charles VA 23310
[illegible] 26438 LANKFORD HWY. CAPE CHARLES VA 23310

6 x Ivan Ross 5394 Fox Ct. Eastville, Va 23347, voter / Patron
Susan L. Moore Voter

7 x Susan Moore 331-4206 Cheriton VA23316

8 x A4x15 Papadopoulos 7575676347 apapa005@odu.edu

9 [illegible] 331-1179 property owner patron, voter

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Name_____Telephone_____email_____O,V,P_____Address_____

10 [signature]
MIKE DUNNAGAN 402 RANDOLPH AVE CAPE CHARLES
OWN LOT ON HELEN'S WAY, VOTER, OWNER
& PATRON OF PARK

11 Barbara Hall 2095 Cheriton VA 23316

12 Billy Hall 2095 Cheriton VA 23316.
VOTER Owners

13 Dr. Gregory Meyer [signature] Exmore, VA 757-318-3700

4 Cynthia Meyer 11 Park Row Cape Charles VOTER, PATRON OF the PARK

Voter property owner 15 Bill Parr 3736098 BillParr@ParrProperties.com Cape Charles VA

K FRAAS 613 JEFFERSON Cape Charles 23310

16 Michael Parker 2598 Mihos Wood Rd Exmore 23350

17 Cora Bailey 757-710-1501 7582 James Allen Dr. Machipongo 23405
Voter / patron

18 Robert M. Burgess / 757-331-1139 / 28125 Seaside Rd. Capeville 2331

19 Donna M Hutt
11288 BAYSIDE RD VOTER
MACHIPONGO VA 23405

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20 Name Todd Baker Telephone (757) 635-4425 email Greenbankwv@yahoo.com O,V,P Address Arlington Rd, Property owner, voter, patron of the Park

21 Corin Baker (same as above)

1 - Jericles Christodoulou Property owner, patron of park parksky

22 KEVIN WARD
P.O. BOX 1087 CHERITON VA ZIP 23316

23 Sharon Burkhard
4202 Kiptopeke Dr Cape Charles VA 23310

24 Ben F. Burton Po Box 252 Cheriton VA, 23316 757-331-211 voter property owner

25 Kimberley M Starr office- 331-8100
PO BOX 72 Cape Charles, VA 23310 (757) 635-0711 voter park pat

26 JEFF KLINGEL 757. 331.3813
PO BOX 185 Cape Charles, VA 23310

Stella Jacobs - Equity Dev. Corp. - 757-460-9086

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Name_____Telephone_____email_____O,V,P____Address_____

27 DENNIS THORNES 27134 CASTLE ROW 23310
VOTER PROPERTY OWNER

28 Chris Forbes 2678 Butler Bluff Dr. 23310
Voter, Property owner.

29 Cheryl Cebli voters, property owner + patron of park 2710 Butler Bluff Dr. CC, VA 23310

30 Michael Cebli prop own 2710 Butlers Bluff VA 23310

31 Martha K. Kellam 29109 Arlington Rd CC. Va 23310
Property owner & Voter Patron of Park

32 Deborah S. Hopper Voter/Property owner 3432 Hopper Ln. Eastville

33 John Hickman - Voter - Property owner - 23438 Seaside Road, C.C. VA. 23310

34 Yvonne Powell Cheriton, Crossroad Cape Charles VA 2331
(Voter, property owner)

35 Brenda Leantiefs, Capeville VA. 23313

36 Stephen Grimes Bay Creek

37 Mary Kim Voss Bay Creek

38 Christine LeVick 29391 Helen's Way Cape Charles, VA 2331
voter/property owner/park patron

39 Robert W Stubbs 29391 Helen's Way Cape Charles VA 23310
voter/property owner/park patron

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	Name	Telephone	email	O,V,P	Address
40	[illegible]	4014805789		✓	345 Mason Ave CC 23310
41	[illegible]	757-331-4682		✓	30046 Seaside Rd. Cape Charles
	Voter / Property Owner / Patron of the Park				
42	[illegible]	757.709.8937			15183 Waterfield St - 23420
	Voter / Patron of Park / Property Owner				
43	[illegible]				
	4138 Royces Way Cape Charles Va 23310 Voter				
44	[illegible] 4138 Royces Way Cape Charles VA 23310 (757) 331 3243				
	Property Owner				
45	John X Hankins Jr VOTER 13182 PARTING CREEK LN Willis Wharf VA 23486				
	PARK USER, Fishing PIER				1-757-442-0651
46	[illegible] PARK USER Willis Wharf VA 23486 VOTER LANDOWNER				
47	[illegible]				
48	[illegible] EXMORE VA.				VOTE LANDOWNER
49	[illegible] Cape Charles VA.				VOTE - Landowner
50	[illegible] Cape Charles VA				VOTE - Landowner

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Name Wilchinsky telephone 203-218-6334 email vwilchinsk@aol.com O,V,P ____ Address 389 Ocean Ave STRATFORD, CT 06615

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Name Telephone email O,V,P Address

52 THAO LUC - [signature] 202-270-2215, thao_luc@yahoo.com
6491 Cheyenne Dr. T3, Alexandria, VA 22312

53 PAUL SKOMAL - [signature] 703-593-7248,
pskomal@hotmail.com
6491 Cheyenne Dr. T3, Alexandria, VA 22312

54 Dieu Tran - [signature] 301-5933443
1111 Lombardy Road, Silver Spring, MD 20901

55 Son Luc - [signature] 301-593-3443
1111 Lombardy Rd, Silver Spring, MD 20901

56 Dung Luc - [signature] 301-593-3443
1111 Lombardy Road, Silver Spring, MD 20901

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Name Telephone email O.V.P Address

57 Thomas Young (703) 932-2384 tyoung@tyoungservices.com
4001 Justin Lane, Unit 16 Cape Charles, VA 23310

I think it would be nice to have the convenience of the proposed facility. It would also create new tax revenue and job opportunities for Northampton County and the local Community.

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Name_____Telephone_____email_____O,V,P_____Address_____

57	Lenore Skomal	814-4400-0844	lmskomal@aol.com	400 E 90th St. NYC NY
58	Richard Sayers	814-882-8326	sayers.rick@gmail.com	400 E 90th St. NYC NY
59	Burton Skomal	619-316-6380	bjskomal@gmail.com	400 E 90th St. NYC NY

Peter Stith

From: Sharon Wyatt-Todd <swtbearsfan2@verizon.net>
Sent: Saturday, February 21, 2015 7:40 PM
To: pstith@co.northampton.va.us
Subject: Support of new business

Good day, Mr. Stith

I think it is a wonderful idea to have a new restaurant right outside of Kiptopeke State Park to be able to go to when I'm enjoying myself over here at the beach , hiking or at the fishing pier. I wouldn't even have to get in my car just walk a little ways to grab a bite to eat. The building shown to me will fit in and compliment the layout of the park. From what I've seen careful consideration has been taken to ensure that it resembles the other buildings in the park; for example same type of metal roof. I also like the planned landscape layout for the restaurant.

I'm very familiar with this developer of this piece of land. He has built a lot in the Northampton County as well as for my family, homes and businesses in Norfolk, as well as in Chesapeake. His buildings are always attractive, fit in nicely with the other buildings in the area and have a nice landscape layout. This piece of land has nothing on it; the plans I saw for it looked attractive and will be a wonderful addition to Northampton County as tax revenue.

I would support the building of this establishment. There isn't much going on over on the Eastern Shore. This is a win-win situation it will create a few jobs, generate tax revenue to help your schools, give your fishermen, beach goers, hikers and those who launch their boats in the park a great place to grab a bite while they enjoy your wonderful state park. They don't even have to drive anywhere its right in walking distance.

Respectfully,
Sharon Wyatt-Todd

Peter Stith

From: Corin Baker <easternshoreorchard@gmail.com>
Sent: Tuesday, March 03, 2015 3:47 PM
To: pstith@co.northampton.va.us
Subject: Restaurant at Kiptopeke

Dear Peter Stith,

My name is Corin Baker, and I live in Cape Charles with my family. We are trying to build a house south of town... half way between here and Kiptopeke State Park.

It has come to my attention that someone is trying to build a restaurant near the entrance to the park. It seems like it would be a good idea to me. Northampton County has a lot going for it, but one thing it is missing is employment opportunities and places for vacationers to spend their money and leave it with the locals. I do not like that the main receptacles of visitor funds are maintained by the government and big businesses—whether they be the CBBT or the gold course, or whatnot. We need the locals to be able to benefit directly from the tourists as well. While I love and completely support the county staying rural, that doesn't mean I want to live in a vaccuum... especially a vacuum of economic opportunities.

I see no reason why a restaurant should not be permitted outside the park. If anything, it will make it more of a draw for outsiders, and provide a few more jobs in the area. Hopefully more people will spend time and like our area, and help drive the local economy. Please vote in favor of the restaurant.

All my best,
Corin Baker

February 11, 2015

Peter Stith

16404 Courthouse Road

P.O. Box 538

Eastville, VA 23347

Re: Special Use Permit For Approval Of A Restaurant On The Corner Of Kiptopeke Drive And Arlington Road In Northampton County (Parcel 112-A-69)

Dear Mr. Stith:

My husband and I are presently building a home in Nottingham Estates which is approximately one mile from the proposed location of a restaurant to be built. Having a restaurant this close would be a great asset to all the families living in the development since most of the restaurants are miles away. The location of the restaurant would be an asset to Kiptopeke State Park visitors since it will be built near the entrance to the park. The restaurant would create new jobs and generate tax revenue for Northampton County. In all, the restaurant would be an asset to Northampton County.

My husband and I are in favor of a special use permit for the approval of a restaurant at the corner of Kiptopeke Drive and Arlington Road.

Please say "Yes" to the "Special Use Permit" so Angelo Manuel's dream of owning a restaurant will come true.

Thank You,

Harold and Patricia Schmale

200 Bird Street, Apt 205

Birdsboro, PA 19508

The following spoke in opposition –

Charles Bruckner of 29315 Stuarts Way provided packets to the Commission from a previous application that was submitted to rezone the parcel from Hamlet to Commercial and was overturned by the Board

of Supervisors. He expressed concern over the underground storage tanks along with the approval process of the two prior special use permits. While the rezoning was denied, the Special Use Permits were granted by the Board of Supervisors without public input. He also disagreed with staff comments regarding the project not negatively impacting the aquifer and water quality. He disagreed with Mr. Parr's statement about DEQ's visiting the site, as DEQ only gets involved when there is a problem; they are not an investigative service. He also noted that the applicant should do due diligence as part of a phase I, Phase II to ensure there are no tanks or contaminants on the site.

Roberta Kellam of 7514 Wellington Neck Road, spoke in opposition. She remembers the gas station being on the site. At the time the gas station closed, the procedure to close during that era was to leave the tanks underground, filling the area with sand and planting over them. It has been known that these tanks do eventually leak and cause groundwater contamination. It's the County's responsibility to ask for a phase I to ensure the site is adequate. Another issue she spoke to as a former Planning Commissioner, is the issue of two special use permits on the same property. This needs to be investigated and the legality of the matter verified.

Terrill Ramsey of 4192 Kiptopeke Drive spoke in opposition. Believes the process is flawed and should be reviewed and revisited. A restaurant request will create unsafe conditions because it does not provide adequate parking. The location will attract campers and boaters using the state park. Presently there are no provisions for these types of vehicles. Parking isn't adequate due to the coverage being taken over by the buildings. The applicant is attempting to cram too much in too little space. Mr. Ramsey also submitted a letter to be submitted into the record as follows:

Rec. 3/3/15 handed in at meeting

3652 Hermitage Road
Richmond, VA 23227
January 13, 2015

Ms. Katherine H. Nunez
Northampton County Administrator
PO Box 66
Eastville, VA 23347
BY EMAIL

RE: January 13, 2015 Board of Supervisors Meeting, Agenda Items 11 and 12, Special Use Permits 2014-09 and 2014-08.

Dear Ms. Nunez:

Please provide a copy of this letter to each of the Board of Supervisors members and place a copy in the record. I own a residence at 4192 Kiptopeke Drive which I use as a personal home.

While I do not object to an end result to use the entire 1.52A parcel solely for a 3 unit principal multi-family attached dwelling unit-apartments, I believe the process and documents before the Board are so flawed that the only way to clearly show what is requested and approved is to go back through the Planning Commission process. New pages were provided without explanation as to whether replacements or additions to the original application and what, if any parts of the original application is withdrawn or amended. The below list are additional examples where record is not clear:

1. Page 2 of revised Special Use Permit 2014-09 Apartment application (attached as page 3 this letter):
    a. No indication on revised that it is a resubmission or change from what was originally signed by agent dated 8/14/14 and no indication of what has changed and why.
    b. Resubmission is back dated to 8/14/14 so appears that the new application for 3 units shows a false signature date as I understand was submitted in January 2015.
    c. The resubmission before the Board does not include an updated Statement of Justification, e.g., appears the original Statement of Justification which was for 12 efficiency type motel units stands so unclear whether the motel units are still part of the plan. I note the drawing shows all building compacted on the southeast corner of the lot leaving space for other buildings on the balance of the lot facing Kiptopeke drive such as proposed in the original request.

Page 2 of January 13, 2015 letter

2. Special Use Permit 2014-08 for mass drain field:
    a. No explanation is provided as to why the request before the Board is for two lots to be used as a mass drain field when the building request is reduced from 12 to 3 units. Also with the scale back no justification is provided why the mass drain field could not be located on the 1.52A parcel.
    b. Page 2 of the original 8/14/14 application (attached as pages 5 this letter), item 2 only shows square footage for one lot of .815A so unclear how application got changed to using two lots for a mass drain field.

An overall concern is that with the "patchwork" way this is being handled it is not clear to the neighbors nor will it be clear for the record what is actually being approved as a special use. Since the request is from professional contractors and realtors who would be expected to have a high degree of skill in such matters, there is concern whether the apparent lack of clarity is intentional to hide the true plans.

In fairness to neighborhood, public, applicant, and as a precedent for how zoning is handled in Northampton County, I ask the Board to consider sending the requests back to the Planning Commission for normal review and clean record of what is applied for and what is approved.

I would like to express my appreciation to the County staff for providing ready access to public information concerning this matter.

Sincerely,

Terrill W. Ramsey

Terrill W. Ramsey

Cc: Granville F. Hogg, Jr.

Christine Snook of 29369 Stuarts Way. Only one special use should be permitted per property. This new use will cause undue stress on the adjacent community with excess traffic. Giving another special use on this property after having been issued a previous permit will be unfair to the neighboring area. It's cramming too much into a very small area creating major parking and traffic problems for the area. She asked that the board deny the application request.

Robert Freund – A resident of Kiptopeke Condominiums stated he was happy to see the three units going on the property, but has some issues in regard to the additional building. Will the new building include a residence above? Also has issue with the commercial unit and the safety in regard to the

location of the commercial business and the traffic it generates. Also he does not want to have to look at the commercial building. He and other residents were hoping residential units would locate on the site and not commercial.

Dick Churchill of 29444 Ryan Lane. He has issues with the traffic impacts that will be caused by the restaurant. Believes chaos will ensue as well as hazards.

With no further comments from the public the Chairman closed the hearing to the public.

Commissioner Ward asked if Kiptopeke Park permitted campers or. He expressed his concern regarding the need for a better run radius, as 22 feet appeared a bit small. He thought that is was a problem that could be solved once addressed. Another question was involving a parcel getting two special use permits in the past. Commissioner Downing, did not remember any parcels having this done in the past, but also added that she believes the Zoning Administrator has reviewed the application and all due diligence done prior to the application coming before the Planning Commission. Commissioner Downing also stated that she remembered the state mandating that all underground storage tanks be removed. There were quite a few permits issued to meet the State's requirement along with inspections of sites by County Staff. She then addressed the firewall issue as falling under the State building code, which would be addressed by the County's Building Official.

Chairman Leatherbury noted the issue of two special use permits on one property and parking being of concern. He then asked for a motion from the Commission. After brief discussion Commissioner Freeze made the motion to recommend the application for approval subject to installation of adequate parking for recreational vehicles. The motion was seconded by Commissioner Chatmon. The motion carried with all in favor (6-0).

Public Comment Period

Martina Coker 1530 Elliotts Creek Lane: Read the attached letter and requested it be part of the record.

Rec. 3/3/15
read into Record

Comments for the Public Record

Planning Commission meeting 3/3/2015

Martina Coker

I would like to express my concern regarding the process by which the Planning Commission is completing the Comprehensive Plan review.

Per VA Code 15.2-2223 "In the preparation of the Comprehensive Plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The Comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated and harmonious development of the territory which will, in accordance with present and probably future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities."

Well attended County wide input sessions were held as part of the "comprehensive surveys and studies" at which citizens of our County provided input regarding their vision of the "future requirements of their territory." The input was tabulated and showed that the citizens of the County value and desire:

- Preservation of rural character, historic assets, protection for agricultural lands, and emphasis on vibrant small towns
- Protection of ground/surface water, and the groundwater recharge area
- Improvement of the quality of education and workforce preparedness
- Protection and improvement of water access, including for aquaculture activities
- More recreational opportunities
- Capitalize further on tourism assets/natural resources
- Availability of adequate emergency medical care
- Expansion of job opportunities-emphasis on entrepreneurship and small business
- Protection of priority conservation areas
- Support and expand existing County industries: agriculture, aquaculture, tourism and research
- Promote economic development in towns
- Route 13 safety concerns
- More jobs/better wages compatible with County assets
- Expand affordable housing/rentals
- Broadband, high speed internet
- Expand public transportation

There was a common desire expressed to maintain open space, the rural environment and the unique combination of farmland, small towns and historic villages and hamlets

The desires of citizens are being ignored while the Planning Commission decides that they know best and make changes that are counter to desires expressed at the input sessions and those expressed by Town Councils and business organizations. This includes the removal of the following from the Comprehensive Plan draft

- Promote compact development and the maintain town edge
- Discourage rezoning to higher density or more intense uses in Conservation areas
- Towns are the most appropriate location for new development
- Industrial growth should be focused on areas designated on the Future Land Use Map
- Limit strip development on Route 13

The removal of these items appears to be an attempt to fit the Comprehensive Plan into the proposed Zoning Code rather than complete the Comprehensive Plan based on "the careful and comprehensive surveys and studies" noted earlier, which are a legal requirement for your work. Commissioner Ward has often stated that he thought that the Planning Commission should work to fit the Comprehensive Plan to the proposed Zoning. This is absolutely not the intended approach and results in a document created in a vacuum. Jackie Chatmon often has said "what does the Board want us to do?" when the role of the Planning Commission is to analyze and provide well considered conclusions to the Board for their consideration.

You have a responsibility to the public to carefully consider your decisions and I am not seeing that in the decisions that are being made. The decisions you are making appear to reflect your own preconceived opinions, rather than opinions reached after research and careful consideration. Your decisions appear to be, in fact, arbitrary and capricious.

The citizens of this county deserve better than what you are giving them.

Roberta Kellam of 7514 Wellington Neck Road -- Read and requested the following be entered into the record:

read in record

Matters from the Public, March 3, 2015

Submitted by: Roberta Kellam, 7514 Wellington Neck Road, Franktown, VA 23354

As Mr. Stith can confirm, Northampton County is not participating in the Community Rating System that would provide a 10% discount on flood insurance premiums for Northampton County residents. It has been widely reported that both Accomack County and Cape Charles governments have done the work or are doing the work necessary to get the 10% discount for their citizens. Any person with a mortgage would have to pay flood insurance premiums if their homes are in flood zones, and many of those households are not in the high wealth or income demographic. I have attached information available from the internet about the Community Rating System and how this incentive program requires good community planning. The Planning Commission can, and should, be the leader for the County in pursuing this 10% discount for the citizens. Community Rating System requires a Comprehensive Plan and Zoning Code that provide for best management practices in developing, or avoiding developing, within flood prone areas. I do not know who or how the decision was made to NOT participate in this incentive program, but now is the time to accomplish something meaningful for the people who live here now and in the future.

Also, to touch back on the Flood Plain Ordinance that was adopted as a stand-alone ordinance last week, I would like to reiterate that, by its own words, it is NOT a Zoning Ordinance, as it was adopted pursuant to Section 10.1-600 of the Virginia Code, rather than the Zoning enabling statute at Section 15.2-2280 of Virginia Code. The Vested Rights provided in Virginia Code Section 15.2-2307 relate to Zoning Codes. It's not clear to me why the County would want to eliminate vested rights in this manner in both this regulation and in the Chesapeake Bay Seaside protection regulations that are also a part of the Zoning Code.

Comprehensive Plan is the community plan, not your personal vision and agenda.

TABLE 3. COMMUNITY RATING SYSTEM ELIGIBLE COMMUNITIES EFFECTIVE OCTOBER 1, 2014 (continued)

COMMUNITY NUMBER	COMMUNITY NAME	CRS ENTRY DATE	CURRENT EFFECTIVE DATE	CURRENT CLASS	% DISCOUNT FOR SFHA[1]	% DISCOUNT FOR NON-SFHA	STATUS[2]
	Virginia						
510001	Accomack County	10/1/92	10/1/96	8	10	5	C
515519	Alexandria, City of	10/1/92	10/1/13	6	20	10	C
515520	Arlington County	10/1/92	10/1/08	8	10	5	C
510134	Bridgewater, Town of	10/1/96	05/1/06	8	10	5	C
510106	Cape Charles, Town of	05/1/10	05/1/10	9	5	5	C
510002	Chincoteague, City of	10/1/00	10/1/03	8	10	5	C
515525	Fairfax County	10/1/93	10/1/14	6	20	10	C
510054	Falls Church, City of	05/1/07	05/1/12	7	15	5	C
510071	Gloucester County	10/1/95	05/1/11	7	15	5	C
515527	Hampton, City of	05/1/11	05/1/11	8	10	5	C
510201	James City County	10/1/92	05/1/13	7	15	5	C
510090	Loudoun County	10/1/92	05/1/03	10	0	0	R
510104	Norfolk, City of	10/1/92	10/1/92	9	5	5	C
510183	Poquoson, City of	10/1/92	10/1/13	8	10	5	C
515529	Portsmouth, City of	10/1/92	10/1/00	9	5	5	C
510119	Prince William County	10/1/96	10/1/01	8	10	5	C
510130	Roanoke, City of	10/1/96	10/1/08	7	15	5	C
510190	Roanoke County	10/1/91	10/1/06	8	10	5	C
510154	Stafford County	05/1/11	05/1/11	8	10	5	C
510053	Vienna, Town of	10/1/96	10/1/11	8	10	5	C
510005	Wachapreague, Town of	10/1/96	10/1/96	9	5	5	C
510182	York County	10/1/05	10/1/10	8	10	5	C
	Washington						
530073	Auburn, City of	10/1/92	05/1/08	5	25	10	C
530074	Bellevue, City of	10/1/92	05/1/06	5	25	10	C
530153	Burlington, City of	10/1/94	10/1/09	5	25	10	C
530076	Carnation, City of	10/1/14	10/1/14	7	15	5	C
530103	Centralia, City of	10/1/94	10/1/09	5	25	10	C
530104	Chehalis, City of	10/1/94	05/1/13	6	20	10	C
530024	Clark County	10/1/04	10/1/09	5	25	10	C
530051	Ephrata, City of	10/1/00	05/1/10	7	15	5	C
530200	Everson, City of	10/1/94	10/1/09	7	15	5	C
530140	Fife, City of	05/1/06	10/1/09	5	25	10	C
530166	Index, Town of	05/1/98	05/1/08	6	20	10	C
530079	Issaquah, City of	10/1/92	05/1/08	5	25	10	C
530080	Kent, City of	05/1/10	05/1/10	6	20	10	C
530071	King County	10/1/91	10/1/07	2	40	10	C
530156	La Conner, Town of	10/1/96	05/1/12	7	15	5	C
530102	Lewis County	10/1/94	05/1/14	6	20	10	C
530316	Lower Elwha/Klallam Tribe	10/1/00	10/1/10	8	10	5	C
530331	Lummi Nation	05/1/10	10/1/14	7	15	5	C
530169	Monroe, City of	10/1/91	05/1/06	5	25	10	C
530158	Mount Vernon, City of	05/1/97	10/1/12	6	20	10	C
530085	North Bend, City of	10/1/95	05/1/06	6	20	10	C
530143	Orting, City of	05/1/08	05/1/13	5	25	10	C
530138	Pierce County	10/1/95	05/1/12	2	40	10	C
530088	Renton, City of	10/1/94	10/1/14	5	25	10	C
530151	Skagit County	05/1/98	10/1/08	4	30	10	C

1 For the purpose of determining CRS discounts, all AR and A99 Zones are treated as non-SFHAs.
2 Status: C = Current, R = Rescinded

FEMA

National Flood Insurance Program Community Rating System

The National Flood Insurance Program's (NFIP) Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements.

As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

1. Reduce flood damage to insurable property;
2. Strengthen and support the insurance aspects of the NFIP, and
3. Encourage a comprehensive approach to floodplain management.

CRS Brochure

This brochure, *NFIP CRS: The Local Official's Guide to Saving Lives, Preventing Property Damage and Reducing the Cost of Flood Insurance* introduces the National Flood Insurance Program (NFIP) Community Rating System (CRS) as a way of promoting the awareness of flood insurance.

CRS Fact Sheets

Community Rating System Fact Sheet

Changes to the Community Rating System in 2013

CRS Credit for High Water Mark Initiative

CRS Award for Excellence

The CRS Award for Excellence recognizes an individual who has provided leadership in the area of alerting residents to the dangers of flooding and promoting the purchase of flood insurance through the NFIP. Click here to learn about the CRS Award for Excellence.

How are Flood Insurance Premium Discounts Calculated?

For CRS participating communities, flood insurance premium rates are discounted in increments of 5% (i.e., a Class 1 community would receive a 45% premium discount, while a Class 9 community would receive a 5% discount (a Class 10 is not participating in the CRS and receives no discount)). The CRS classes for local communities are based on 18 creditable activities, organized under four categories:

1. Public Information,
2. Mapping and Regulations,
3. Flood Damage Reduction, and
4. Flood Preparedness.

The table below shows the credit points earned, classification awarded and premium reductions given for communities in the NFIP CRS.

CREDIT POINTS	CLASS	PREMIUM REDUCTION SFHA*	PREMIUM REDUCTION NON-SFHA**
4,500+	1	45%	10%
4,000 – 4,499	2	40%	10%
3,500 – 3,999	3	35%	10%
3,000 – 3,499	4	30%	10%

2,500 – 2,999	5	25%	10%
2,000 – 2,499	6	20%	10%
1,500 – 1,999	7	15%	5%
1,000 – 1,499	8	10%	5%
500 – 999	9	5%	5%
0 – 499	10	0	0

*Special Flood Hazard Area

**Preferred Risk Policies are available only in B, C and X Zones for properties that are shown to have a minimal risk of flood damage. The Preferred Risk Policy does not receive premium rate credits under the CRS because it already has a lower premium than other policies. The CRS credit for AR and A99 Zones are based on non-Special Flood Hazard Areas (non-SFHAs) (B, C and X Zones). Credits are: classes 1-6, 10% and classes 7-9, 5%. Premium reductions are subject to change.

Additional Resources

CRS Coordinator's Manual

The Coordinator's Manual for the CRS includes the CRS Schedule, which sets the criteria for CRS classification and CRS Commentary on the schedule. Section 100 gives general background information on the CRS. Section 200 explains the application and verification procedures. Sections 300 through 700 explain the credit points and calculations that will be used to verify CRS credit. The procedures in these sections are used by a community to submit a modification for a better CRS classification.

CRS Communities and Their Classes

These pages are from the most recent Flood Insurance Agent's Manual containing current and historical listings of all CRS communities, their class and insurance discount.

Numbers of CRS Communities by State

This link shows how many communities participate in the CRS in each state and the distribution of communities by CRS Class in each CRS Class.

Community Rating System Participation National Map

The CRS Participation map of the nation shows the wide range of communities that participate in CRS. CRS participation attracts all kinds of communities including small, large, inland, coastal, arid, etc. The map also includes the approximate territories served by the ISO Field Specialists who work with individual communities.

Community Rating System Participation by FEMA Region Maps

The CRS FEMA Regional map indicates communities that participate in CRS and from which states.

Community Rating System Participation State Maps

The CRS State maps depict communities that participate in the CRS and communities with the greatest risk to flooding, as measured by the number of flood insurance policies in effect.

Community Rating System Series and Activity Posters

These posters provide simplified descriptions of the CRS. 2013 CRS Coordinator's Manual changes are highlighted. The posters could be useful to explain and promote the CRS. The files are formatted to print large posters suitable for wall display.

Community Rating System (CRS) Overview, Prerecorded Presentation

This nine minute narrated Power Point presentation is about the CRS. It is an introduction to the Community Rating System suitable for viewers with little or no familiarity with the CRS.

Webinars on the Community Rating System

FEMA presented the CRS Webinar Series to new communities that were not yet participating in the Community Rating System of the National Flood Insurance Program as well as to local government staff with some experience in the CRS. The series included basic introductory sessions and more advanced topics, most averaging about an hour in length. The schedule for the series was:

- Introduction to the Community Rating System

    - February 18, 2014 - 1:00 pm Eastern/10:00 am Pacific

    - March 18, 2014 - 1:00 pm Eastern/10:00 am Pacific
    - May 20, 2014 - 1:00 pm Eastern/10:00 am Pacific
    - July 15, 2014 - 1:00 pm Eastern/10:00 am Pacific

- Developing Outreach Projects (Activity 330)

    - February 19, 2014 - 1:00 pm Eastern/10:00 am Pacific
    - April 16, 2014 - 1:00 pm Eastern/10:00 am Pacific

- Higher Regulatory Standards (Activity 430)

    - March 19, 2014 - 1:00 pm Eastern/10:00 am Pacific

Coming soon:

- Preparing for the CRS Verification Visit
- Drainage System Maintenance (Activity 540)
- Natural Floodplain Functions

Registration

Go to http://atkinsglobalna.webex.com/tc and type "CRS" in the search field to view webinars that are now open for registration.

If you have questions about the CRS Webinar Series, please contact Becca.Croft@atkinsglobal.com.

NFIP/CRS Update Newsletter

The CRS Update Newsletter is a publication to provide local officials and others interested in the Community Rating System with news they can use. To sign up for CRS e-mail updates click on the link below,

- January 2015 Newsletter

- November 2014 Newsletter
- September 2014 Newsletter
- July 2014 Newsletter
- February 2014 Newsletter
- December 2013 Newsletter
- October 2013 Newsletter
- July 2013 Newsletter
- May 2013 Newsletter
- March 2013 Newsletter
- January 2013 Newsletter
- August 2012 Newsletter
- June 2012 Newsletter
- March 2012 Newsletter
- February 2012 - Special Edition
- October 2011 Newsletter - Special Edition
- January-April 2011 Newsletter
- October-December 2010 Newsletter
- April-May 2010 Newsletter
- February 2010 Newsletter
- December 2009 Newsletter
- October 2009 Newsletter
- August 2009 Newsletter

Sign up for CRS email updates

Last Updated: 02/13/2015 - 21:00

Table 110-2. Credit points awarded for CRS activities.

Activity	Maximum Possible Points [1]	Maximum Points Earned [2]	Average Points Earned [3]	Percentage of Communities Credited [4]
300 Public Information Activities				
310 Elevation Certificates	116	116	45	100%
320 Map Information Service	90	70	50	93%
330 Outreach Projects	350	175	72	89%
340 Hazard Disclosure	80	57	19	71%
350 Flood Protection Information	125	98	39	92%
360 Flood Protection Assistance	110	65	49	41%
370 Flood Insurance Promotion [5]	110	0	0	0%
400 Mapping and Regulations				
410 Floodplain Mapping	802	585	64	50%
420 Open Space Preservation	2,020	1,548	463	70%
430 Higher Regulatory Standards	2,042	784	213	99%
440 Flood Data Maintenance	222	171	87	89%
450 Stormwater Management	755	540	107	84%
500 Flood Damage Reduction Activities				
510 Floodplain Mgmt. Planning	622	273	167	46%
520 Acquisition and Relocation	2,250	1,701	165	24%
530 Flood Protection	1,600	632	45	12%
540 Drainage System Maintenance	570	449	212	77%
600 Warning and Response				
610 Flood Warning and Response	395	353	129	37%
620 Levees [6]	235	0	0	0%
630 Dams [6]	160	0	0	0%

1 The maximum possible points are based on the 2013 Coordinator's Manual.

2 The maximum points earned are converted to the 2013 Coordinator's Manual from the highest credits attained by a community as of May 2013. Growth adjustments and new credits for 2013 are not included.

3 The average points earned are converted to the 2013 Coordinator's Manual, based on communities' credits as of May 2013. Growth adjustments and new credits for 2013 are not included.

4 The percentage of communities credited is as of May 2013.

5 Activity 370 (Flood Insurance Promotion) is a new activity in 2013. No community has earned these points.

6 Activities 620 and 630 were so extensively revised that the old credits cannot be converted to the 2013 Coordinator's Manual.

Art Schwartzchild of 4231 Willis Wharf Road -- The Chairman of Willis Wharf Land Trust spoke to the Willis Wharf vision statement and plan. Schwartzchild stated that the Willis Wharf Plan was a great document that took a lot of time and work. It is now proposed to be removed without considering or consulting the community. Willis Wharf is frustrated with this proposed change. A lot of community time, staff time, and county money went into the process to create this document. If the County wants to make changes, that is fine; but sit down and include the towns in these decisions and processes. Also the Chesapeake Bay Act is an issue. It is designed to improve water quality in the Chesapeake Bay and other waters of the state. Virginia designed the Bay Act to enhance water quality and still allow reasonable development to continue. It is an extension of the public trust doctrine designed to manage certain aspects of the environment for the benefit of all Virginians. Forgetting about the seaside is a huge mistake.

Mary Miller of 16319 Courthouse Road -- Read and requested the following letter and article from the CBES newsletter *Shoreline* be entered into the record.

March 3, 2015

Rec'd

"Comments from the public" to the Northampton County Planning Commission

Mary Miller, Eastville, VA

Commissioners:

I attended your meeting a few weeks ago to research an article on the Comprehensive Plan review, and to request updated information on your work—the article is in the Feb. *ShoreLine*.

While listening to discussion and reviewing the Commission's Minutes, I became aware of what appears to be a disconnect between your possible recommendations and the background information which the VA Code requires you to use as reference.

Part II of the revised Comprehensive Plan includes important resource, demographic, housing, historic and educational information on which Part I is necessarily based. In addition, you have valuable information compiled from nine public input workshops, which comprise a large component of the surveys and studies the Commission is required to make. There has been very little reference to either of these information sources in your Minutes or in your discussion---and many of the deletions and changes made so far by the Commission seem to disregard both the county's circumstances and the public's input.

To be fair, only two sitting Commissioners' names appear on a sign-up sheet for any of those nine public meetings held at the start of the Comp Plan review. But I have to assume that good process means that you have reviewed those files. I have a copy here for your consideration, of a memo summarizing that public input prepared by the former Director of Planning and Zoning. I also have 45 files of actual comments and discussion of the county's future by participants in those meetings available for review.

I anticipate seeing ~~both~~ information both from Part II of the Plan revisions and the recorded public input reflected in your recommendations for Comp Plan revisions to the Board of Supervisors.

I request that my comments and submission be inserted in the public record.

Comprehensive Plan nearing completion

What happened to the public input??

By Mary Miller

The Northampton county-wide rezoning and the sewer line along Route 13 have been the focus of most of the community attention for the past year. During that time the Planning Commission has been conducting a state Code required five-year review "*to determine whether it is advisable to amend the plan*" (VA Code). Month after month they've reviewed the current Comprehensive Plan, sorted through various goals and strategies and made decisions about what planning language is retained and what gets crossed out. The decision to "*amend the plan*" appears to have been already made.

The Code requires that the Planning Commission *"**shall** make careful and comprehensive surveys and studies"* of existing conditions, trends and current and future requirements of the community as they prepare recommendations for changes to the Comprehensive Plan. Since 2011, many studies and surveys have been completed; the accumulated data represent almost 200 pages already included in the required review and are available on the county website. An additional 60 pages of community input is available to the Commission, informing them of community priorities and the requests and aspirations of county residents – research that's already on the public record and is intended to support and inform the work of the Planning Commission. Seven meetings, in every area of the county, were held to solicit that public comment in preparation for the five-year review of the Comprehensive Plan. And most of that public input supported sustainable rural-type development for the county.

How the Planning Commission is working.

Commission minutes since September describe discussions of wording changes, comments on whether to keep or discard current language and decisions about inserting new language – and considerable wording in the current Plan which confirms that preferred sustainable rural development has been deleted or changed. Minutes reflect almost no reference to data already collected, changed circumstances already recorded or community meeting input collected for this five-year review. Most of the discussion and changes appear to reflect the thoughts of individual Commissioners. For instance:

- Acknowledgment by most Commissioners that agriculture and aquaculture are valuable to the county, then striking language that supports zoning to protect those industries.
- Acknowledgment in working papers that natural resources would be protected to "the maximum extent possible" and that the county would support existing businesses, but then striking all language in support of the growing research industry, which depends on natural resources.
- One Commissioner stated that "poverty would take care of itself if jobs come" – while the Commission's own data show that most of the county's poverty is concentrated in the elderly, well past working age, and among single parent households with young children – poverty compounded by low skill levels and educational attainment of the single parent and complicated by uncertain transportation and affordable childcare, even when jobs are available.

Planning Commission meetings are sparsely attended. The Commissioners are working more or less in a vacuum. There is discussion about obtaining more public input, but like the arrival of the county-wide rezoning document, the public will most likely be presented with a finished draft of the Comprehensive Plan. Several years ago a stakeholders group, a large, diverse cross-section of residents, businesses and organizations, was established to provide input as the review progressed. There appears to have been no attempt to include this group in the current review process. There was even a Commissioner's comment at the January 6, 2015, meeting that "all citizens are stakeholders – we don't need a list."

What the community said it wanted for the future.

Below are several of the public input preferences and priorities from Planning Commission files collected for the current ongoing Comprehensive Plan review:

- ✓ Preservation of rural character, historic assets, protection for agricultural lands, emphasis on vibrant small towns
- ✓ Protection of ground/surface water, groundwater recharge area
- ✓ Improve quality of education and workforce preparedness
- ✓ Protection & improvement of water access, including for aquaculture activities
- ✓ More recreational opportunities
- ✓ Capitalize further on county's tourism assets/natural resources
- ✓ Availability of adequate emergency medical care
- ✓ Expansion of job opportunities – emphasis on entrepreneurship & small business
- ✓ Protection of priority conservation areas
- ✓ Support & expand existing county industries: agriculture/aquaculture, tourism, research
- ✓ Promote economic development in towns
- ✓ Rt. 13 safety concerns
- ✓ More jobs/ & better wages compatible with county assets
- ✓ Expand affordable housing/rentals
- ✓ Broadband, high speed internet
- ✓ Expanded public transportation

Infrastructure was at the bottom of the list.

Page after page of comments, from all seven public meetings, also reflected a common desire to maintain the open space, rural environment of the county and to preserve the unique combination of farmland, small towns and distinct historic villages and hamlets.

What the Planning Commission is proposing.

Below are some examples compiled from Planning Commission minutes and working papers of what to expect to see *removed* in the amended Comprehensive Plan draft:

See **"Comprehensive Plan,"** *Cont'd on page 5*

"Comprehensive Plan," *Cont'd from p. 4*

- Promote compact development and **maintain town/village edges** – ***Deleted***
- Develop **proffer guidelines** [cash and other proffers help a community offset the increased cost of services, especially to residential development] -- ***Deleted***
- **Discourage rezoning to higher density** or more intense uses in Conservation areas – ***Deleted***
- **Towns** are the **most appropriate** location for **new development** – ***Deleted***
- Industrial growth should be focused on areas designated on the Future Land Use Map – ***Deleted***
- **Industrial uses should be evaluated** for impact on groundwater resources – ***Deleted***
- **Limit strip commercial** development on Rt. 13 – ***Deleted***
- **Establish a certified Community Kitchen** for use by small businesses, i.e., food processing, catering, etc. – ***Deleted***
- Develop a marketing list of shore asset-compatible businesses/industries which **provide year round jobs, livable wages** – then market the county to that target – ***Deleted***

Many changes support providing additional financial resources and authority to the Economic Development Director to manage the marketing and further development of county tourism and business investment. No specific strategies are included so far. Other changes include creating incentives for owners of real estate to upgrade their properties – and to dedicate demolition funds for dilapidated structures.

What happened to the process?

There may be a disconnect between how community residents planned for the county's future, and how the current Planning Commissioners appear to be interpreting those plans. To be fair, most of the Commissioners were not serving when the public input meetings were held. The names of only two current Commissioners appear on any of the sign-up sheets. In the absence of any new public meetings soliciting input before the draft Plan is complete, however, public input already on file and the Commission's own published data is what the state Code intends to be the basis of any Comprehensive Plan amendments. That may not be happening. One Commissioner was heard to ask instead what the Supervisors wanted them to do.

There may not be a complete understanding of the Planning Commission's statutory obligation to create or amend a Comprehensive Plan. The state Code directs the work process. This obligation, and the Code requirements, were made clear to the Commissioners in the required state training program. It's equally important to understand that while the Supervisors have complete authority over the adoption of any or all county plans or ordinances, the Planning Commission has the authority and legal obligation to provide the Board of Supervisors with a Comprehensive Plan proposal that was created in compliance with the Code of Virginia.

PSA Review – On track or off the rails?

A ShoreLine Staff Report

Tens of thousands of dollars have been spent since 2010 on planning and engineering for waste water treatment up and down Northampton County, and not one pipe has been lain and not a drop of water has been treated. Pushing this effort forward have been some members of the Public Service Authority (PSA) and the PSA's Executive Director, Katie Nunez, who is also the Northampton County Administrator – all of whom maintain that they are only doing what the Board of Supervisors has instructed.

In the beginning (2009)...

A project was first proposed to serve the Exmore-Nassawadox area (the so-called Northern Node), with emphasis on retaining the hospital as per the PSA's Articles of Incorporation, with a second project (the Southern Node) to serve the Cheriton / Cape Charles stoplight area. It soon became apparent that the county would be unable to match the funding requirements of the Virginia Department of Environmental Quality (DEQ) and USDA grant-loan packages for the Exmore-Nassawadox project. So in spite of thousands of taxpayers dollars already awarded for preliminary engineering to the Lynchburg firm Hurt & Proffitt, the Northern Node project was virtually abandoned.

Seed money for wastewater infrastructure was diverted from a "southern rivers" planning grant from the Virginia Department of Housing and Community Development (DHCD). The $20,000 grant was originally allocated for researching the use of alternative cluster-type waste-water systems in Oyster. One condition of the grant diversion, which was approved by the DHCD in early 2010, was that it was to be applied to projects in the Atlantic, or seaside, water shed – specifically *not* to projects that "drain into the Chesapeake Bay." Other benchmarks included holding community meetings, conducting neighborhood surveys and producing follow-up documents for the funding agency to confirm that grant approval conditions continued to be met.

However, in another grant application in late 2010 to another state agency, the project was described like this: *"The overall goal of the project is to improve water quality in the Chesapeake Bay watershed and King's Creek by replacing up to 495 failing or questionably functioning on-site septic systems."* (This from the application for funding made to DEQ and the Virginia Clean Water Revolving Loan Fund prepared by Hurt & Proffitt and referenced at a Supervisors meeting on Nov 10, 2010.)

To further define the PSA's direction from the Board of Supervisors, minutes from a joint meeting in April, 2011, note that a consensus was reached that PSA projects would be understood to further "economic and commercial development ***in the towns***" and that projects would be for current needs and ***not for future development***.

See **"PSA Review,"** *Cont'd on page 7*

Ken Dufty of 3259 Wardtown Road – Read the following letter and requested it be entered into the record.

Submitted into the record 3/3/15

6182 Wardtown Road
Exmore, Virginia 23350

March 3, 2015

Chairman Dixon Leatherbury
Members of the Northampton County Planning Commission
Northampton County Administration Complex
Eastville, Virginia

Chairman Leatherbury and Northampton County Planning Commissioners:

It is becoming crystal clear that both the ongoing revisions to the current Northampton County Zoning Ordinance and the 2009 Comprehensive Plan are being conducted in an arbitrary and capricious manner and are devoid of the required studies and other empirical data that must be relied upon to make the decisions that are now being proposed.

Last week at a meeting of the Board of Supervisors, Peter Stith was asked by Supervisor Hogg why the revisions to the Comprehensive Plan did not involve the citizenry at the beginning of the process, rather than the current plan to present a final product to residents and business owners once the Plan had been revised.

Mr. Stith answered that they did involve the citizenry in surveys and workshops about 3 years ago. I have attached a copy of the responses to those surveys of which 188 people filled out. Overwhelmingly, the respondants to those surveys conducted by the county said that it was "very important" that the Comprehensive Plan protect groundwater recharge areas and concerns; protect floodplains; preserve Priority Conservation Areas; protect Historic Sites, ensure Septic Suitability; and also directed the drafters of the Comprehensive Plan update to factor in rate of growth (majority wanted 1-2% rate of growth), and said that it was very important to create a balance between jobs and housing.

We are curious if the Planning Commission ever received the reponses to the surveys and the notes from the community meetings. If you did not, it is incumbent upon you to access that information, factor it into your deliberations, and then offer credible and defendable evidentiary basis to support your version of the plan, which turns its back on the will of the people as captured in the survey responses. As many of you know, in order for any decision of a county government to withstand a judicial challenge, it has to rise to a level to be fairly debatable. Simply ignoring and not responding to a key piece of evidence, such as a community survey and input from public workshops, tips the scales of this review firmly into the arena of arbitrary and capricious behavior, recommendation, and final decision.

Further, when deliberating changes to our current Comprehensive Plan that you may recommend to the Board of Supervisors, I am appalled at some of the statements that I have witnessed being made by members of the Commission. Specifically, when deciding what is, and what is not, covered under the umbrella of "agri tourism", Commissioner Downing tried to get the Commission to agree that if the owner of a commercial "barn", which was apparently built to hold events, fundraisers, and other public gatherings , could do so "by right" if the owner offered ***hay rides*** to party and wedding guests. Thankfully, Chairman Leatherbury ruled that in order for a use to be considered "agri-tourism", it had to be related to agriculture. Note that it is my understanding that this issue is still not settled, and it may still be up for debate. It was perfectly clear to this writer that the attempt by Commissioner Downing, which was spirited and almost delivered with glee (as if to say she had found a way around the code) was to benefit one private developer at the expense of the neighboring landowners who may be harmed by the increased commercial traffic in an otherwise pastoral setting. Frankly, this display was embarrassing.

Winifred Martin of 7094 Sealand Lane – Read and entered the following into the record:

Rec. 3/3/15
read into record

TO: Planning Commission, Northampton County, Virginia
cc: Janice Williams
FROM: Winifred R. Martin

3 March 2015

Good evening ladies and gentlemen.

Quite unsuspectingly I approached news of the countywide ReZoning issue a year ago by attending the county staff's March 11th presentation at our highschool.

Prior to that, now three years ago in 2012, I'd participated in the well organized and equally well attended input forum at our fire hall, concluding with answering a survey. (see att). I recognize Mrs. Downing and Mr. Ward of your board from that meeting. As we know this represented one of seven input meetings.

The spirit the attendees exuded was impressive, one of a caring responsible community whose expressions were solicited by staff and your board as proper procedure dictates. Good rapport reigned.

What happened to the gist, the summary acknowledgement of those entries (please see attached) since the interim arrival of an out of state economic developer? It was as if someone had processed them in a paper shredder for citizens painstakingly to piece back together – IF they happened to find the time. Well we have, repeatedly. And at significant cost and loss to other projects.

I implore you to remind yourselves of this vital process and record, Ms. Benson's Memorandum to you of March 29, 2012, and the hundreds of comments and letters further submitted by Northampton residents since early last year.

Please enter these remarks into the public record concerning Zoning.
Thank you for your time.

Winifred R. Martin
7094 Sealand Lane
POB 771
Eastville, VA 23347

Enc. 1) Overall Summary Questionnaire Responses 2012
2) Benson Memo to NoC Planning Commission 29 Mar 2012

Overall Summary Questionnaire Responses - 188 surveys received

Community Change

Rate of Growth

0%	1%	2%	3%	4%	5%	6%	7%	8%	9%	10%
10	41	38	23	8	23	5	2	2	0	3

Balance between jobs and housing 1=less important, 5=very important

	1	2	3	4	5
Response	3	8	26	47	78

Importance of Resources 1= less important, 5= very important

Historic Sites	1	2	3	4	5
Response	0	15	35	41	78

Groundwater Recharge	1	2	3	4	5
Response	0	1	12	35	117

Septic Suitability	1	2	3	4	5
Response	1	5	27	40	94

Floodplain Protection	1	2	3	4	5
Response	4	8	35	31	85

Wetlands Protection	1	2	3	4	5
Response	4	6	27	37	91

Protection Priority Conservation Areas	1	2	3	4	5
Response	7	9	30	39	83

Live or work in a town	live or work in NHCO or town	Own property or business in NHCO but live elsewhere	Other
39	105	10	6

DEPARTMENT OF PLANNING AND ZONING
NORTHAMPTON COUNTY, VIRGINIA

Sandra G. Benson, AICP
Director

Planning Commission
Wetlands Board
Board of Zoning Appeals
General Development

16404 Courthouse Road
P.O. Box 538
Eastville, VA 23347
Phone: 757-678-0443
Fax: 757-678-0483
sbenson@co.northampton.va.us

MEMORANDUM

To: Northampton County Planning Commission

From: Sandra G. Benson, AICP
Director of Planning & Zoning

Subject: Public input workshops and other comments received to date

Date: March 29, 2012

Participation

Two hundred eighty-four (284) persons, excluding Planning Commissioners, Supervisors, and staff, signed in for the seven public input workshops conducted in January-February 2012. Thirty-nine (39) individuals attended more than one meeting; of those 24 attended two meetings, 9 attended 3 meetings, 5 attended 4 meetings, and 1 attended all 7 workshops. This means that 221 different persons participated in the workshops, based on the sign-in sheets. Of the meeting participants, 184 submitted Visioning Work Sheets/Questionnaires. In addition, we received four (4) responses via mail, email, or fax from Northampton County Chamber of Commerce members, plus one comment letter. To date no comments have been received online.

Of the persons who submitted work sheets/questionnaires, roughly 21% indicated that they reside in one of the towns in the county; 5% indicated that they own property or business in Northampton but live elsewhere.

Questionnaire Responses

An overall summary of the questionnaire responses is attached. Following is a preliminary analysis of those responses.

1) Rate of Growth for next 20 years: The questionnaire noted that a population will double in 20 years at about a 3% growth rate. 5% indicated that a "0" rate of growth over the next 20 years is desirable; 22% indicated that 1% growth rate is reasonable; 20% expressed support for a 2% rate of growth; 12% indicated that 3% would be reasonable; and 12% indicated that 5% growth would be reasonable. The other options each garnered less than 5% support (4%, 6%, 7%, 8%, 9%, and 10%.

2) Balance between jobs and housing: The majority of survey responses indicated that the balance between jobs and housing is important to very important (66%). Approximately 14% of respondents ranked the importance of this item midway between less important and very important.

The next series of times asked respondents to indicate the relative importance of six (6) resources in relation to other concerns that they have. Please note that percentages may not total 100, as not every respondent responded to every item.

1) Historic sites: 63% of respondents indicated historic resources are important to very important, while 27% of surveys received indicated that these are relatively less important.

2) Groundwater Recharge: 81% of questionnaires indicated that this resource is important to very important.

3) Septic Suitability: 71% of surveys indicated that this is important to very important; 18% indicated that this concern is of lesser relative importance.

4) Floodplain Protection: 62% of respondents indicated that this is important to very important.

5) Wetlands Protection: 68% of surveys indicated that this is important to very important.

6) Protection of Priority Conservation Areas: 65% indicated that this would be important to very important.

Slightly less than half of participants indicated support for 0 to modest/moderate growth (up to 2%) over the next 20 years, with 82% of participants responding to the question about growth rate. Based on the number of responses received to this question, the majority of respondents (57%) indicated support for a growth rate that would be something less than double the current population.

Respondents support the concept that there should be a relative balance between jobs and housing in the county. This can be interpreted to mean two different things: (1) that the county would not be a bedroom community where people live but work elsewhere, and (2) there should be sufficient housing in the county to accommodate workers employed in the county. This finding will need to be balanced with other comments received about the desirability of accommodating retired residents.

Regarding the resources included on the questionnaire, people who participated in the process generally indicated the opinion that historic and natural resources need to be protected. There seemed to be a significant recognition of the importance of preserving groundwater recharge capacity.

Workshop Discussion Themes

Following is a list of recurring themes heard during the discussion at the workshops:

1) Preservation of rural character and lifestyle, with protection for agricultural lands and emphasis on vibrant small towns.
2) Protection, improvement/enhancement of water access.
3) Protection of ground and surface water quality, with some emphasis on groundwater recharge areas.
4) Support for moderate growth with recognition that infrastructure is needed to support growth in appropriate/desired areas.
5) Desire to see blight, including derelict and abandoned buildings and trash/litter, addressed.
6) Necessity of improving the quality of education and workforce preparedness
7) Desire to see more recreational opportunities, particularly for children and youth, but families and seniors were also mentioned.
8) Recognition that tourism is an important feature of the local economy and desire to capitalize further on tourism assets.
9) Necessity of addressing medical campus in Nassawadox following the departure of Riverside-Shore Memorial Hospital and need to ensure availability of adequate emergency medical care that is reasonably close to county residents.
10) Preservation of historic assets.
11) Expansion of job opportunities, preferably with more well-paying jobs, including emphasis on entrepreneurship and small business development and ensuring that the county is "business friendly." This topic also includes expansion of the tax base in order to reduce the tax burden on residential properties.

Another topic, although not mentioned at all workshops, was heard more frequently from the African-American community. There was concern expressed about neighborhood safety, including street lighting and reduction of crime.

Chairman Leatherbury Read a letter received by David Kabler who was not present into the record.

March 3, 2015

The Northampton County Planning Commission

The review and update of our county's Comprehensive Plan called for every five years is not a call for revision but rather for fine tuning. My own training and service as a Planning Commissioner instilled how the Comprehensive Plan is the bedrock of our zoning ordinance. All land use decisions must be based upon compliance with the Plan's tenets.

My real estate brokerage business relies heavily on the Comprehensive Plan and its goals and objectives. REALTORS expend huge resources of finance, advertising, public relations, education and old fashioned hard work to attract investment to our community. When working with sales prospects, my own pitch centers on the Plan's principles of:

Protecting our rural character

Conservation of natural resources

Protection of the Rt. 13 traffic corridor

Encouraging development in and around the Towns and villages

Support for our core industries of agriculture, aquaculture and tourism

These principles are easy to communicate to prospects and are enthusiastically received, even applauded, building the confidence investors need to stake their claim here. And it works! My office of four agents has participated in ¼ of the residential sales volume last year in Northampton County.

The deletions from the Comprehensive Plan that certain Commissioners are recommending will gut my best sales presentation. There is no study or data that supports these deletions, rather only their arbitrary and capricious ideas. I attended the public workshops a few years ago and can testify that our Comprehensive Plan accurately reflects the hopes and desires of our citizenry. The people have not changed their hearts – those core principles I stated are still valid. You have at your disposal the data collected at those workshops. Why have you ignored it? You are charged with protecting the public interest, not your own personal beliefs. Restore to our Comprehensive Plan those principles that the people have called for.

Sincerely,

David Kabler
10352 Church Neck Rd.
Machipongo, VA 23405

With no further matters from the public, the public comment session was closed.

Consideration of Minutes:

January 6, 2015 –Commissioner Chatmon motioned to approve the minutes with changes. The motion was seconded by Commissioner Ward. The motion carried with all in favor, 6-0.

January 21, 2015 – Commissioner Downing motioned to approve the minutes with changes. The motion was seconded by Commissioner Ward. The motion carried with all in favor, 6-0.

February 3, 2015 – A motion to approve the minutes as submitted was made by Commissioner Chatmon and seconded by Commissioner Ward. The motion carried with all in favor, 6-0.

Unfinished Business:

Comprehensive Plan Review (Goals) –

GOAL 5.8: Public funds will not be utilized for infrastructure within areas projected to be inundated in the 100 year horizon except for those items which are required to be adjacent to or in the water.			
	Responsible Agencies	**Stakeholders**	**Timeframe**
Implementation Strategies			
5.8.1 Provide public access to map of County areas projected to be inundated within the 100 year horizon. **Insert link to NOAA site.**	Staff, A-NPDC	Citizens	Ongoing
5.8.2 Review all proposed development projects and zoning map changes to weigh the cost and benefits of investing public funds for roads, sewer, water and other public services to properties that are located within land that is projected by NOAA to be inundated in the 100 years from date of adoption of this policy to ensure that public funds are not wasted.	BOS, PSA	Citizens, Developers	Ongoing

GOAL 5.9: An integrated approach to shoreline protection will be utilized throughout the County.			
	Responsible Agencies	**Stakeholders**	**Timeframe**
Implementation Strategies			
5.9.1 Refer to the guidance presented in the locality's Comprehensive Coastal Resource Management Portal (CCRMP) prepared by VIMS to guide regulation and policy decisions regarding shoreline erosion control.	Staff, Wetlands Board, VIMS	Citizens, Developers, Applicants	Ongoing
5.9.2 Utilize VIMS Decision Trees for onsite review and subsequent selection of appropriate erosion control/shoreline best management practices: http://ccrm.vims.edu/decisiontree/index.html	Wetlands Board, Staff	Citizens, Applicants	Ongoing
5.9.3 Utilize VIMS' CCRMP Shoreline Best Management Practices for management recommendation for all tidal shorelines in the jurisdiction.	Wetlands Board,	Citizens, Applicants	Ongoing
5.9.4 Adopt ~~Consider~~ a policy where the above Shoreline Best Management Practices become the recommended adaptation strategy for erosion control, and where a departure from these recommendations by an applicant wishing to alter the shoreline must be justified at a hearing of the board(s).	Wetlands Board	Citizens	Ongoing
5.9.5 Follow the development of the state-wide General Permit being developed by VMRC. Ensure that local policies are consistent with the provisions of the permit.	Wetlands Board, Staff	Citizens	Ongoing

~~5.9.6 Evaluate and consider a locality wide permit to expedite shoreline applications that request actions consistent with the VIMS recommendation.~~	~~Wetlands Board, Staff~~	~~Citizens, Applicants~~	~~1-3 years~~
~~5.9.7 Evaluate and consider a locality wide regulatory structure that encourages a more integrated approach to shoreline management~~	~~Wetlands Board, Staff~~	~~Citizens, Applicants~~	~~1-3 years~~
~~5.9.8 Consider preserving available open spaces adjacent to marsh lands to allow for inland retreat of the marshes under rising sea level.~~	~~TNC, DCR, USFWS, PDR, STP~~	~~Citizens~~	~~Ongoing~~
5.9.9 Evaluate and consider cost share opportunities or incentives for construction of living shorelines.	A-NPDC, Wetlands Board, BOS	Citizens	Ongoing

New Business:

Exception 2015-02 Andrew Diggs – Mr. Stith briefly described the project stating that Mr. Andrew Diggs has applied for an exception of 142 square feet and 89 linear feet of encroachment into the required 100 foot wide resource protection area buffer to construct deck additions and a set of steps. The Commission discussed the application briefly then consented that they would review the application at the March 19th, 2015 work session.

Chairman Leatherbury opened discussion regarding the Cape Charles Historic Town Entrance Overlay District request. Discussion took place regarding the submittal of the application as the Town cannot make application. The property owner, Commission, or Board would have to make application. Commissioner Ward stated his concerns regarding a timeline once a formal application was made. It was the consensus of the Commission that a letter be drafted to the Town of Cape Charles informing them that the request will be taken up after the completion of the Comprehensive Plan Review. The Commission will review the letter prior to sending to the Town.

Chairman Leatherbury inquired if the Commission would like to reschedule its upcoming work sessions due to the conflict caused by upcoming Public Information Meetings (PIM's). Chairman Leatherbury asked that Mr. Stith send out a poll to determine what two dates are adequate for members to meet in March.

Monthly Staff Report:

Mr. Stith reviewed the staff report-- There were no matters before the Board for the month of February. The Board of Supervisors will meet on March 4, 2015 to review comments from the public input meetings. The schedule for a public hearing will depend on what changes are made as a result of the additional public comments. Please hold on to the information provided regarding the Chesapeake Bay Act and read as time permits.

With no further business Chairman Leatherbury asked for a motion to recess. Commissioner Chatmon motioned to recess. The motion was seconded by Commissioner Stanley. The motion carried with all in favor, 6-0.

_____ _____

Chairman Secretary