

VIRGINIA:

At a recessed meeting of the Board of Supervisors of the County of Northampton, Virginia, held at the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 28th day of September, 2015, at 4:00 p.m.

Present:

Richard L. Hubbard, Chairman

Oliver H. Bennett, Vice Chairman

Larry LeMond

Laurence J. Trala

Granville F. Hogg, Jr.

The meeting was called to order by the Chairman.

Closed Session

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board enter Closed Session in accordance with Section 2.2-3711 of the Code of Virginia of 1950, as amended:

(A) Paragraph 1: Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of any public body.

Conduct interview with prospective Planning Commission appointee

(B) Paragraph 3: Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or of the disposition of publicly held property.

Drummond Property

All members were present and voted “yes.” The motion was unanimously passed.

After Closed Session, the Chairman reconvened the meeting and said that the Board had entered the closed session for those purposes as set out in paragraphs 1 and 3 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Mr. Dave Fauber be appointed to the Northampton County Planning Commission as At-Large Representative, with a term to expire June 30, 2017. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Trala, seconded by Mr. LeMond, that the Board waive the solid waste disposal fees for Hog Island clean-up activities to be conducted on September 30, 2015. All members were present and voted “yes.” The motion was unanimously passed.

Continued Zoning Discussions:

Led by the County Administrator and Planning & Zoning Staff members Peter Stith and Melissa Kellam, the Board reviewed the following memorandum (keyed to the items as listed below):

1. Poultry Items Including Presentation by Mr. Bill Satterfield, Delmarva Poultry Industry, Inc.
2. Town Edge Comparison Chart – Agriculture Support Business
3. Section 154.309 Performance Standards for Accessory Dwellings and Additional Single Family Dwellings on One Lot.
4. Density Comparison
5. Other Items as Submitted by Mr. Hogg
6. Definitions
7. PUD
8. Agritourism
9. Chesapeake Bay Preservation Act Study
10. Zoning Calendar

* * * * *

**Board Review of 2015 YTD Public Comments on Proposed Zoning Code
Update for September 28th 2015 Work Session**

The following provides staff background on summarized issues brought forward by members of the public during the past few months since the Board completed its last review (August 24, 2015) and update of language in the draft zoning code.

ITEM #1: Additional setbacks for intensive farming operations:

A. Staff was asked to research the effect of prevailing winds as it relates to intensive farming and odor impacts. As background, the current 2009 zoning ordinance provides for the following setbacks from intensive farming operation facilities:

- 300 feet from a public right-of-way
- 2,000 feet from the limits of an incorporated town
- 1,500 feet from Villages, Waterfront Villages, Waterfront Hamlets, Existing Cottage Communities and Town Edges
- 1,000 feet from Hamlets
- 400 feet from property lines except this may be reduced to 200 feet if there is 200 feet in width of mature woodlands
- Ammonia scrubbers are used to actively capture emissions
- 2,000 feet from tidal waters.

The consensus language maintains these setbacks and in addition requires that intensive farming uses, structures and buildings are located outside of the VE, AE or the 0.2 percent annual chance flood hazard areas, perimeter screening type C is established as required in NCC §154.1-606, Perimeter Screening (see below) and that ammonia scrubbers are installed and operational in all animal containment buildings.

§154.1-606 PERIMETER SCREENING.

Perimeter screening standards shall be required as specified herein for any development that is required to submit an engineered site plan pursuant to NCC §154 .1-508 Site Plan.

(A) Any plant material installed to comply with this section must be maintained. If removed and not replaced it shall be considered a violation of this Chapter.

(B) If perimeter screening is required, the developer shall submit a landscape plan in conjunction with and coordinated with the site plan submittal. No clearing or grading of any lot or parcel shall be permitted without an approved landscaping plan when required.

- (1) The landscaping plan shall be drawn to scale and clearly delineate the location, size and description of existing plant material. All existing individual trees that are clearly not a part of a group or stand of trees measuring 2 inches or greater diameter breast height shall be shown and identified on the landscaping plan. Groups or stands of existing trees may be outlined as such instead.
- (2) The specific number of trees 2 inches or greater diameter breast height to be preserved outside of the construction footprint shall be indicated on the plan. Trees to be removed to create a desired construction footprint shall

be clearly delineated on the landscaping plan.

- (3) All proposed plant material must be located on the landscape plan along with details that specify how the plants are to be installed.
 - (4) As part of the landscape plan a planting schedule must be provided that denotes the common and scientific names, spacing and installation sizes of all proposed plant material.
 - (5) The landscape plan shall depict grade changes or other work adjacent to existing trees which might affect them adversely and shall show measures to be taken to protect existing trees during all phases of construction which shall comply with the specifications in the Virginia Erosion and Sediment Control Handbook (as amended).
- (C) General perimeter screening standards are as follows:
- (1) Existing vegetation can be used to satisfy installation requirements;
 - (2) Plant material required by Chapter 158: Chesapeake Bay Preservation Areas may be used to satisfy installation requirements;
 - (3) Plant material may be placed within setbacks and the resource protection area 100 foot buffers except that plant material placement shall not be permitted in areas that would obstruct a motorist's vision pursuant to NCC §154.1-402 (S) and (T) Setbacks.;
 - (4) Native species shall be used to fulfill perimeter screening requirements;
 - (5) All proposed plant materials shall be living and in a healthy condition. Plant materials shall conform to the standards of the most recent edition of the American Standard for Nursery Stock, published by the American Association of Nurserymen; and
 - (6) At the time of planting, measured in accordance with standards provided in the most recent edition of American Standard for Nursery Stock published by the American Nursery and Landscape Association, plant material shall be:
 - (a) Canopy trees at least 1 ½ inches – 2 inches in caliper or large evergreen 6 feet in height;
 - (b) Understory trees minimum of ¾ inches – 1 ½ inches in caliper or evergreen 4 feet in height;
 - (c) Large shrubs minimum of 3 feet – 4 feet or 3 gallon container;

- (d) Small shrubs or woody groundcover a minimum of 15 inches – 18 inches or 1 gallon container;
- (e) Plant material shall be at least 20% canopy trees, 20% understory trees and 20% shrubs. The remaining 40% of the plant material shall be selected in a manner to create the specific perimeter screening types defined in subsection (D) (4) below; and
- (f) A minimum of six different species must be selected as plant material in order to avoid the creation of an unhealthy monoculture which may promote disease.

(D) Perimeter screening installation shall be required as follows:

- (1) Refuse collection facilities and outside storage of salvage and unlicensed or inoperable vehicles or equipment shall be screened from view by an opaque enclosure composed of evergreen vegetation, fence, wall or a combination of the same, except as where screened from view by an intervening building or structure; and excluding views from adjacent properties zoned or used for industrial purposes.
- (2) On a lot or parcel providing off-street parking spaces, off-street loading spaces or other vehicular use areas, screening as described below shall be required along any property boundary visible from or abutting a public road, street or highway, unless such area will not be entirely screened visually from all adjacent public rights-of-way by an intervening structure, building or existing vegetation.
 - (a) A planting area at least 3 feet in depth shall be located between the abutting right-of-way and any off-street parking spaces, off-street loading spaces or other vehicular use area, except where permitted driveway openings and pedestrian ways are to be provided;
 - (b) The planting area shall be a combination of trees and hedge or approved wall, fence or earthen berm may be utilized to form the continuous element; and
 - (c) All portions of the planting area not planted with hedge and trees or covered by wall or fence shall be planted in grass and / or groundcover or mulched.
- (3) Parking lot plantings shall be provided along any side of off-street parking spaces, off-street loading spaces or other vehicular use area that abuts adjoining property and not a right-of-way of a public street, road or highway. Such plantings shall be provided as follows.

- (a) Peripheral parking lot planting area at least 5 feet in depth shall be located between the abutting property lines and the parking, loading or other vehicular use area, except where permitted driveway openings are to be provided. Where drainage or other utility easements exist along property lines, the planting area shall be located between the parking, loading or other vehicular use area and the utility or drainage easements.
 - (b) Interior parking lot planting islands shall be provided such that no more than ten spaces shall be permitted without being interrupted by a planting island. Planting islands shall consist of shrubs, canopy trees, and understory trees.
- (4) Perimeter screening shall be required to separate a proposed use from different land uses or zoning districts.
- (a) Perimeter screening shall vary in depth and in planting materials in accordance with the types of perimeter screening defined below.
 - (b) Perimeter screening shall be located along the perimeter of a lot or parcel and shall extend to the boundary line of the lot or parcel. Perimeter screening shall not be located on any portion of an existing road right-of-way. Where utility or drainage easements exist along property lines, the perimeter screening shall be located adjacent to the utility or drainage easement.
 - (c) Required perimeter screening shall be designated as part of platted lots and / or on an approved site plan. The following notation shall be lettered on the face of both the preliminary and final subdivision plats and / or site plans:

PERIMETER SCREENING: The use and maintenance of the perimeter screening area shall be in accordance with NCC §154.1-606 Perimeter Screening of the NCC.
 - (d) Perimeter screening may be one of two kinds, opaque or semi-opaque.
 - (1) Opaque perimeter screening is intended to create a strong impression of spatial separation and to preclude visual contact.
 - (2) Semi-opaque perimeter screening is intended to maintain a sense of spatial separation and to partially block visual contact.

- (e) Compliance of planted perimeter screening will be evaluated on the basis of average height and density of plant material upon maturity.
- (f) The following perimeter screening types are established by degrees of density for screening between different uses.
 - (1) Type A perimeter screening shall be semi-opaque. At maturity, type A screening shall not contain any completely unobstructed opening more than 20 feet in width and 8 feet in height from the ground level.
 - (2) Type B perimeter screening shall be semi-opaque in all seasons of the year. Upon maturity type B screening shall not contain any unobstructed openings more than 10 feet in width and 8 feet in height from the ground level.
 - (3) Type C perimeter screening shall be opaque in all seasons of the year. Upon maturity in type C screening shall not contain any unobstructed openings and from the ground level up to 8 feet in height.
- (g) Notwithstanding the above, the use of a proposed development must provide perimeter screening along property boundaries to adjacent properties based on the existing zoning of the adjacent properties as set forth in the chart below.

Existing Zoning Districts Adjacent to Proposed Development	Use of Proposed Development						
	Intensive Farming	Agricultural	Commercial	Institutional and Public	Industrial	Residential Single - family	Residential Multi - family
CNSV	C	-	-	-	C	B	B
AG	-	-	-	-	-	A	A
R-5	C	-	-	A	A	A	A
H, V, R, CTCM	C	A	B	-	C	B	B
V-NB V-WB	C	-	A	-	C	A	A
R-1, R-3	C	A	B	-	C	A	A
RM	C	A	B	-	C	C	C
V-C	C	-	-	A	C	B	B
C	C	-	-	A	A	B	B
I	C	-	-	B	-	C	C

The developer shall provide perimeter screening types along property boundaries as indicated in the chart above based on the zoning of the adjacent properties.

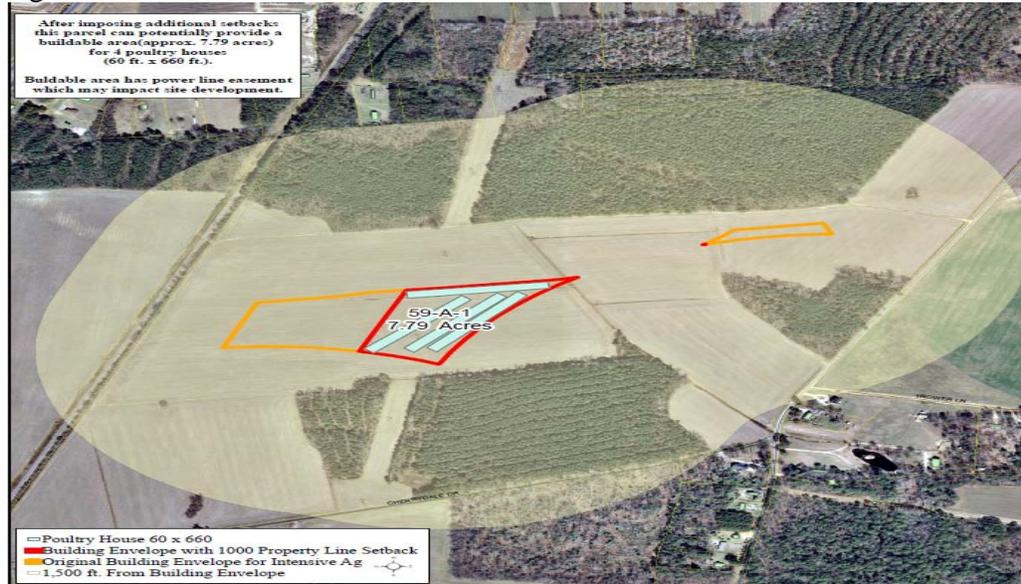
As a result of our research regarding the effective of prevailing winds as it relates to intensive farming and odor impacts, we have enclosed Attachments 1, 2 and 3 which are papers from Virginia Tech, Clemson University and the University of Missouri discussing the impact of intensive farming and provide some standards for addressing this impact. Odor from intensive farming operations can be carried by prevailing winds. Odor can be reduced by properly siting poultry houses and manure storage buildings upwind of neighboring residential districts, providing adequate setbacks from residential districts and utilizing and maintaining natural or planted densely vegetative windbreaks. The United States Department of Agriculture Natural Resources Conservation Service has a tool for determining local patterns of prevailing winds which can be assessed at the following website: <http://www.wcc.nrcs.usda.gov/climate/windrose.html> and used to site buildings appropriately to reduce odor. Along with proper siting, setbacks, perimeter screening and ammonia scrubbers provided in the consensus language, the impacts from odor will be reduced. **Staff recommendation is that the consensus language be maintained.**

B. Staff was asked to apply an additional setback of 1000 feet from property lines to the parcels previously identified for intensive farming operations. After applying the setback, the # of qualifying parcels went from thirteen parcels to five parcels; these five parcels had a building envelope, ranging in size from 2.2 to 7.79 acres. Staff then was asked to consider a 1,500 foot setback to identify what additional features (houses, churches, offices, and schools) were within 1500 ft of a potential operation. This further reduced the number of qualifying parcels; three of the five parcels had features that eliminated the building envelope. Two parcels shown on the maps below still have a building envelope for potential intensive agriculture operations.

Figure 1



Figure 1



Mr. Bill Satterfield, Executive Director for the Delmarva Poultry Industry and several representatives from Tyson addressed the Board and answered questions from the members relative to water consumption, groundwater protection measures and manure disposal methods and practices. They noted that it was virtually impossible to build poultry houses in Northampton County given the existing regulations and noted that the requirement for an ammonia scrubber, which was not used anywhere in the United States, was a “deal-breaker”. Mr. Satterfield also distributed a letter in response to recent correspondence received from Johns Hopkins University as follows:

To Whom It May Concern:

September 20, 2015

Recently letters were sent to elected and appointed officials living on or near the DelMarVa Peninsula regarding the "dangers" to humans living near broiler operations. The letters were signed by seven professors engaged in working in the areas of public and environmental health at the Johns Hopkins Bloomberg School of Public Health and the Center for a Livable Future.

Some of the same professors were co-authors of an article titled *Industrial Food Animal Production and Community Health* that appeared in the July 5 2015 edition of **Current Environmental Health Report**.

The scientific article's abstract states that by reviewing literature on the subject published since 2000, the authors identified "four health outcomes consistently and positively associated with living near Industrial Food Animal Production (IAFP): respiratory outcomes, methicillin-resistant *Staphylococcus aureus* (MRSA), Q fever and stress/mood."

There are multiple studies looking into respiratory outcomes and mood in persons living near IAFPs that tend to not lead to clear conclusions, and I will not address them in this letter.

As a Family Physician, a former state health officer for Nebraska and as the former top food safety person in the U.S. government as the Undersecretary for Food Safety at the USDA, I want to focus on the statements made about MRSA and Q fever. I think clarifying some very inaccurate and misleading statements, if not out and out lies, might make the letters and the article seem to be somewhat untrustworthy.

The letter states that workers in broiler operations have a higher rate of colonization with MRSA and cites a Dutch study that evidently showed 5.6% of broiler workers to be carriers of MRSA and the general public were carriers at a 0.01% rate.

That 0.01% really does not come close to the Centers for Disease Controls web page that says about 2 out of every 100 people are carriers of MRSA, nor a recent study of all hospital admissions in four facilities that showed 3.4% were carriers when admitted.

For health care workers that number is much higher with some studies showing a 10-20% carrier rate.

Surely these professors are aware of these numbers and just held them back to emphasize their point.

When you work around either people or animals that are infected or are carriers, you get exposed. This is nothing new.

What may be new information to some, however, is that **there has never been a case of active MRSA infection associated with Livestock Acquired MRSA in the U.S. .**

Carrier status means nothing. 33% of Americans are colonized with Staph, but we are not infected.

In addition, the CDC web page on MRSA says the infection rate had declined by 54% from 2005 to 2011. We are winning that war.

Serious MRSA Infections are almost always linked to a health care setting. Community setting MRSA Infections, again from the CDC web page, are generally skin infections, pimples and abscesses that are not life threatening.

The scientific article talked a lot about Q fever and stated that the risk of acquiring Q Fever increased with residential proximity to goat farms.

Q fever is caused by *Coxiella burnetii*, a Rickettsia like bacteria that is found only in mammals and **has not been associated with chickens**. It is commonly associated with goats, sheep and cows as hosts, but is also know to dwell in cats and dogs.

Of the greatest importance regarding Q Fever is the fact that it is a mandatory, reportable disease and only 131 cases were reported in the U. S. in 2010, down from 167 in 2007.

Q fever is not a threat to the general public, and is not a significant enough issue to base any policy changes on.

The letter states that "an estimated 80 percent of antibiotics sold for human and animal uses in the U.S. are sold for use in food-producing animals" and provides the source as the FDA annual report on antibiotics sold for use in animals.

If even just one of the seven authors read that report, they would know that the first footnote under each graph states quite clearly that the numbers represent sales for both the use in animals raised for food (cows and pigs) and companion animals (dogs, cats and horses). To say that the drugs are just used in animals raised for food is **either ignorant or a lie**.

It is also wrong to use these numbers as important facts, as they are simply sales in kilograms, not applications or frequency. (It takes a lot more penicillin to treat a 2,000 pound prize bull with pneumonia than a 6 pound infant with pneumonia.)

Lastly on this subject, the authors, I assume, know that over 40% of sales for use in animals are for antibiotics like ionophores that will never be used in human medicine and another 40% are oxy and chlortetracyclines, two antibiotics that are almost never used in human medicine any more as they have been replaced by much more effective and efficient new classes of antibiotics.

Two of those classes are fluoroquinolones and cephalosporins, two classes that make up 25% of all sales in human medicine but only 0.3 percent of all sales for animals because of actions taken by the FDA to assure they remain effective in human medicine.

The scientific article inaccurately says that "state and national agencies do not require reporting of most diseases associated with IFAP (with the exception of Q fever)". *E coli O157:H7*, *Salmonella*, *Campylobacter* and MRSA are frequently listed as threats in these papers, and they are all mandatory reportable diseases.

My final criticism, although I have many more, is the statement in the scientific report that is just not even close to being accurate, nor is it based on any science that I know of:

"IFAP is an enormous reservoir of Zoonotic bacteria, (including those resistant to important antimicrobials for human use) such as *Salmonella* spp., *Campylobacter* spp., *Escherichia coli*, and *Enterococcus* spp., *Coxiella burnetii*, *S. aureus*, (including MRSA) and *Clostridium difficile*. Although food animals are the primary hosts of these microorganisms, they may also be present in IFAP workers and in the surrounding environment..."

Here is the epitome of not using science to make a point.

I have already mentioned the MRSA and Staph colonization rate in Americans.

All humans are also hosts for *E coli*, *Clostridium difficile* and *Enterococcus* in our intestinal tracts.

C difficile infections occur when humans take strong antibiotics that kill off other bacteria in the gut that keep *C difficile* in check. To try and even remotely link it to animal operations is too big of a stretch for me to keep quiet about.

Thank you for taking the time to consider another view point on some very important issues that you are being asked to consider. I am available by phone or email for any further clarification or insights that I can add.

I will end by pointing out that I practiced Family Medicine in rural Nebraska amongst our farmers and ranchers, then went into academic medicine for ten years. The following six years I served Nebraska as its Chief Medical Officer, the top public health official in the state and then

went to the USDA as its Undersecretary for Food Safety during the Bush second term and was the top food safety official in the US during that time.

Sincerely,

Richard Raymond, M.D.

970-460-0145

Rainman2x11@gmail.com

* * * * *

In review of the current conditions as noted earlier, it was the consensus of the Board to increase the setback from property lines from 400 ft. to 500 ft. It was also the consensus of the Board to allow the use of a specifically-cited grass species, miscanthus x giganteus, as an option for the operation of Concentrated Animal Feeding Operations.

Mr. Hogg read the following comments:

I use the following analogy for my initial response.
Why doesn't our ordinance permit 10+ story hotels? They are within eyesite.
Why don't Northampton County farmers plant celery, or orange or palm trees?
Most likely it is due to the fact those endeavors are not a "GOOD FIT" for this area.

This to applies to other industries as well, including the evolution in the changing poultry industry. The apparent requirements to have larger facilities to handle more birds creates the unintended consequence of need for more water in an area with limited resources, more waste to dispose of, an odor that is offensive, potential for negative impacts on existing revenue generators, potential negative impacts on aquaculture industry, potential impacts on general health of workers and public. These are the same issues that adjoining and nearby localities are experiencing and there has been significant concern by their governing bodies to the point of restraint on the poultry industry. To date, I have not been made aware of changes in technology that has abated the concerns of our neighbors to the north. As pointed out in many poultry industry reports, "We are just not there yet."

ITEM #2: Town Edge Comparison:

A revised comparison chart (Attachment 4) between the current Town Edge-1 and proposed Town Edge is attached reflecting the changes made at the August work session (cells highlighted in bright yellow with red text).

A new use for *waste collection center operated by local government* is included for your consideration and the definition is below. This use is proposed as permitted in the Town Edge, Agriculture and Industrial districts.

Waste collection center operated by local government. A public disposal facility, operated for the purpose of recycling or disposal of garbage or other waste material originating on or off the premises.

COMMUNITY SERVICE USES															
P = permitted, S = special use permit and * = not permitted or elsewhere restricted in sub-category															
ZONING DISTRICT	AG	H	V	V-C	V-WB	WW	CTCM	C	I	R	R-1	R-3	R-5	RM	TE
COMMUNITY SERVICE USES															
Waste collection center operated by local government	P	*	*	*	*	*	*	*	*	P	*	*	*	*	P

It was the consensus of the Board to approve the above definition and use chart

designation for waste collection center operated by local government.

§154.1-220 TOWN EDGE (TE)

(A) The primary intent of the town edge district to provide potential development areas adjacent to incorporated towns which may, in the future, be served by extensions of public water and sewer services from the towns. Growth and increased development are intended to occur simultaneously with the provision of public infrastructure, including, but not limited to, public sewer and water, to support such growth and development. The town edge district is intended to be a more intense use than agriculture but less intense than existing towns uses. The district promotes cooperation between the respective towns and the County in development. The following uses are permitted subject to the regulations of this Chapter and more specifically: §154.1-101 General Provisions et seq., §154.1-301 Design and Performance Standards for specific Uses, Structures and Buildings et seq., §154.1-401 Supplemental and Modification Regulations et. seq., §154.1-501 Administration and Procedures et seq., and §154.1-601 Design and Performance Standards for Site Plan Improvements et seq.

Accessory dwelling, attached or detached
Accessory uses, structures and buildings
Agricultural business office
Agriculture crop production operation
Agriculture – domestic husbandry
Agriculture – traditional husbandry
~~Agriculture support business~~
Artist and artisan studio ≤ 1,000 sq. ft.
Aquaculture operation
Basic Utilities
Bed and breakfast
Civic groups, clubs and organizations
Emergency services
Family day home (1-5 people)
Family day home (6-12 people)
Farm Stand
~~Fishing commercial~~
Floriculture operations
Government offices
Home occupations
Horticulture operations
Meteorological tower
Mixed use building, SFD
~~Museum~~
Recreation, playing field
Religious institution, place of worship
Residential facility (1-8 people)
SFD, detached
Singlewide mobile home
Temporary emergency housing
Silviculture operation
Temporary construction office

Uses similar to permitted uses

Veterinarian business

Viticulture operation

Waste collection center operated by local government

Wind turbine, small scale and wind mill ≤ 35 ft. total height

Winery, licensed farm

Wireless communication facility

(B) The following uses require the issuance of a special use permit and are subject to the regulations of this Chapter and more specifically: §154.1-101 General Provisions et seq., §154.1-301 Design and Performance Standards for Specific Uses, Structures and Buildings et seq., §154.1-401 Supplemental and Modification Regulations et seq., §154.1-501 Administration and Procedures et seq., and §154.1-601 Design and Performance Standards for Site Plan Improvements et seq.

Agriculture support business

Fishing commercial

Wireless communication facility

Maximum Density - Dwelling unit(s) per Acre(s)	1 sfd unit / acre
(sfd = single family dwelling)	
Minimum	
Lot Size	1 acre
Lot Frontage	125 feet¹
Lot Width	125 feet
Shoreline Width	Not Applicable
Minimum Principal Structure and Building and Accessory Dwelling Unit Setbacks	
Front	100 feet²
Rear	50 feet
Side	25 feet
Side – only for attached principal structures and buildings adjacent to shared property lines	0 feet
Minimum Accessory Structure and Building Setbacks	
Front	60 feet
Rear	10 feet
Side	10 feet
Minimum Setback from U. S. Route 13. Does Not Include Route 13 Business Routes	100 feet²
Minimum Setback From Railroad Rights-Of-Ways	50 feet³
Maximum Height⁵	
Principal	35 feet
Accessory	25 feet
Accessory – only for structures and buildings located 15 feet or less from any property line	15 feet

¹ Minimum lot frontage may be reduced to 25 feet when the lot fronts on a cul-de-sac or when the lot is designed in conformance with the standards for a pipe stem lot pursuant to §154.1-402 Setbacks and Lot Measurements.

² In the TE zoning district the front or U. S. Rt. 13 setback may be reduced to 50 feet for any principal buildings used for

agricultural uses when parking and loading are located in the rear of the lot and not located between a building and the right-of-way pursuant to §154.1-402 Setbacks and Lot Measurements.

³ In any zoning district the setback for any structure or building used for industrial uses or any structure or building located on a lot zoned Industrial, the minimum setback from a railroad right-of-way shall be reduced to 0 feet pursuant §154.1-402 Setbacks and Lot Measurements.

The Board agreed with the text and proposed usages allowed within the Town Edge District.

ITEM #3: Accessory dwelling units:

Accessory dwelling unit use and performance standards have been review and the Board has taken a consensus vote on the draft language. If the Board wishes to reopen this topic for further discussion the following background information is provided.

Current Accessory Dwelling Units Regulations

The current regulations for accessory dwelling units come from the two different ordinances: 2000 and 2009.

2009 NHCO ORDINANCE STANDARDS USED FOR ALL ZONING DISTRICT EXCEPT THE EXISTING SUBDIVISION DISTRICT.

2009 NHCO ZONING ORDINANCE APPENDIX A - USE REGULATIONS																	
CATEGORY & SF					Village			Waterfront Village				Town Edge					
	C	A	H	WH	1	2	NB	1	2	NB	WC	ECC	1	2	NB	CG/EB/C-1	EI
Accessory SF Detached Dwelling Unit	S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	-	-	M/S	M/S	M/S	M/S	-	-
Accessory SF Attached Dwelling Unit	S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	M/S	-	M/S	M/S	M/S	M/S	-	-

2000 NHCO ZONING ORDINANCE STANDARDS ARE USED FOR ALL EXISTING SUBDIVISION DISTRICTS.

§ 154.111 STANDARDS FOR ACCESSORY LIVING UNITS.

(A) Purpose and intent. The purpose of this section is to provide standards for the siting of accessory living units in a manner that accommodates the need for additional family living quarters as well as guest cottages on parcels that are large enough for ancillary structures, while also limiting density in rural areas.

(B) *Not more than one accessory living unit may be permitted in conjunction with a single-family, detached dwelling. Any attached or detached accessory living unit requires a special use permit in the Rural Village Residential (RVR), Rural Village-Residential-Mixed (RVRM), Community Development-Residential-Mixed (CDRM), and Community Development-Single-Family Residential (CDRI) Districts.*

(C) *Accessory living units may be located either in the single-family dwelling unit or in a detached structure accessory thereto, provided that all Building Code requirements can be met.*

(D) *Approval of accessory living units shall be contingent upon prior certification by the Health Department that any on-site sewage treatment facilities are adequate to serve the anticipated number of residents.*

(E) *Minimum setbacks for attached or detached accessory living units shall be the same as those established for primary structures in the districts in which such accessory units are permitted.*

Consensus Accessory Dwelling Units Regulations

PROPOSED CONSENSUS LANGUAGE WOULD PERMIT ACCESSORY DWELLING UNITS IN EVERY DISTRICT EXCEPT WORKING WATERFRONT AND INDUSTRIAL. THE REGULATIONS ARE SHOWN IN THE USE LISTS FOR EACH DISTRICT AND ALSO IN SECTION 154.1-309 PERFORMANCE STANDARDS BELOW.

§154.1-309 ACCESSORY DWELLINGS.

(A) *An accessory dwelling may be used as a permanent or seasonal residence or for invited or paying guests. An accessory dwelling shall not be counted as a unit when calculating density, but shall be counted as a part of the single-family dwelling unit to which it is subordinate as one total unit, contingent upon it being designed, located, constructed and maintained in compliance with the NCC 154.1-309.*

(B) *General standards for all accessory dwellings.*

(1) *The accessory dwelling shall be located on the same lot as single-family dwelling to which it is accessory and the single-family dwelling may be constructed before or after the issuance of a permit for the accessory dwelling;*

(2) *The accessory dwelling shall be limited to a maximum of two bedrooms;*

(3) *Only one accessory dwelling shall be permitted for each single-family dwelling and shall not be permitted accessory to a multi-family dwelling;*

(4) *The accessory dwelling shall be owned by the same owner as the single-family dwelling to which it is accessory and the owner shall reside in the single-family dwelling or the accessory dwelling;*

(5) *The accessory dwelling shall be served by a water supply and septic system approved by the Virginia Department of Health;*

(6) *The accessory dwelling shall be constructed in compliance with the Virginia Uniform Statewide Building Codes requirements for dwellings and shall be issued*

- a certificate of occupancy as a dwelling; and*
- (7) *A minimum of one off-street parking space beyond what is required for the single-family dwelling shall be provided.*

(C) *An accessory dwelling shall be created through one of the following construction methods and shall meet the following standards specific to each method as defined below. If more than one method is used to create an accessory dwelling unit, the most restrictive standard shall apply.*

- (1) *An internal conversion within a portion of an existing single-family dwelling or existing accessory structure or the total conversion of an existing accessory structure to create an accessory dwelling.*
- (a) *The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the existing single-family dwelling calculated prior to the internal conversion to create an accessory dwelling.*
- (b) *When the conversion is within an existing single-family dwelling, setback and height regulations for principle structures shall apply.*
- (c) *When the conversion is within an existing accessory structure, setback and height regulations for accessory structures shall apply.*
- (2) *An external attachment, connection or addition to an existing single-family dwelling or existing accessory structure to create an accessory dwelling.*
- (a) *The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the existing single-family dwelling calculated prior to the external attachment, connection or addition to create an accessory dwelling.*
- (b) *When the accessory dwelling is attached, connected or added to the existing single-family dwelling, setback and height regulations for principle structures shall apply.*
- (c) *When the accessory dwelling is attached, connected or added to the existing accessory structure, setback and height regulations for accessory structures shall apply.*
- (3) *Construction of an accessory dwelling within, attached, connected or added to a new single-family dwelling included in the initial design and construction or construction of a new detached accessory dwelling.*
- (a) *The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the single-family dwelling calculated excluding area which are designated to an accessory dwelling having an external entrance not shared with the area designated to the single-family dwelling.*
- (c) *Setback regulations for principle structures shall apply.*
- (d) *When the accessory dwelling is within, attached, connected or added to a new single-family dwelling, height regulations for principle structures shall apply.*
- (e) *When a new detached accessory dwelling is constructed, height regulations for accessory structures shall apply.*

It was the consensus of the Board to retain the consensus language as drafted.

Mr. Hogg read the following comments:

Some of the recommendations included in 154.1-309 may apply. Generally speaking, every district permits "BY RIGHT" Accessory Dwellings. There are needs for ACCESSORY DWELLINGS within the county as has been noted. It is my opinion accessory dwellings, in all districts where residential land use is GOOD PRACTICE, should be by SPECIAL USE PERMIT. Currently that is how ACCESSORY DWELLING UNITS are managed. According to comments there is an issue due to TWO ORDINANCES in effect.

Please advise the Board and public why the current ordinance is "inadequate" as it relates to ACCESSORY DWELLING UNITS and what revision to the 2009 ordinance to eliminate the County's concern.

Reasoning:

An Accessory Dwelling houses people, it should be counted in the density.

If the accessory dwelling is rented the character of the neighborhood has changed, there is additional reason to have a Special Use Permit.

As written, the proposed section has the potential to be an administrative nightmare.

Item #4: Density Comparison:

As requested by members of the Board, staff has provided information on the density allowances, current ordinance vs. proposed ordinance by district. See Attachment 5

It was the consensus of the Board to retain the consensus language as drafted.

Item #5: Comments provided by Supervisor Hogg:

Staff has previously provided recommendations on these issues which the Board has taken a consensus position. Staff has no further comments.

Mr. Hogg provided a listing of suggested changes for various uses within various zoning districts. Board consensus positions relative to those changes are outlined below:

In the Cottage Community District

Move Recreational Playing Field (restrooms/lockers, regularly scheduled events) from

By-Right to Special Use Permit

Move Restaurant-no-drive-thru – up to 2,500 sq. ft. from By-Right to Special Use Permit

In the Residential District

Move Recreational Playing Field (restrooms/lockers, regularly scheduled events) from By-Right to Special Use Permit

In the Residential - 1 District

Move Recreational Playing Field (restrooms/lockers, regularly scheduled events) from By-Right to Special Use Permit

In the Residential-3 District

Move Recreational Playing Field (restrooms/lockers, regularly scheduled events) from By-Right to Special Use Permit.

Eliminate entirely the Event Venue use from the Special Use Permit section

In the Residential-5 District

Move Recreational Playing Field (restrooms/lockers, regularly scheduled events) from By-Right to Special Use Permit.

Eliminate entirely the Event Venue use from the Special Use Permit section.

In the Village District

Eliminate entirely the Wastewater Treatment Plant use from the Special Use Permit section.

In the Hamlet District

Eliminate entirely the Heliport use from the Special Use Permit section.

In the Commercial District

Move the By-Right uses of Vehicle Services, Industrial Services (large scale, assembly line), Light Manufacturing and Wastewater Treatment Plant to the Special Use Permit section.

Eliminate entirely the Heavy Manufacturing (incl. outdoor facilities) use from the Special Use Permit section.

In the Industrial District

Move the By-Right uses of Migrant Labor Camp and Religious Institutions to the Special Use Permit section.

Eliminate entirely the By-Right use of Personal Services.

In the Hamlet, Village and Residential-3 Districts

Eliminate entirely the Special Use Permit use of Wind Turbines, up to 120 ft.

In the Residential-5 District

Allow Wind Turbines up to 35 ft. as a By-Right use.

Allow Wind Turbines, 35 ft. to 120 ft. as a Special Use Permit use.

Eliminate entirely Wind Turbines, 120 ft. to 200 ft.

* * * * *

Mr. Hogg distributed language specific to Floodplain Management, Chapter 159, which highlighted the statement “Because of the added cost of elevating structures, this chapter has the effect of discouraging development in flood ways and along the flood prone coastal areas of the County.” Following Board discussion, staff was directed to analyze and review other pertinent ordinances and regulations to determine the extent of this issue and to bring back potential solutions. This matter will be considered separate and apart from the current zoning text amendment discussion.

Mr. Hogg read the following comments:

DEFINITION OF VILLAGE

The Primary intent of the VILLAGE DISTRICT is to provide for RESIDENTIAL USES within a village.

There are areas PROPOSED as VILLAGE designation. According to the mapping, existing lots that were platted a hundred years ago are located in WETLANDS and flood prone areas. A hundred years ago the level of the ocean was not as high as it is today. In my opinion Residential Land Use to include SFD, MFD, Accessory dwelling units, et als **by RIGHT** is not good reasoning.

- **Floodplain Management, NCC §159**, minimizes development within the floodplain and floodways primarily for safety and property protection. This chapter of local code has less to do with coverage ratio than elevation of improvements and protection from natural flood incidents. **Because of the added cost of elevating structures, this chapter has the effect of discouraging development in flood ways and along the flood prone coastal areas of the County.**

I do not support the building in low lying areas regardless of how much money a person has.

My reasoning is, It is more difficult to provide Fire and Rescue services to these areas especially during times of emergency conditions. Northampton County should not be promoting RESIDENTIAL LAND USE in low lying, FLOOD PRONE areas. Those structures which currently exist in low lying areas should be relocated to higher ground if at all possible. The FEMA PROGRAM to elevate RESIDENTIAL structures also has the FUNDS to relocate the structures or buy them and restrict future land use of the property to other than residential. In addition when the cost to the TAXPAYER or the property owner exceeds 50% of the value on the structure there is a requirement to upgrade the structure to the CURRENT BUILDING CODE.

* * * * *

Mr. Hogg distributed another hand-out entitled, “Damage still left in proposed ZO language (all arbitrary changes below are challengeable, with many previous cases decided against localities on these issues, and setting precedents)”. There were 10 issues noted; however, it was the consensus of the Board not to revisit any of these issues.

At 8:45 p.m., the Chairman called for a brief recess. Following the break, the meeting was reconvened.

Item #6: Definitions from Supervisor Hogg:

Staff has previously provided recommendations on these issues which the Board has taken a consensus position. Staff has no further comments.

It was the consensus of the Board to retain the definitions as are currently proposed.

Item #7: PUD

As requested, the proposed PUD section is below for any further review or comment by the Board:

§154.1-219 PLANNED UNIT DEVELOPMENT AND MIXED USE DEVELOPMENT ZONING DISTRICTS (PUD).

(A) The primary intent of the planned unit development and/or mixed use development zoning district is to provide for flexibility in the design of single use or mixed use developments for both residential and non-residential uses (excluding

intensive agriculture), to encourage comprehensive planning of developments and to insure compatibility of developments with surrounding areas. The Board of Supervisors by zoning map and text amendment may approve areas and districts designated for planned unit developments or mixed use developments. Regulations established through the approval of a planned unit development or mixed use development zoning district by the Board of Supervisors shall have the following characteristics:

- (1) Each planned unit development or mixed use development zoning district shall be established for the purpose of approving a specific comprehensive agricultural, residential, commercial, industrial or mixed use development plan as an integral unit within the development goals in the Comprehensive Plan;
- (2) The application for approval of a planned unit development or mixed use development zoning district shall be accompanied by a site plan of the proposed development, together with any special conditions to be proffered, and an application for an owner initiated zoning map amendment as provided in NCC §154.1-505, Zoning Map Amendment.

(B) Planned unit development or mixed use development zoning districts must be approved with an overall site plan. Within such developments, the locations of all residential, nonresidential and governmental uses, including parks, playgrounds, recreation areas and other open spaces shall be planned in an orderly relationship to one another.

(C) The land use, housing types, building types, minimum lot requirements, minimum setbacks, accessory uses and signs approved for a specific planned unit development or mixed use development zoning district shall be determined by the requirements and procedures set forth through the zoning map amendment process and adopted by the Board of Supervisors.

(D) Once a planned unit development or mixed use development zoning district has been established by the Board of Supervisors, the regulations adopted in conjunction with such project application shall control its use and development and become a part of NZC. Va. Code §§15.2 – 2201, 2286.

It was the consensus of the Board to eliminate Section 154.1-219 Planned Unit Development and Mixed Use Development Zoning Districts (PUD). The one existing PUD in the County, known as the Bayview Citizens for Social Justice, will be renamed “Bayview PUD”, with all of its unique attributes as created by vote of the Board of Supervisors on August 11,

1999 pursuant to Zoning Map Petition 99-10.

Item #8: Agritourism

Draft language pertaining to agritourism was previously provided to the Board from the Planning Commission. The Planning Commission will be determining at its meeting of October 6th as to whether it will be advancing this draft as a zoning text amendment (with the Planning Commission serving as applicant).

Item #9: Chesapeake Bay Preservation Act Study

A copy of the Board's resolution adopted December 9, 2014 was provided as a reminder to the Board that the Planning Commission has commenced its study of this issue as directed.

Item #10: Zoning Calendar

The Board was provided a draft calendar which shows three options for consideration and action by the Board relative to the proposed zoning text amendments. Option timelines included 60, 75 or 100 day review times by the Planning Commission.

The following motion was made by Mr. LeMond and seconded by Mr. Bennett. All members were present and voted "yes," with the exceptions of Mr. Hubbard and Mr. Hogg who voted "no". The motion was passed. Said motion is set out below:

I move that the Board refer to the Planning Commission of Northampton County for its consideration an amended version of the proposed zoning ordinance and map which were the subject of a joint public hearing of the Board of Supervisors and the Planning Commission on March 11, 2014 , said amended version consisting of the map attached hereto as Exhibit A and amendments to the proposed zoning ordinance as reflected in the document attached hereto as Exhibit B [collectively known as the March 2015 Consensus Draft] and further amended to include those changes tentatively endorsed by the Board of Supervisors on March 30, 2015, June 29, 2015, July 27, 2015, August 24, 2015 and September 28, 2015.

In addition, I move that the Board advertise the amended map and zoning ordinance for public hearing on or about November 2, 2015, said public hearing to be held jointly with the Northampton County Planning Commission if the Planning Commission is agreeable to that arrangement.

I further move that the Planning Commission be given time as authorized by the Code of Virginia for its review of the amended map and zoning ordinance referred to it for its consideration, that time being sixty (60) days after the first meeting of the Commission after this referral.

While no public comment was allowed during the work session, the following letter was received and requested to be included in the record of this meeting:

The following is a letter being submitted to the Northampton County Board of Supervisors for inclusion in the public record concerning the proposed changes to the county zoning. Please read this circulate this letter to all members of the BOS and have it read at the next available public meeting.

Thanks,
Art

Arthur Schwarzschild
4231 Willis Wharf Rd.
Willis Wharf VA 23486

TO: Chairman Rick Hubbard and the Northampton County Board
of Supervisors

FROM: Art Schwarzschild
4231 Willis Wharf Rd.
Willis Wharf VA 23486

SUBJECT: Comments concerning proposed zoning changes

DATE: September 27, 2015

Dear Chairman Hubbard and members of the Northampton County Board of Supervisors,

Unfortunately due to a work conflict I am not able to attend the next public meeting of the Northampton County BOS. Since it appears that you will be closing the public comment period on the proposed zoning changes I would like to take this last opportunity to have my comments included in the public record.

As you know from my previous comments (both written and oral), I have significant concerns with the zoning changes being proposed and the process by which these proposed changes have been developed. Please understand, this does not mean that I am against making changes to the zoning ordinance. In fact, I agree that the ordinance is overly long and complicated, and that it

could benefit from some well researched and thoughtful modification. My main concerns have been with the lack of public input into this process, and the continually shifting nature of the proposed changes. For these reasons I once again urge you to scrap the current re-zoning proposal and begin the process again, this time with input from the general public and based on the best available economic and scientific studies.

In my previous comments, made at several public meetings, I have compared your support of the proposed zoning changes to my affection for an old pair of patched-up bluejeans that my mother threw away one day.

When I asked my mother why she had put my favorite pair of jeans into the trash she responded that they had become more patches than pants, and she was afraid something embarrassing would pop out if I wore them in public. Like my old pants, your zoning proposal has become a patchwork of changes that are impossible for your own staff to keep track of and accurately compare to the current zoning ordinance. Given the continual back and forth of changes, I fear that even you may not know what version of the proposal you will be voting on and it is very likely that you may pass an ordinance with changes you do not fully support. Changes that could have a significant negative impact on the lives of your constituents and the character of our county.

Unlike previous efforts to change the county zoning ordinance which started with public information and listening sessions, and were firmly rooted in the most recent scientific and economic impact studies, this effort to re-zone the county first came to light when the proposed changes were published in the local paper and presented at a public meeting. At that meeting Charles McSwain, the Director for Economic Development and one of the architects of the proposal, publicly stated that the proposed changes were not based on any scientific or economic impact studies. Since that time you have received HUNDREDS of fact based public comments against specific items in the proposed changes.

There has also been an outcry against the lack of public input in the process. At the same time there have been only a handful of public statements made in support of the changes.

In case you have forgotten, after careful review of the proposed changes a large group of private citizens were so upset by your proposal that they organized public information sessions attended by hundreds of citizens and held a first-ever candle-light vigil on the courthouse green to demonstrate against the proposal. Despite wind, rain and unseasonably cold temperatures over one hundred people gathered on the courthouse green in protest. Please think back on another time when something like this has happened. Since that time, dozens of concerned citizens have attended all public meetings of the BOS and availed themselves of every opportunity to speak against the changes you have proposed. Again, with only a handful of people speaking publicly in support of the changes.

Time and again, I have been gratified when it appears you have been listening to this citizen input and have stated that changes would be made. In fact, many of the public comments have resulted in significant changes being made to the document. While I have been pleased to witness you listening to public input and making changes, the fact that these changes were needed and indeed approved by you, indicates how flawed the original proposal was. This makes me wonder how many other issues might be hidden in the document. It also makes me wonder what would have happened if the public had not so vocally rallied against the original document and you

had quickly voted to approve it as written.

To illustrate the continually changing nature of the proposed zoning changes let me remind you of the following. The original document called for the removal of Chesapeake Bay Act (CBA) protections from the sea-side of the county. After many public comments against this change we were informed and assured that CBA protections would not be removed from the sea-side. Now, however, it is clear that the Planning Commission, acting under the oversight of the BOS is continuing to investigate the need to maintain CBA protections on the Sea-Side, and one member at least, has publicly stated his goal of removing the CBA protections.

During the public information sessions Mr. McSwain and other members of the county staff told me that a main goal of the proposed zoning changes was to make zoning more consistent across the county. They also expressed the goal of supporting economic growth in the county. So, I ask you, how does removing CBA protections from the sea-side meet these objectives? It seems to me that removal of the CBA from the sea-side would make things much less consistent, with significantly different zoning of waterside properties depending on their location in the county. Removal of CBA protections from the sea-side is also a threat to our growing aquaculture industry. Given the facts that Northampton county has near total control of land run-off into our sea-side coastal bays, that water quality in our coastal bays is significantly better than in Chesapeake Bay and that the majority of clam hatcheries and clam grounds are located on the sea-side it would seem to me that it is in our best interest to protect these waters as much as possible, not make it easier for development to take place in this pristine environment.

Here is another example of the confusing nature and behind the scenes process involved in the development and continual tweaking of the proposed zoning changes. From the day the proposed zoning changes were announced, I and a number of other citizens indicated that several of the changes appeared to be directly linked to the chicken industry and would ease the way for Commercial poultry farms (Confined Animal Feeding Operations CAFOs) to be developed in Northampton County. On multiple occasions at public BOS meetings Supervisors LeMond, Hubbard and Trala indicated that there was no relationship between the proposed zoning changes and the commercial poultry industry and that they did not believe there was any desire on the part of the poultry industry to expand operations into Northampton County. We were also repeatedly told that there had been no communications between the BOS or County Staff and the Poultry Industry, and chastised for implying anything to that effect. It has now been made quite clear that at the very least, Mr.

McSwain in his role as Director of Development had been involved in a least one lengthy conversation with representatives from the poultry industry and made a statement indicating the proposed zoning changes would make it easier for commercial poultry farms to be developed in the county. If you care to ignore this issue of a potential back-room deal, you can not ignore the fact that it has become abundantly clear that the changes being proposed will enable commercial poultry operations to be developed in areas where that is not currently possible under our current zoning code. It is also clear from recent newspaper articles and public statements by representatives from the major commercial poultry growers that the poultry industry is expanding and is looking to move into Northampton County.

These are just two examples of the continually shifting landscape that has been created during this process. They also highlight the problems that

occur when a rezoning process is carried out behind closed doors and without public input. Unfortunately I could cite more examples and go on for much longer, but do not want to take up any more of your time. Instead, I will again state my pleas that you stop this misguided effort and scrap your proposal to change the zoning in Northampton County. After you do this, I am confident that you will find a multitude of concerned and well informed citizens more than willing to help you develop a new and robust re-zoning proposal that can be supported by economic and scientific studies and will help to build a better and sustainable future for a more prosperous Northampton County.

Thank you very much,

Art Schwarzschild

* * * * *

County Administrator's Report:

11. HB-2 Transportation Projects – Prioritization

The following memorandum was provided for the Board's review:

MEMORANDUM:

TO: Northampton County Board of Supervisors
FROM: Katherine H. Nunez, County Administrator
DATE: September 23, 2015
SUBJECT: VDOT – HB2 Project Submissions

As you are aware, five projects have been identified by the Northampton County Board of Supervisors for submission to VDOT through its HB2 Application Process and are outlined below. The deadline for such submission is September 30, 2015. One of the last steps in the application process is the prioritization of those projects. Board action is requested.

Project Title	Status	Priority ?
(1) Installation of a traffic light at the intersection of US Route 13 and State Route 642 (Rittenhouse Lodge Intersection)	Draft application and resolution attached.	# _____
(2) Installation of a flashing signal at the intersection of US Route 13 and State Route 646 (Townsend Drive)	Draft application and resolution attached.	# _____

(3) Synchronization of the traffic light near the “blind curve” at Cheriton	Based on guidance received from Chris Isdell of VDOT, this work can be accomplished through VDOT’s regular maintenance program and should not be submitted as an HB2 project.	Board concurrence to withdraw this project as an HB2 project is requested.
(4) Feasibility Study for the Food Lion Intersection at Cape Charles. (This project will not be necessary if Project (1) above is approved.)	Draft application and resolution attached.	# _____
(5) Improvements to State Route 602 (Cemetery Road)	Draft application and resolution attached.	# _____

Staff noted that direction has been received from VDOT that stand-alone studies will not be funded through the HB2 process. It was also noted that Accomack County’s number one priority was the Cemetery Road Improvement Project and that the Accomack Board was requesting similar designation by Northampton. ___

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that the following HB2 projects be prioritized as set out below:

- | | |
|--|-------------------|
| Project #1 (Rt. 642 Traffic Signal) | Priority # 2 |
| Project #2 (Rt. 646 Flashing Signal) | Priority # 3 |
| Project #3 (Synchronization of signal) | Project withdrawn |
| Project #4 (Feasibility Study) | Priority # 4 |
| Project #5 (Cemetery Road Improv.) | Priority # 1 |

All members were present and voted “yes.” The motion was unanimously passed.

12. Community Development Block Grant

The County Administrator presented background information relative to the types of grant funding available through the Community Development Block Grant Program. Given the lateness of the evening, this topic will be discussed at the October meeting.

Adjourn

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the meeting be adjourned.

All members were present and voted “yes.” The motion was unanimously passed.

The meeting was adjourned.

_____CHAIRMAN

_____ COUNTY ADMINISTRATOR