

**MINUTES**  
**Northampton County Planning Commission**  
**August 19, 2013**

This was a work session of the Northampton County Planning Commission held on Monday, August 19, 2013, in a conference room at the Northampton County Social Services Building located at 5265 The Hornes near Eastville, Va.

A joint work session was held with the Cape Charles Planning Commission in the first portion of the meeting.

In attendance were Chair Martina Coker, Jacqueline Chatmon, Roberta Kellam, Dixon Leatherbury, Sylvia Stanley and Vice-Chair Mike Ward. Absent from the meeting was Severn Carpenter. Also present was Director of Economic Development Charles McSwain, Long Range Planner Peter Stith and Administrative Assistant Kay Downing.

Those attending from the Cape Charles Planning Commission were Chair Dennis McCoy, Andy Buchholz, Dan Burke, Joan Natali, Sandra Salopek, Bill Stramm and Mike Strub. Also present were Town Planner Rob Testerman and Town Clerk Libby Hume.

The Northampton County Planning Commission was called to order at 7:00 p.m. by the Chair and a quorum established. Then Chairman McCoy, having established a quorum, called to order the Cape Charles Commission.

Introductions were made around the table for the benefit of all in attendance.

Mr. Testerman thanked the Northampton County Planning Commission and staff for taking the time to meet with the Cape Charles Planning Commission and went on to state that there was a concern in the Town regarding development along U.S. Route 13 and how it could affect the businesses in the Town and asked the County Commissioners to keep this concern in mind during their planning process. Included in the information provided for this meeting were the draft Historic Entrance Corridor Overlay District language, excerpts from the Annexation Agreement outlining how the Town and County would work together regarding commercial development "within one mile in each direction of the intersection of Route 13 and Route 184," an overlay summary and suggested language for the County Comprehensive Plan.

Mr. Stith stated that it was good to get together to resume conversation especially since there were some new Commissioners and new staff on both Commissions.

Commissioner Strub stated that the 2010 Census showed no sense of growth in either County on the Eastern Shore and asked about the need for requiring economic development along Route 13 and where the anticipated growth was coming from.

Commissioner Stramm stated that currently the Northampton County Comprehensive Plan stated that the County was trying to drive businesses into the Towns and asked if the County was still leaning in this direction.

The Chair stated that the County was in the process of redoing the Comprehensive Plan. They were working on the economic development chapter and in the process of reviewing feedback from the public input meetings. Public Hearings would be held after the Comprehensive Plan had been drafted. The timeframe for completion of the draft was discussed and Peter Stith stated that he did not anticipate that it would be finalized by the end of this year.

Commissioner Burke stated that the important businesses needed to be protected, such as Rayfield's Pharmacy and asked if it was feasible to develop language that would preclude a chain pharmacy from opening up on the highway. Commissioner Kellam stated that it would be very difficult to prohibit pharmacies from the commercial district. The Chair commented that she had heard a lot about Rayfield's and its vulnerability if a chain drug store opened on the highway and added that she did not believe that the County could disallow chain establishments from the area. Dan Burke added that the Town also had a historic hardware store that could be affected. Chairman Coker noted that Cheriton also had an old hardware store.

There was some discussion regarding the Northampton County Public Service Authority (PSA) and the proposed regional wastewater system utilizing the Cape Charles Wastewater Plant for the southern node. Currently, the proposed service area includes commercial properties along the U.S. Route 13 corridor. Commissioner Kellam explained that the County Planning Commission had not reviewed the sewer extension and the thoughts of the Board of Supervisors had not been presented or explained to the Commission. She went on to state that she had heard two arguments: i) It would be good for Cape Charles if a hotel was built on the highway because it would bring people into the Town; and ii) It would be bad for Cape Charles if competing businesses were located along the highway.

Commissioner Buchholz commented that the PSA and the corridor overlay were two different issues. The PSA would facilitate an environment for people to build along the highway, but added that he did not see any immediate growth in the area. It was his opinion that adding more competing businesses would not work because there weren't enough full-time people in the area to sustain numerous competing businesses. Hotels would hurt the bed & breakfasts. The new owner of Aqua was planning to build a 50-100 room hotel at the Kings Creek Marina. He added that the Cape Charles Town Council did not bring the PSA information to the Planning Commission for review either, but the PSA would have a big effect on the Town and its businesses.

Commissioner Ward noted that since the Town owned the wastewater plant, it could limit the area of service regardless of what the PSA did. Commissioner Buchholz added that the Town had an agreement with the PSA and continued to express his concern that the current plant's capacity was not enough to service the Town when it reached build-out and almost reached capacity during the summer months. Commissioner Natali interjected that the plant was built for easy expansion with the addition of bio filters. The current capacity of the plant should be

good for another 10-15 years at the current rate of growth. Projections could only be made based on current information.

There was some discussion regarding the Town's population during the summer months versus the remainder of the year and it was noted that the Town's population almost tripled in numbers during the summer, not including day visitors. Chairman McCoy stated that there had been a pretty drastic increase in business activity over the last two years and the Town was on the upswing.

The discussion went on regarding development in the Harbor area. There were several large parcels, i.e., the Gallagher and Landmark Holdings properties, which could be developed and impact the Town's population along with water and sewer capacity.

Commissioner Natali mentioned the construction of the Harbor Access Road which had just been approved and funded by VDOT through 2020 and added that the County was instrumental in getting the road approved. It could be built sooner if additional funding could be obtained. Mr. McSwain added that a meeting was held recently in an effort to push the road project forward but no commitments had been received as yet.

Commissioner Kellam referenced the document relating to the Corridor Overlay of Routes 184, 642 and 13 and asked what the basis was for including the additional area. Commissioner Natali stated that item #14 of the Annexation Agreement detailed "the creation of a special zoning district along Route 184 into the Town and along Route 13 within one mile of each direction of the intersection of Route 13 and Route 184."

Chairman Coker asked how much available undeveloped and vacant commercial property was in the Town. Commissioner Buchholz stated that there were about 4 or 5 vacant properties along Mason Avenue, but the majority of the south side of Mason Avenue and the Harbor District was undeveloped.

Commissioner Kellam asked the Cape Charles Commissioners what they saw as a good vision for the area to have a positive impact to both the Town and County. Commissioner Buchholz commented that he would like to see businesses and growth driven into the towns and off the highway where people could see the towns, stay overnight and possibly buy property within the town.

Chairman McCoy stated that it would make sense to consider the types of businesses desirable to have on the highway. The nature of the businesses would keep the customers there for more than just a short time (other than a stop at McDonald's, etc.) and would complement the businesses within the town. Signage could be placed in the area along the highway to direct people into the Town to see what was available.

Commissioner Burke stated that there had been some discussion regarding an outlet mall which would not have too much impact on the businesses in the Town and could bring people into Town.

Commissioner Natali referred to language in the County's current comprehensive plan limiting development on Route 13 and directing businesses to key locations within the towns. This was a major concern for the Town of Cape Charles and probably other towns in the County as well. She went on to state that she was not sure of a mix of businesses that could work along the highway and added that there were people out there who dealt with this type of thing to keep towns thriving while also increasing economic development in the County.

Commissioner Kellam stated that she had lived here for 5 years and Cape Charles was doing well. The Town was a huge attraction, especially in the summer. She went on to ask whether the Town had studied the tourism population and what it could look like in the next 5 years. Chairman McCoy responded that the Town would begin its Comprehensive Plan update process soon and would be looking at the population, etc. Commissioner Buchholz added that Cape Charles was a pretty inexpensive vacation destination that offered a beach, boating, fishing, golfing, etc. It was much more costly to travel to the Outer Banks or Virginia Beach. Commissioner Salopek also added that the Harbor brought in more and more people.

Commissioner Stramm read from a report compiled by former Town Planner Tom Bonadeo which stated that the Town had 958 houses, 516 of which were occupied by full-time residents. 442 were unoccupied full-time but 402 of them were vacation rentals. Dan Burke stated that the Town's population also surged during events adding that there were over 5,000 people in the Town for the Fourth of July Holiday.

Chairman Coker stated that there were probably quite a few day trippers and added that she was amazed at the number of people in town for the Tall Ships event. She added that tourism in the County would also impact the Town. Cape Charles was the center of activity and it seemed that the county is benefitting from the unfortunate impacts of Hurricane Sandy that occurred to other vacation destinations.

There was discussion regarding the potential growth for residential properties in Cape Charles. Commissioner Natali stated that there were a few dozen undeveloped residential lots in the historic part of Town and Bay Creek was about a third built out. Bay Creek was designed for 3,000 lots and there were currently 2,700 building sites and about 700 houses were built. Twelve more permits had been pulled for new houses in Bay Creek in addition to the Beach Club under construction. If the economy continued to increase or even level off, the Beach Club would be an enticement for people to buy in Cape Charles. There were two areas of concern: (1) the public school system if people had children; and (2) health care if people were of retirement age. She stressed that both issues need to be addressed.

Chairman McCoy stated that the Cape Charles Planning Commission needed to spend more time thinking about the boundary with Cape Charles and the County and how the town would like to see it in the future.

Commissioner Kellam noted that she was on the County Planning Commission when Corridor Overlay language was originally drafted and remembered when the language was reviewed and their changes were reflected in the handout included in the packet. Chairman Coker added that the Town of Smithfield had some good information regarding an entrance corridor overlay

district. Commissioner Natali agreed and stated that the Town often referenced information from Smithfield.

Commissioner Ward stated that parts of Bay Creek had been sold and asked if there had been any discussion with Sinclair regarding future plans. Commissioner Natali, a resident of Bay Creek, stated that she represented her "village" and indications are that Sinclair wanted to continue working with Richard Foster agreeing with his vision for the development. She also heard that the new owner of the Kings Creek Marina was continuing with Richard Foster's plan.

Commissioner Kellam asked if there were any plans for the Town to extend the bike path from the highway into the Town, or possibly create a linear park into the Town. Mr. Testerman stated that he had spoken with Councilman Frank Wendell last week who had the same thought. It was noted that the County's trail begins at Kiptopeke and runs parallel to Route 13 north and it would be nice to extend the path into the Town. Mr. Testerman noted that he had emailed Sue Rice with the U.S. Fish & Wildlife Service who informed him that their plan was to bring the path into Cape Charles.

Commissioner Natali referred to language regarding protection of the view sheds in the overlay corridor. It was her opinion that the drive into Town from the highway was aesthetically inviting due to its sparse development and crape myrtle lined road. She added that since Cape Charles was the only town with no presence on Route 13, it needed to find a way to invite people into Town.

Chairman Coker urged Town Commissioners to work on their ideas and language and submit it to the County Commission as soon as possible so that it can be reviewed and considered during the current Comprehensive Plan review process.

Mr. Testerman stated that the Cape Charles Planning Commission was in the process of concluding its review of the sign ordinance and the Town Council, at its last meeting, identified the top 2 priorities for the Planning Commission as: (1) development of the corridor overlay district; and (2) review/update of the Comprehensive Plan.

Chairman Coker also asked for any other thoughts regarding desirable and undesirable businesses for the Route 13 corridor. Commissioner Natali added that it would be good to include the new proposed access road in the plans as well.

When asked by Commissioner Natali, Mr. McSwain stated that he did not know what the new access road into Town would be named once constructed.

Chairman McCoy thanked the County Planning Commission and staff for taking the time to meet to discuss this issue.

At 8:02 p.m. motion was made by Commissioner Stramm, seconded by Commissioner Buchholz, to adjourn the Cape Charles Planning Commission meeting. The motion was approved by unanimous consent.

The Chair called for a brief break after which the Planning Commission continued its discussion of the Part I Economic Section of the comp plan since a new draft of the Environmental Section was not yet available.

Commissioners Coker, Chatmon, Ward, Leatherbury and Kellam had submitted written comments outlining perceived strategies. During discussion of these strategies the following comments were made.

How to recruit businesses that provide livable wage jobs versus those providing minimum wages was discussed. Commissioner Kellam noted that without livable wages county services like Social Services are strained. Mr. McSwain noted that hotels do not offer high paying jobs but conference and destination hotels are better in that regard such as the conference hotel planned at Bay Creek. He added that incubation centers can be difficult to grow businesses, but the Community Kitchen planned at the former Middle School will offer some opportunities. Commissioner Ward suggested that the location of the Middle School would not promote spin-off possibilities. Mr. McSwain agreed and commented that no retail businesses are planned for that location. He added that what the county needs are marketing avenues.

Commissioner Kellam suggested that a Farming Museum could be an asset for the County.

Discussion was held on diversifying the local economy. Farming was discussed and it was noted that local farmers have to pay a high tax rate on equipment. Discussion was held on whether the county should retain its Agriculture-Forestal District (AFD) program or revert back to land use taxation. Commissioner Leatherbury noted that AFDs preserve open space, view sheds and vital farm land. Mr. McSwain noted that the Board has inquired about using a land use taxation program for farmers instead of AFDs in order to preserve the land but to also implement an overlay district.

Other discussion centered on workforce training utilizing local businesses and farmers in coordination with the Eastern Shore Community College programs. It was suggested that consideration be given to offering employee internships and pilot programs for local students. Commissioner Chatmon noted that there are a few businesses that could provide such internships such as local building contractors. Commissioner Ward added that some issues are limited existing jobs and liability insurance concerns.

It was suggested to simplify zoning regulations to encourage compatible businesses and activities.

Concern was voiced by Commissioner Kellam about "pre-zoning" property under private ownership before an industry or business is interested.

The need for infrastructure was reviewed.

Mr. Stith was asked to develop commonalities of submitted comments and incorporate into a new Economic draft.

Commissioner Leatherbury asked if there were any avenues for the Commission to address the health care situation. The Chair suggested that continuum care alternatives could be implemented through zoning and recruitment of health care providers. Mr. McSwain stated that another concept may be to budget county funds to supplement the Rural Health Care System to expand operation hours.

**Adjournment:**

Upon motion by Commissioner Kellam, seconded by Commissioner Chatmon, the meeting was adjourned at 9:15 p.m. by unanimous vote.

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Chair

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Secretary