

## Minutes

### Northampton County Planning Commission

#### Work Session

January 16, 2013

This was a recessed meeting of the Northampton County Planning Commission held on Wednesday, January 16, 2013, in the main conference room in the County Administration Building located at 16404 Courthouse Road in Eastville, Virginia. The purpose of the meeting was to continue review of the comprehensive plan.

Those present were Vice-Chair Michael Ward, Mary Miller, Dixon Leatherbury, Sylvia Stanley, Severn Carpenter and Roberta Kellam. Absent from the meeting was Chair Martina Coker.

Also attending were Peter Stith, Long Range Planner; and Kay Downing, Administrative Assistant.

Due to the absence of Commissioner Coker, Commissioner Ward chaired the meeting which was called to order at 7:00 p.m. and a quorum established.

The agenda was accepted as presented.

#### **Review of Variance Applications**

The commission reviewed Variance 2013-01 as filed by the County of Northampton to increase the impervious surface allowed at the proposed waste collection facility on Courthouse Road. Commissioner Miller expressed concern that erroneous information had been submitted when the county filed its special use permit for this facility. She was also concerned about stormwater runoff flowing onto adjacent property. The submitted site plan was reviewed for stormwater management. Mr. Stith explained that a weir or swales would be used to direct stormwater to the detention area. Commissioner Kellam stated that highly contaminated runoff should not drain to ditches. Commissioner Leatherbury noted that there is only a two-foot difference in elevation on the entire lot. Mr. Stith noted that pre-existing drainage rates must be maintained post development. Commissioner Kellam asked if a variance runs with the owner of the land or with the land. Mrs. Downing stated that the Board of Zoning Appeals can stipulate an approval to be one way or the other. It was noted that the property is zoned A/RB Agriculture/Rural Business District and in close proximity to a neighborhood Hamlet area. Commissioner Miller expressed her concern that the facility would be located in the second most important aquifer recharge area. Commissioner Kellam noted that having stormwater retention would put water back into the ground but at a slower rate. However, it was acknowledged that the commission could not quantify runoff and retention versus draining to the local creek due to a lack of expertise. During discussion Commissioner Kellam questioned the validity of this application to meet legal standards for a variance request in terms of

hardship. Mr. Stith stated that a hardship can be based on the size, shape, irregularities, open space, etc., of a property. Commissioner Miller stated her opinion that a private property owner would be questioned about the legal standard for processing this kind of variance.

Action:

Motion was made by Commissioner Kellam to recommend that any approval be limited to this specific applicant for the specific project as shown on the development plan; and that the Board of Zoning Appeals confirms that legal requirements of this variance are valid. The motion carried unanimously 6 to 0 upon proper second by Commissioner Miller.

Variance 2013-02 filed by Edward & Carolyn Conklin for a variance of 37 feet from the required 60-foot front yard setback in order to construct a single-family residence was discussed. The property, zoned ESD-RVR Existing Subdivision District-Rural Village Residential, is located in the Vaucluse Shores Subdivision. It was noted that the property was purchased in 2010. Commissioner Miller expressed her opinion that homes should accommodate lots whenever possible. It was her opinion that the variance was for the convenience of the property owner based on the application and site plan. Commissioner Kellam noted that other property owners make adjustments to comply with building setbacks and this applicant should do likewise if possible.

Motion was made by Commissioner Kellam to recommend to the Board of Zoning Appeals, out of respect for those who comply with building setbacks, that this applicant should make effort to comply with the regulations in order to make the building project fit on the site. Second was made by Commissioner Miller. Discussion followed and staff explained that the front yard building setback and the 100-foot resource protection area setback overlap thereby eliminating a reasonable buildable area. The motion was withdrawn and no recommendation was forwarded to the Board of Zoning Appeals on this application.

A short break was taken at 8:20 p.m.

**Comprehensive Plan Review**

The commission continued its review of the Population & Demographics Part II section of the comp plan. The last paragraph on page 3-5 was moved to the bottom of page 3-4. Discussion was held on why ethnic numbers don't add up in the Table 3.3 Population Projections. An inconsistency was noted in Table 3.1 since some data was for a 5 year period and other data was not. At the bottom of page 3-3 in the last line the words "an increase in" were deleted. Much discussion was related to poverty and how the concept of "rurality designation" impacts every aspect of the county such as poverty, health, economic development, etc. This also would give context to county demographics. Commissioner Kellam will write more detailed information about this rural concept. It was also noted that the county is medically underserved and that Commissioner Coker would add more in-depth information to the 3.8

Health section. Information should also be provided on why the county has “persistent poverty”.

The latest draft of the Economic Analysis Part II section was then reviewed and revisions included, but were not limited to, the following changes. Grammatical, spelling and capitalization errors were noted and formatting was discussed. There were questions concerning the data sources used in Table 4.1. The third sentence from the bottom of page 4-3 was deleted. In Section 4.4 Agriculture underwater aquaculture acreage is counted. Updated statistics and data were noted. The first sentence was deleted from the first paragraph in Section 4.8. Also a more detailed explanation of “aquaculture” is needed. Commissioner’s Miller draft language was discussed beginning with Section 4.8 and several corrections noted. On page 4-10 in the second full paragraph, the second sentence was reworded to accurately reflect why the number of farm workers has decreased. In Section 4.5 Aquaculture, the first sentence was reinstated in the document. On page 4-14, the last sentence in the first full paragraph was deleted.

Prior to adjourning the commission was given a copy of the Governor’s new Agriculture-Forestal District (AFD) legislation. Mr. Stith also distributed an updated draft of the History & Geography section for future review and discussion.

**Adjourn:**

At 10:02 p.m., motion to adjourn was made by Commissioner Kellam and seconded by Commissioner Stanley. The motion carried unanimously 6 to 0.

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Chair

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Secretary