

Minutes

Northampton County Planning Commission

Work Session

May 16, 2012

This was a recessed meeting of the Northampton County Planning Commission held on Wednesday, May 16, 2012 at 7:00 p.m. in second floor main conference room #201 located at 16404 Courthouse Road in Eastville, Virginia. The purpose of the meeting was to continue review of the comprehensive plan draft revised vision statement.

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

The meeting was called to order and a quorum established.

The agenda was then revised to reflect an additional item under Item 5 to allow discussion of a revised work calendar. Motion to accept the agenda as revised was made by Commissioner Miller with second by Commissioner Kellam. The motion carried unanimously 6 to 0.

A presentation on the Public Service Authority (PSA) was then made by Mr. Bob Panek and Katie Nunez, County Administrator and PSA Executive Director. After providing brief background information the commission was informed that the towns of Cape Charles, Cheriton, Nassawadox and Exmore currently participate in the PSA along with the county. During recent reformation efforts due to redistricting, efforts are being made to foster ideas of low overhead operations in existing population and commercial centers. When asked, Mr. Panek noted that the existing Bayview system has not been transferred to the PSA and is currently operated by the county. Ms. Nunez added that customers utilizing the Bayview system have never been billed for services. During discussion Mr. Panek explained that the USDA stipulates that rural development must charge a minimum rate of 1.5% of median household income which currently equals about \$42.00 per month based on the county's current rate. He stressed that public service must operate as a business and fees must be collected to cover maintenance costs. Most funding agencies want regional operations as well. When asked by Commissioner Kellam if the PSA considers current zoning districts in its planning, Mr. Panek explained that only existing structures are considered with a reserve contemplated for a small percentage of expected growth but could not provide the exact future growth rate. It would be impossible to size a system for 100% coverage that may have a 40

year growth span since systems must be paid for when constructed. Also, trying to construct an efficient system for future growth would be almost impossible due to pipe sizing and pumping requirements. He also explained that the standard rule for providing service is “first come, first served” for any new development and when capacity reaches 80% then plans should be started for system expansion. It was noted that Nassawadox will not compel mandatory hookup to a central system, but will not stop the PSA from going through the town. Even with the hospital relocating, there are other medical facilities, the 140 bed nursing home, and the Community Services Board office that will still need to be served and their nutrient credit exchange will eventually come to an end. Also, Exmore had documented a need for additional service since its system is no longer state-of-the art. While viewing the proposed northern node pipe line, Commissioner Kellam asked why the Hare Valley mobile home park had not been included. Ms. Nunez explained that residents in that area have no problem with lack of indoor plumbing as validated by a recent survey. Mr. Panek also noted that no area already served is included in the new plan. Ms. Nunez stated that Exmore cannot expand development at this time even though there are empty commercial lots. She added that the former Burger King location is not served by the central system nor is the Sage Restaurant. It was her understanding that the USDA wants low to moderate income households to be served and that commercial development can be included but is not to be the main focus. The commission then viewed a proposed plan for the southern area near Cape Charles-Cheriton. Noting that the proposed sewer lines are adjacent to some agricultural lands in the Fairview area, Commissioner Kellam voiced her concern that location of lines would be growth inducing and running lines in and near agricultural areas may result in loss of agriculture which should be avoided. Ms. Nunez noted that the line as proposed falls with the TE Town Edge District which is slated as a growth area according to the comp plan and zoning map. Commissioner Ward observed that lines proposed in the south area would fall within the proposed boundary adjustment area for Cheriton if approved by the county. Mr. Panek stated that the PSA is currently investigating the ability to provide service to commercial users in the southern area and Ms. Nunez added that rebate agreements would probably be offered to help original investors who initiate the service. She stated that federal and state guidelines require 80% signed user agreements or mandatory hook-up to ensure new systems are successful. Mr. Panek stated that it has not been determined whether there will be an access charge or fee rate at this point. Commissioner Kellam asked if phased service is provided from the Town of Cape Charles to U.S. 13 would it be part of the southern node. Mr. Panek stated probably not.

The commission then discussed responses received from the Plan Review Stakeholder Group (PRSG) and the Comp Plan Action Committee (CPAC) on the draft comprehensive plan vision statement.

It was Commissioner Miller's understanding that the CPAC was to review the vision statement to see if it coordinated with public comments. However, it was her opinion that the CPAC did not actually make response to the draft vision.

Commissioner Ward and Ms. Benson agreed that the CPAC is entitled to respond however they wish and to provide additional input and information.

Commissioner Kellam stated her concern that the CPAC did not seem to respect public input or opinion and did not understand that the public authored this vision statement. The commission specifically asked them to complete a task and they did not do that. It was her opinion that the CPAC does not seem to understand that the public has a role in this process.

Ms. Benson disagreed noting that the CPAC has been given all workshop data, summaries, memos and other materials and fully understands the process. Mr. Stith concurred noting that the CPAC wanted to provide additional information to be considered in development of the vision. He added that the CPAC was of the opinion that the vision was what the public wanted, but wanted to add information for consideration as well.

However, Commissioners Coker and Kellam agreed that the CPAC comments appear to be more opinion-based and not data-based and that some information is wrong such as the numbers on median income increasing instead of decreasing.

Ms. Benson noted that the commission does not need to respond to the CPAC comments but should consider the information and comments presented.

There was some discussion as to whether or not the written summary of a presentation to the CPAC made by former District 4 Supervisor Spencer Murray dated September 19, 2011 was actually germane. Ms. Benson stated that the CPAC refers to this document regularly as sort of its working paper for its recommendations.

Commissioner Leatherbury noted that trends may have increased from 64% to 79% on personal property but that is due to the increase in real estate values due to the development peak in the past 10 years.

Commissioner Miller noted, referencing material provided to the CPAC by various state agencies, that most state monies given to the localities for various projects are actually loans and not grants and that matching funds are usually required and have to be returned if the project is not completed. She also expressed her concern about illegal spot zoning to promote commercial development in the future, but added that some of the information provided by the CPAC was good to have.

Commissioner Kellam also noted that she was troubled that the CPAC wanted to disregard traditional development patterns of agriculture, rural villages and small towns as strongly supported by the public. The CPAC supports the notion that this development pattern does not support economic growth which is not based on any economic data and should be discounted.

When asked, Ms. Benson stated her opinion that the term “traditional development patterns” refers to development in general and not specifically in terms of physical development. However, the CPAC members had clarified that the putting development focus solely on traditional population centers was not resulting in the kind of prosperity that the local citizenry would like to see.

Commissioner Fauber expressed his opinion that there is no population to promote or support development of U.S. 13 especially for businesses like chain restaurants. He added that people love visiting here because there is no population here.

Commissioner Kellam stated that, based on a previous presentation of the PSA, there is still no information about how much it will cost local users and amortization figures of commercially zoned land. She added that no one is getting rich operating a business on U.S. 13 and a central system will not change that. Therefore, how can a business invest in a sewer system especially since there is no economic motivation for local commercial businesses to do so? A central system will only add to business operating costs. Ms. Benson noted that the PSA has made it clear that there is not enough information yet to provide such figures for operating costs and amortization.

However, Commissioner Fauber disagreed noting that Food Lion and McDonald’s could benefit from a central system as would the Hampton Inn if it is built. He added that having such infrastructure available does make it more attractive to locate here.

Commissioner Miller noted that existing infrastructure should be taken advantage of first like the Town of Cape Charles that currently has 270 acres of industrially zoned parcels 5 acres or larger that already have access to infrastructure and Exmore has at least 176 acres. Ms. Benson added that all Exmore parcels do not have hook-up availability at this time.

Commissioner Miller referred to a population study and noted that many rural localities are losing population, but a good tourism base is a viable option to help the economy.

Commissioners Miller and Kellam then suggested that the commission thank the CPAC in writing for its response and state information provided. She suggested that maybe they could supply some economic solutions as well.

The commission then reviewed comments submitted by the PRSG.

Ms. Benson noted that comments from a Vaucluse Shores representative had been received. Also, someone had handed in a small group questionnaire noting that the role of government should be included in the draft vision. She explained that this suggestion was not part of any group but an individual comment received from a member of the PRSG.

Group 1 had noted that recreational opportunities should be revised to include all citizen groups.

While discussing the importance of maintaining smaller residentially developed areas, Ms. Benson noted that even though the comp plan calls for Village Plans and Town Edge Plans, neither have been realized. Commissioner Kellam noted that most black communities do not want much commercial development at all. Commissioner Miller agreed, noting that safety and crime are major concerns. Ms. Benson added that individual villages or hamlets cannot be regulated by adopting individual zoning regulations for each separate group.

Discussion was held to allow low-intensity commercial development in residential developments by special use to allow adequate public input opportunities.

Discussion was also held on heavy agriculture activity near villages and hamlets. The commission acknowledged that it is difficult to avoid farming activity anywhere in a rural type community.

Drinking water quality was discussed. It was noted that some residential areas may still utilize shallow wells.

The Chair noted that it was written in the response from Group 1, under Ag and Aquaculture, suggested that best management practices be encouraged to protect resources of the Virginia Coast Reserve.

Ms. Benson concurred that some of the comments appear to be presented as public input from prior meetings. The reference to best management practices was talked about at last week's meeting, but not in connection with the Virginia Coast Reserve specifically. Commissioner Kellam concurred and suggested that this statement be considered a public comment for now as it was not specifically included in the draft vision. This and other public comments received would then be considered and discussed in the future. Ms. Benson stated that it was her understanding that written comments submitted after the PRSG meeting had been vetted and approved by participating group members.

During discussion Ms. Benson noted that careful consideration should be given to inserting beliefs versus actual comments and data.

Group 3 suggested additional wording on education which was accepted by the commission.

By consensus the commission agreed that the words “just” and “inclusive” should be added to the draft vision language as recommended by Group 1. Also, additional wording be included in the introduction to reflect the public’s input.

Comments received from John Coker and Pam Barefoot were reviewed as well. It was decided that a separate reference to viticulture was unnecessary.

Public safety comments and crime concerns were considered as well. It was decided that since the vision is general in nature, specifics to address these issues would be incorporated in the comp plan itself.

Ms. Benson noted that a public input meeting will be scheduled in the near future for the public to review the vision statement as edited tonight.

The commission then approved by consensus a revised timeline for completion of the county and Town of Eastville comp plan update process after the June 20 meeting date was changed to June 18.

Ms. Benson reported that approximately 30 members of the PRSG were absent from the last meeting and that staff will check with those people again to make sure they are still interested in participating.

Ms. Benson then reported that the CPAC has obtained funding to conduct a local telephone economic survey with the goal of 350 responses. She added that the Board will review and approve the questions to be asked. Commissioner Miller requested that those survey questions be provided to the commission as well.

The Chair asked if there was a precedent for a Realtors Association to pay for such a survey.

Ms. Benson explained that the survey will take approximately 3 weeks and that economic analysis will be provided to the CPAC.

Commissioner Miller noted that some data is not yet available such as growth projections that won’t be available until 2013.

Prior to adjourning Commissioner Kellam expressed her concern about the PSA lines being run along agricultural districts. Commissioner Fauber stated that it would be difficult to run pipe and avoid all agriculture land.

Adjourn:

At 10:05 p.m., motion to adjourn was made by Commissioner Fauber and seconded by Commissioner Kellam. The motion carried unanimously 6 to 0.

Chair

Secretary