

## Minutes

### Northampton County Planning Commission

June 4, 2013

This was a regular meeting of the Northampton County Planning Commission held on Tuesday, June 4, 2013, in the Board chambers located at 16404 Courthouse Road in Eastville, Va.

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

Also attending were Charles McSwain, Director of Development; Peter Stith, Long Range Planner and Commission Secretary; and Kay Downing, Administrative Assistant.

The Chair called the meeting to order at 7:00 p. m. and established a quorum.

#### **Review and acceptance of the agenda**

Upon motion by Commissioner Kellam the agenda was revised by moving discussion of New Business immediately after Public Comments and then moving Consideration of Minutes before Unfinished Business. Second was made by Commissioner Stanley and the motion carried unanimously 4 to 0.

#### **Public hearings:**

- A. **Special Use Permit 2013-03** Special Use Permit 2013-04: Susan Dunton has applied to operate a day care for a maximum of 12 children at 9212 Falcon Lane in the Weirwood area. The property, containing 1.03 acres, is described as Tax Map 21, double circle A, parcel 45B zoned A/RB Agricultural/Rural Business.

No ex parte communications were presented by those commissioners present.

Ms. Dunton, the applicant, noted that the proper terminology for her business is “family day home”. She gave a brief history of the business and stated that a future addition to their residence is planned to exclusively accommodate the business. She noted that the Commonwealth of Virginia implemented a new requirement last July that requires the applicant to provide verification of local zoning compliance.

Mr. Stith then read eight letters of support which are attached as part of the official record.

The Chair called for public comments. None were received and the hearing was closed.

Commissioner Kellam noted that she was impressed with the letters of support and the high quality of service provided by the applicant. She added that the application is in compliance

with the comp plan, would not change the character of the existing neighborhood, is not deemed hazardous, would not impact groundwater or be detrimental to the public.

Action:

Motion was made by Commissioner Kellam to recommend approval of Special Use Permit 2013-04 to the Board as presented. Second was made by Commissioner Leatherbury and the motion carried 4 to 0.

Before leaving Mr. Dunton expressed his appreciation to county staff who worked diligently with him and his wife throughout this process.

**Matters from the public:** none.

**New Business**

The commission then reviewed Variance 2013-04 filed by Barbara Thomas whose property is located on Courthouse Road south of Eastville. Mr. Stith explained that Ms. Thomas had tried to purchase additional acreage to the rear of her property but was unsuccessful. She hopes to relocate her accessory structure (shed) that was erroneously placed over the property line onto her neighbor's property. The variance is to allow the shed to be placed entirely on her property. Due to the placement of the above ground septic system, a small pool and another shed she is asking for a zero-foot rear yard setback. Mrs. Downing confirmed that Ms. Thomas had tried to purchase additional land from the adjoining property owners but was not able to reach an agreement.

Commissioner Kellam expressed her opinion that the shed was not a necessity and does not warrant a variance. Mr. Stith stated that Ms. Thomas has been working with the Zoning Administrator for a year trying to resolve this situation.

After further discussion, Commissioner Leatherbury suggested that no recommendation be forwarded to the Board of Zoning Appeals on this matter. The commission so agreed by consensus.

**Consideration of Minutes**

The minutes of the March 14, 2013 meeting were unanimously approved 4 to 0 with the following correction: page 3, second paragraph, line 4, insert "school" between the words "public teacher". Motion to approve as corrected was made by Commissioner Stanley and seconded by Commissioner Kellam.

The March 25, 2013 meeting minutes were approved unanimously 4 to 0 with the following corrections: page 5, first paragraph, in the last sentence, replace the word "annual" with "per capita"; in the next to the last paragraph, second line add "in commercially zoned areas" after

the phrase “by-right”. Motion to approve as corrected was made by Commissioner Leatherbury and seconded by Commissioner Kellam.

Motion to approve the minutes of April 2, 2013 was made by Commissioner Kellam with the following corrections: at the end of the seventh paragraph on page 2 add, “Commissioner Miller inquired if anyone had received confirmation of dues payments.” On page 5, in the third paragraph, last line, the words “Conclusions” and “Summary” should be switched. In the seventh paragraph, in the last line delete the word “taken”. At the top of page 6, second line, change “ration” to “ratio”. Second was made by Commissioner Stanley and the motion carried unanimously 4 to 0.

The minutes of the April 16, 2013 meeting were reviewed but no action taken. Staff was asked to clarify the last paragraph on page 3 and resubmit.

The minutes of the May 7, 2013 meeting were unanimously approved with the following correction: delete the incomplete sentence below the third paragraph from the bottom of page 4. Motion to approve as corrected was made by Commissioner Kellam and seconded by Commissioner Stanley.

Since her term will expire June 30th, the Chair read a statement thanking the commissioners and staff for their service to the county and especially for all of the expanded and thorough investigative work that has been and continues to be accomplished as part of the comp plan review process. A copy of her entire statement is attached as part of the official record.

### **Unfinished business**

No procedural matters were presented.

The commission then reviewed the latest draft of Part II Section 7 Community Facilities & Services. Mr. Stith noted that information received from the Town of Exmore has been inserted into the draft. It was also noted that public school data is not included yet but should be available before the next work session.

All typographical and grammatical errors are to be corrected.

Page 7-4, in Section 7.8.1 locations of waste collection sites are to be listed. Also, additional information from the Town of Exmore will be inserted into paragraph 2 of Section 7.7.2.

Page 7-6, in Section 7.9.1, replace “Fire Prevention” with “Fire Response Services” in the last sentence. In the last sentence of the first paragraph replace “an” with “a potential” before the word “increase”.

The 3 sub-topics listed in Section 7.11 under Eastern Shore Health District should be indented to easily identify each.

Page 7-9, in the first paragraph, the last sentence should appear as the first sentence in the next paragraph which should be titled "Eastern Shore Rural Health Systems".

Pages 7-10 & 11, the last sentence on page 7-10 and the first 3 sentences at the top of 7-11, should be relocated to the Emergency Services Section. The rest of the top paragraph should be relocated to page 7-8 under Section 7.11. Also, in the second full paragraph on page 7-11, the words "including Heritage Hall" should be inserted after "complex". The next to the last sentence of the first paragraph on page 7-11 should read, "The median age of residents has increased 12% to 47.8 years."

Page 7-12, in Section 7.12 references to the Cape Charles Public Library at the end of the first paragraph should be reworded and then moved to the second paragraph.

Page 7-14, in the first paragraph of Section 7.13.4, the first sentence the words "well designed" should be deleted. The first sentence of the second paragraph should read, "Eastville has a large, well-maintained park in the center of town." In section 7.13.5, the word "new" should be deleted from the last sentence of the first paragraph.

Page 7-16, the fifth bullet point should list each county waste collection center.

Referring to the bottom of page 7-17, Mr. Stith noted that the nursing school facility is being researched to make sure it is still operational and located in Nassawadox.

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

The latest draft of Part II Section 5 Housing Analysis was then reviewed with the following edits.

It was verified that assisted-rental housing inventory would be reflected as subsidized housing.

Page 5-4, blank data boxes in Table 5.6 should be filled if data is available or an explanation be inserted about the missing data. Delete the word "slowly" from the last sentence in Section 5.5.

In Section 5.6.1, a portion of the second sentence should read, "...and it increased to 65% in 2000...."

Page 5-6, Section 5.6.2, the third line of the first sentence should end after "units"; and the second sentence should begin, "Table 5.11 indicates...."

During review of Section 5.7 Affordable Housing, Mr. McSwain provided comparables of mobile home ownership costs versus the costs of a site built home including interest rates,

depreciation, etc. Mr. McSwain noted that mobile home construction standards must meet Housing & Urban Development (HUD) codes versus local building codes. Based on his research it was his observation that the use of single-wide mobile homes as an affordable home option is not a cost-effective solution. Brief discussion was held on the cost effectiveness of using single-wide mobile homes as an affordable rental option. Mr. McSwain noted that this data is limited to single-wide mobile homes only due to their depreciation, longevity and safety aspects; therefore, the data excludes modular type homes. By consensus, it was decided that this information be included and that Mr. McSwain should fully research this data including rental costs and provide a narrative.

In Section 5.8, the second bullet point should include structure height information.

In Section 5.9, the fourth bullet point has corrected information on the number of income-assisted rental units.

The commission agreed that the Housing Section Part II should be reviewed again before being deemed complete.

When asked, Mr. Stith stated that once all Part II Sections are completed, they will be sent to the Plan Review Stakeholder Group (PRSG) and the Comprehensive Plan Advisory Committee (CPAC) to begin a month-long review while the Commission continues work on Part I. Once review comments on Part II sections are received from the two groups they will be forwarded to the commission for consideration. Commissioner Kellam suggested that a public meeting be held to inform the public about what a comp plan is and what it does, especially the data section. Commissioner Leatherbury suggested that the presentation include information on the role of the planning commission as well. Mr. Stith stated that three public hearings would be held throughout the county once the comp plan draft is completed.

Brief discussion was held on formatting style, long-term and short-term action steps and implementation strategies.

Part I of the Environmental & Natural Resources Section would be reviewed by Commissioner Kellam for completeness before being discussed by the whole commission.

Part I of the Transportation Section was reviewed. In Section 7.1 the first paragraph (pink print) was deleted. Additional edits including those suggested by Commissioner Miller would be reviewed at the next work session. The Va. Dept. of Transportation would be contacted for any new studies or other relevant information that should be included.

## Communications

It is noted for the record that monthly agendas for both the Cape Charles Planning Commission and Town Council had been forwarded to the commission electronically. No other information related to incorporated towns was provided.

## Monthly Staff Report

- 1. Board/Town Action on Zoning Matters: There were no zoning matters before the Board of Supervisors for the month of May.*
- 2. Comprehensive Plan Review: Continue to review and update sections of the Plan. As soon as all of Part II has been finalized by the Commission, the draft sections will be distributed to the Plan Review Stakeholder Group and the Comprehensive Plan Advisory Committee.*
- 3. Eastern Shore Healthy Communities Coalition Walkability/Livability Presentation: Patti Keiger, Executive Director, Eastern Shore Healthy Communities will be at the July 2, 2013 regular meeting to give a presentation on the Coalition.*
- 4. Commissioner Recognition: The June 4, 2013 meeting will be the last regular meeting for Commissioner Coker and Commissioner Miller. Staff would like to take this opportunity to thank them both for their hard work and dedication during their time on the Commission.*

Mr. Stith also noted that Patty Keiger would be available to present information on the healthy communities initiative at the regular July meeting.

Since their terms expire on June 30<sup>th</sup>, Commissioners Coker and Miller were thanked for their dedicated service and expertise they brought to the commission.

## Recess

Motion to recess until June 19, 2013, at 7:00 p.m. was made at 9:10 p.m. by Commissioner Kellam and seconded by Commissioner Stanley.

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Chair

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Secretary