

F.Y.I.

ITEMS

Katherine Campbell
13467 Solitude Trail Machipongo, VA 23307
757-717-5878

February 17, 2016

Northampton County Board of Supervisors
c/o Katie Nunez, County Administrator
Northampton County Planning Commission
c/o Department of Planning & Zoning
PO Box 538
16404 Courthouse Road
Eastville, VA 23347

sent via email to info@co.northampton.va.us for distribution

Dear County Supervisors and Planning Commissioners,

I am writing to direct your attention to a conflict presented by new language in §154.2.081 that is proposed for inclusion in the revised 2009 ordinance, but was not listed on the County notice letter dated February 16, 2016. The proposed zoning language makes a major change to Hamlet District uses by renaming Hamlet District to Hamlet/**Residential** District and further, by declaring in (C) (3) that the “intent” of the Hamlet District is to provide for “primarily residential” settlements “to support” a variety of “housing options”. (See below for changes in red).

§ 154.2.081

(A) (3) Hamlet/**Residential** District (H/R);

(C) Hamlet/**Residential** District (H/R). The intent of this District is:

(1) To recognize the county's small rural settlements of historic or cultural significance, often located at crossroads; **and which have, over the years, taken on the form of primarily residential neighborhoods.**

(2) To provide for a mixture of residential and low-impact commercial uses which are compatible in aspect, design, and form with this rural setting.

(3) To provide for primarily residential settlements in rural locales, which will support a variety of housing options.

There are existing structures in Hamlet Districts that are not suitable for residential or ‘a variety of housing options’, including former banks, train depots, schools, stores, and post offices to name a few. Being able to use these properties (or other properties for that matter) as low impact commercial uses is allowed as a minor special use in the 2009 ordinance. The

new language designating the residential intent of the district makes for an ambiguous choice to the Planning Commission and the Board of Supervisors when a property owner makes application for one of those minor special uses. Do they uphold the intent of the district to be residential and support housing options or do they approve the minor special use permit? It conflicts with (C) (2) regarding low impact commercial uses. Will it be an incremental downzoning where, to eliminate the ambiguity, the BOS or Planning Commission next proposes eliminating the minor special uses and low impact commercial uses, thus matching the stated intent?

It is not good policy to enact laws that are ambiguous and create known conflicts that by their nature can only result in arbitrary or capricious decisions, or lead to an obvious next choice of 'fixing it' by taking away property rights that create the ambiguity. I'm not a legal scholar, but I doubt that Virginia law allows that. But let's say it is legal to enact laws that have built in conflicts, shouldn't you study the impact before knowingly making it more difficult to get permission for minor special uses (which uses you may support, but the law is for future commission or board members as well).

I am the owner of such a property, a former school, and there are many other properties affected. I can foresee where the impact could be huge and wonder what precipitated this particular change of singling out the Hamlet District. It is very specific. What was the motivation? Was (C) (2) left in so as not to raise a red flag? (C) (2) and (C) (3) are polar opposites. Was there an inventory done of the existing properties that would be affected? How does the County benefit? What impact will it have on the tax base if these properties become functionally obsolete? How does it further public necessity, convenience and the general welfare of County residents? For the life of me, I can't answer any of these questions and I have not heard them addressed in any information sessions.

This is not a minor issue and I hope that you will remove this language prior to enacting a new ordinance.

Sincerely,

A handwritten signature in black ink that reads "Katherine Campbell". The signature is written in a cursive, flowing style.

Katherine Campbell

Katherine Campbell
13467 Solitude Trail Machipongo, VA 23307
757-717-5878

February 29, 2016

Northampton County Board of Supervisors
c/o Katie Nunez, County Administrator
Northampton County Planning Commission
c/o Department of Planning & Zoning
PO Box 538
16404 Courthouse Road
Eastville, VA 23347

sent via email to info@co.northampton.va.us for distribution

Dear County Supervisors and Planning Commissioners,

This letter is to follow up on my letter dated February 17, 2016 (a copy of which is attached) referencing the inherent conflict in the new language inserted into §154.2.081 that is proposed for inclusion in the revised 2009 ordinance, specifically: **C (3) To provide for primarily residential settlements in rural locales, which will support a variety of housing options.**

It didn't seem to me like good policy to enact language into law that directly conflicts with other language, but I didn't know any basis other than logic. Of all places, my Facebook had an article about a February 12th Virginia Supreme Court ruling that came down squarely on the side of property rights, and specifically that:

"Under this common law principle, consistently recognized by and applied by this court for over a century, "[v]alid covenants restricting the free use of land, although widely used, are not favored and must be strictly construed and the burden must be on the party seeking to enforce them to demonstrate that they are applicable to the acts of which he complains." Friedberg, 218 Va. at 665, 239 S.E.2d 110 (citing Riordan v. Hale, 215 Va. 638, 641, 212 S.E.2d 65, 67 (1975); Traylor v. Halloway, 206 Va. 257, 259, 142 S.E.2d 521, 522-23 (1965). Accordingly, "[s]ubstantial doubt or ambiguity is to be resolved against the restrictions and in favor of the free use of property." Id. (citing Schwarzschild, 186 Va. at 1058, 45 S.E.2d at 155); see Stevenson v. Spivey, 132 Va. 115, 119, 110 S.E.367, 368 (1922) (restrictive covenants "will not be aided or extended by implication."

The Virginia Supreme Court is saying, for example, that when §154.2.081 C (3) (the new language) conflicts with §154.2.081 C (2) (the 2009 language) the least strict must be applied. I think that since the new language is ambiguous, it is therefore unenforceable, or at the least, nonsensical, unless C (2) is later rescinded. Why enact ambiguous language now that the Virginia Supreme Court has ruled against its enforcement? Unless, as I stated before, this new

language is an incremental step towards a future down-zoning in Hamlet District, then it serves no useful purpose. I urge you to remove this language if you determine that you will keep the 1983, 2000, 2009 combination ordinance as amended in 2016.

Sincerely,

A handwritten signature in black ink that reads "Katherine Campbell". The signature is written in a cursive style with a large, prominent initial "K".

Katherine Campbell

DEPARTMENT OF ENVIRONMENTAL QUALITY
Notice of Public Meeting and Public Comment for Several
Total Maximum Daily Load Studies in Waters
in Northampton and Accomack Counties

The Virginia Department of Environmental Quality will host a Work Group meeting on water quality studies for Little Mosquito Creek and Assawoman Creek in Accomack County, and Nassawadox Creek with several tributaries located in Northampton County on **Thursday March 10, 2016**.

The meeting will start at **6:00 p.m.** in the Accomack-Northampton Planning District Commission building (A-NPDC) located at 23372 Front Street Accomack, Virginia 23301. The purpose of the meeting is to provide information and discuss the final outcomes of the studies with community members and local government.

Little Mosquito Creek and Assawoman Creek were identified in Virginia's 2014 Water Quality Assessment & Integrated Report as impaired due to violations of the State's water quality standards for dissolved oxygen and do not support the Designated Use for Aquatic Life. Additionally, Nassawadox Creek and several tributaries have been identified as impaired since they do not meet the water quality standards for Shellfish or Recreation Uses due to elevated levels of bacteria.

Section 303(d) of the Clean Water Act and §62.1-44.19:7.C of the Code of Virginia, require DEQ to develop TMDLs for pollutants responsible for each impaired water contained in Virginia's 303(d) TMDL Priority List and Report and subsequent Water Quality Assessment Reports.

As a result of the studies, DEQ has developed a Total Maximum Daily Load for the impaired waters. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, pollutant levels have to be reduced to the TMDL amount. The Virginia Departments of Environmental Quality, Conservation and Recreation, and Health, along with local governments, are working to identify the sources of pollution in the watersheds of these streams.

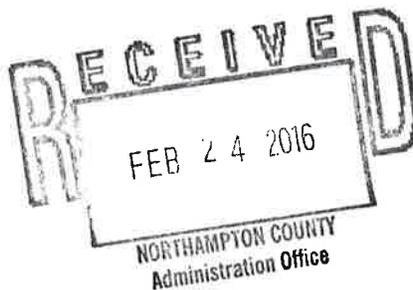
The public comment period on materials presented at this meeting will extend from March 11, 2016 to April 11, 2016. For additional information or to submit comments, contact Jennifer Howell in the Virginia Department of Environmental Quality, Tidewater Regional Office, 5636 Southern Blvd, Virginia Beach VA 23462, by phone (757) 518-2111 or by e-mail jennifer.howell@deq.virginia.gov. Additional information is also available on the DEQ web site at www.deq.virginia.gov/tmdl.



City of Virginia Beach

PLANNING AND COMMUNITY DEVELOPMENT
DIRECTOR'S OFFICE
PHONE (757) 385-4621
FAX (757) 385-5789

February 17, 2016



VBgov.com

MUNICIPAL CENTER
BUILDING 2, ROOM 115
2405 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9040

Katherine H. Nunez
County Administrator – Northampton County
16404 Courthouse Road
P.O. Box 538
Eastville, VA 23347
info@co.northampton.va.us

Subject: Notice of Public Hearing for Comprehensive Plan for the City of Virginia Beach

Dear Ms. Nunez:

The Planning Commission of the City of Virginia Beach will hold a public hearing on the proposed Comprehensive Plan for the City of Virginia Beach—*It's Our Future: A Choice City* on Wednesday, March 9, 2016 at noon in the City Council Chambers of Building One, Municipal Center, 2401 Courthouse Drive, Virginia Beach, VA.

In accordance with the provisions of Virginia Code Section 15.2-2204 (D), notice is hereby given that an opportunity to submit comments or recommendations is hereby provided.

A copy of the Draft Comprehensive Plan can be found at:

www.vbgov.com/government/departments/planning/2015ComprehensivePlan/Pages/default.aspx

Please direct any comments or questions to Jeryl Phillips, email at JRPhilli@vbgov.com, or 757-385-8594.

Sincerely,

J. Barry Frankenfield, Director
City of Virginia Beach Planning & Community Development

c: Beverly K. Wilson, Associate City Attorney
Jeryl Phillips, Comprehensive Planning



TODD E. GODWIN
SHERIFF

OFFICE OF THE SHERIFF COUNTY OF ACCOMACK

23323 WISE COURT • P.O. BOX 149
ACCOMAC, VA 23301

(757) 787-1131 • (757) 824-5666 • FAX (757) 787-2310



C. SHANE CHILDRESS
CHIEF DEPUTY

February 1, 2016

Katherine H. Nunez
Northampton County Administrator
16404 Courthouse Rd.
Eastville, VA 23347

Dear Mrs. Nunez,

I have enclosed a report of activity at the Eastern Shore Regional Animal Control Facility for January 2016.

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Todd E. Godwin'.

Todd E. Godwin
Sheriff

TEG/SC

Enclosure

**Eastern Shore Regional Animal Control Facility
28167 Beacon Road
Melfa, VA 23410
(757) 787-7091**

January 2016
Petty Cash Report

As of January 1, 2016 we had \$45.21 in petty cash.

We have not purchased any items.

As of February 1, 2016 we have \$45.21 in petty cash.

Bills/Coins	Amount
\$100	\$0.00
\$50	\$0.00
\$20	\$20.00
\$10	\$0.00
\$5	\$10.00
\$1	\$15.00
.25	\$0.00
.10	\$0.20
.05	\$0.00
.01	\$0.01
Total	\$45.21

Prepared By:

Stacey Clark

Stacey Clark

Eastern Shore Regional Animal Control Facility
28167 Beacon Road
Melfa, VA 23410
(757) 787-7091

January 2016
Deposit Report

Break Down of Fees Collected

Animal Claim Fee	\$400.00
Cat Adoption Fee	\$0.00
Dog Adoption Fee	\$0.00
Leash Fee	\$0.00
County License	\$85.00
Donations	\$0.00
Homeless Homer	\$0.00
Other	\$0.00
Total	\$485.00

Prepared By:



Stacey Clark

Eastern Shore Regional Animal Control Facility
28167 Beacon Road
Melfa, VA 23410
(757) 787-7091

January 2016
Monthly Report

	Dogs	Cats	Other	Total
Carry Over into January	19	7	0	26
Accomack Animal Control	18	0	0	18
Accomack Public	6	1	0	7
Northampton Animal Control	21	3	0	24
Northampton Public	3	1	0	4
Total	67	12	0	79

Break Down of Animal Dispositions

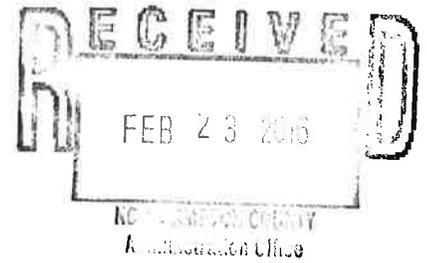
	Dogs	Cats	Other	Total
Euthanized	5	2	0	7
Returned to Owner	9	0	0	9
Adopted	0	0	0	0
Died	0	0	0	0
Carry Over into February	20	3	0	23
Transferred	33	7	0	40
Total	67	12	0	79

Prepared By:

Stacey Clark

Stacey Clark

31 Suydam Road
Somerset, New Jersey 08873
February 17, 2016



Board of Supervisors of Northampton County
P. O. Box 66
Eastville, Va 23347

To Whom It May Concern;

I don't want the property that is being considered as a preservation area to be adopted. The land will be used at a later time. I would also appreciate it if you would consider other properties besides the twenty acres that we own. Every other month you are sanctioning us about our land. We pay taxes every year and we should be able to do what we want with it. It's not being used so why do you always change how it is being used.

Sincerely yours,
Sessie Ames
The Ames Family

Janice Williams

From: Claudette Jones Davis <davisclaudette54@gmail.com>
Sent: Wednesday, February 24, 2016 12:16 PM
To: INFO@co.northampton.va.us
Subject: 11441 Parallel Road, Treherneville/Birdsnest, VA

Good Afternoon,

I am in receipt of your letters Re 0040B-09-00-000047B and I must admit that I have no idea what any of this means. Nevertheless, please update my home address to: 5400 Auth Road #240, Camp Springs, MD 20746-4357.

Thank you!

Claudette J. Davis

Claudette J. Davis
(nee Hyslop)

240-305-2174 Direct

Janice Williams

From: Dave Tankard <dave@davidsnursery.com>
Sent: Friday, February 19, 2016 6:53 AM
To: info@co.northampton.va.us
Cc: 'lisa tankard'; 'Van Tankard'; suzannetankard@davidsnursery.com
Subject: zoning
Attachments: scan.pdf

Dear Northampton County,

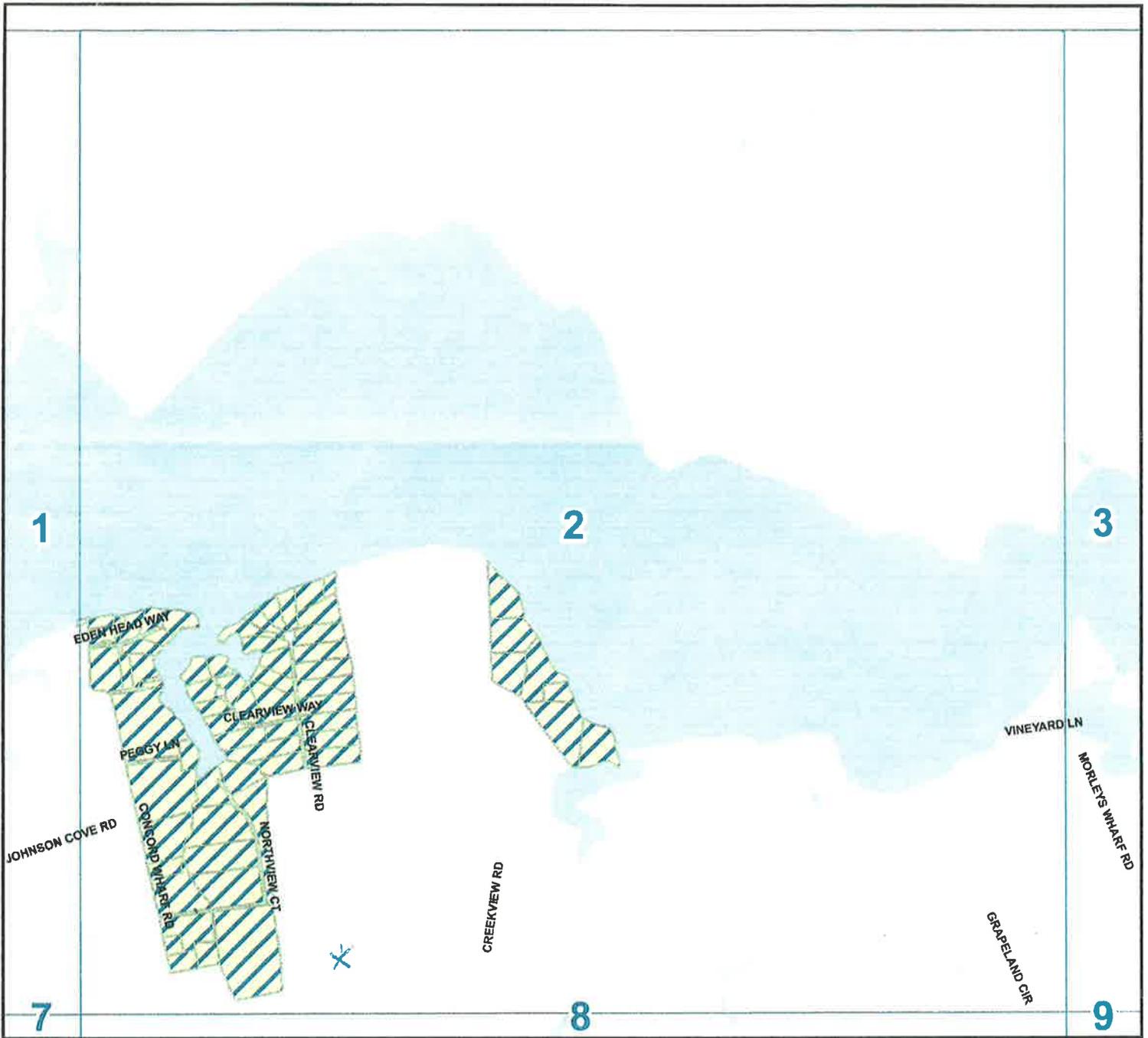
My brother, Samuel Tankard, and I have reviewed your letters dated 2/16/16. We don't understand why our properties 2-3-A and 2-3-B have been changed from AG to ES-R-A1. This land is in an AFD and has been farmed by David's Nursery for many years. As far as I know it has never been an "Existing Subdivision". We are concerned that being zoned ES-R-A1 may affect our ability to remain in the AFD at some point in the future. It is our desire that this land remain AG/RB.

Scan of the current and proposed zoning districts for this land is attached.

Please let us know what you can do.

Sincerely,
David Tankard, Jr.

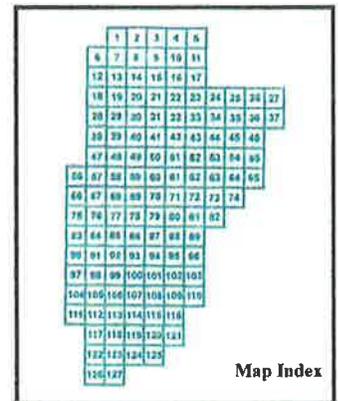
*David Tankard, Jr.
David's Nursery LLC
P.O. Box 926
Exmore, VA 23350*



Northampton County - Current Zoning Districts

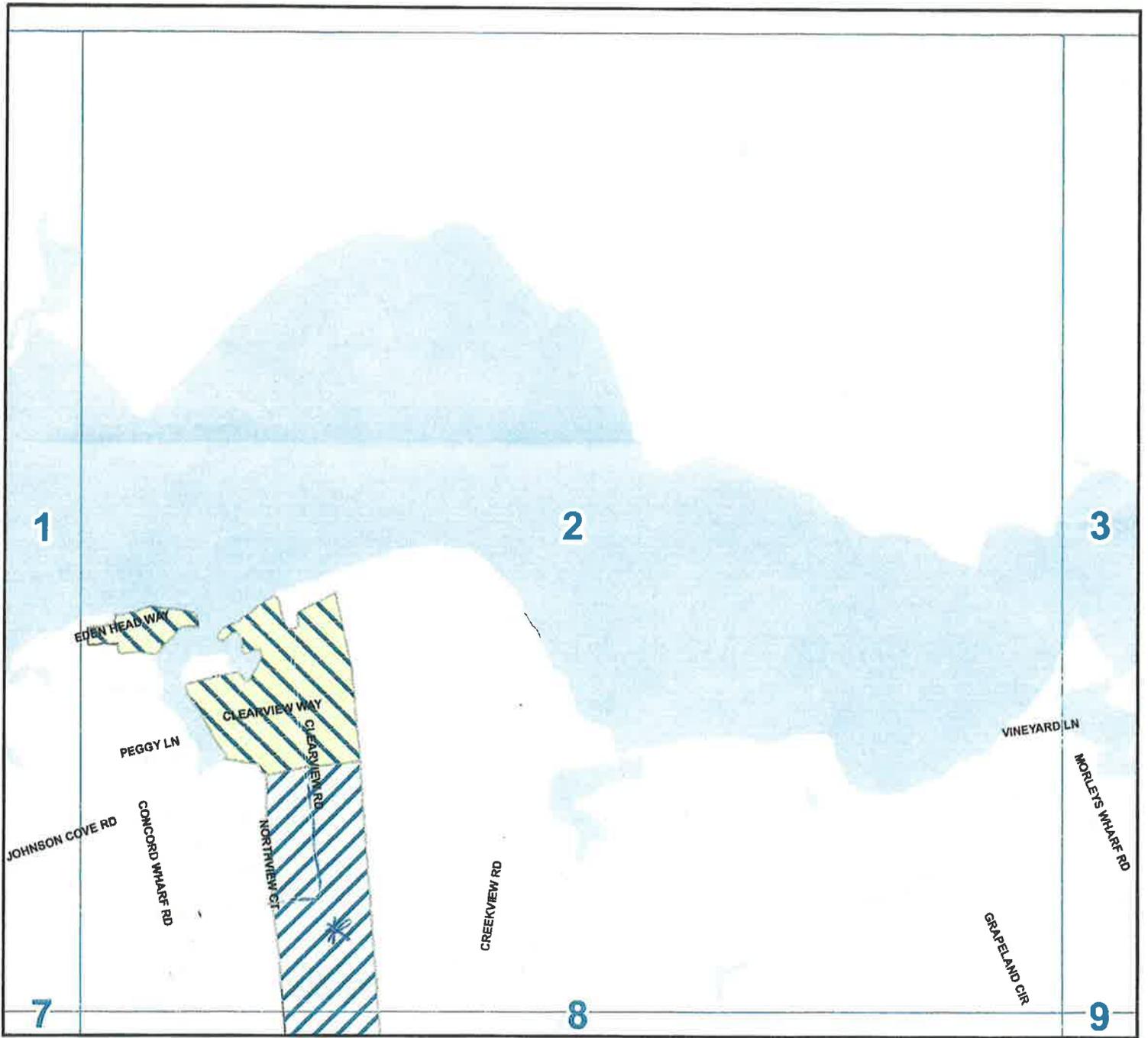
- | | | |
|--------------------------|-----------------------------------|------------------------|
| Tax Map Index | VC - Village Commercial | R-5 - Residential - 5 |
| Bayview PUD | VWB - Village Waterfront Business | RM - Residential Mixed |
| AG - Agriculture | WW - Working Waterfront | TE - Town Edge |
| CNSV - Conservation | C - Commercial | CAPE CHARLES |
| CTCM - Cottage Community | I - Industrial | BELLEVILLE |
| H - Hamlet | R - Residential | EXMORE |
| V - Village | R-1 - Residential - 1 | EASTVILLE |
| | R-3 - Residential - 3 | NASSAWADOX |
| | | Roads |
| | | Water Bodies |

0 875 1,750 3,500 Feet



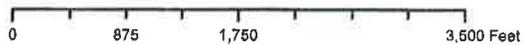
Map Index

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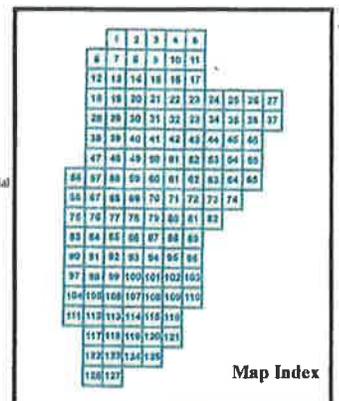
Northampton County - Proposed Zoning Districts

- Tax Map Index
- C - Conservation
- Bayview PUD
- A/RB - Agriculture/Rural Buafness
- H/R - Hamlet/Residential
- W1/R - Waterfront Hamlet/Residential
- V/R - Village/Residential
- VNB - Village Neighborhood Business
- V1 - Village-1
- WV/R - Waterfront Village/Residential
- WV1 - Waterfront Village - 1
- WVNB - Waterfront Village - Neighborhood Business
- WVWC - Waterfront Village - Waterfront Commercial
- ECC/R - Existing Cottage Community/Residential
- TE1 - Town Edge - 1
- TE-CG - Town Edge - Commercial General
- EB - Existing Business
- EI - Existing Industrial
- ES/R - A1 - Existing Subdivision/Residential - Agriculture-1
- ES/R - KVRR - Existing Subdivision/Residential - Rural Village - Rural Residential
- ES/R - RVR - Existing Subdivision/Residential - Rural Village - Residential
- ES/R - RVRM - Existing Subdivision/Residential - Rural Village
- ES/R - CDRR - Existing Subdivision/Residential - Community Development - Rural Residential
- ES/R - CDRt - Existing Subdivision/Residential - Community Development - Single Family Residential
- ES/R - EBCW - Existing Subdivision/Residential - Existing Business - Commercial Waterfront
- C-1 - Commercial
- Roads
- Water Bodies



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DRAFT



Map Index

Janice Williams

From: Peggy Charnock <farmgirl7141@verizon.net>
Sent: Thursday, February 18, 2016 11:38 AM
To: info@co.northampton.va.us
Subject: proposed zoning code

As Northampton County property owners, we vigorously object to the Proposed Zoning Ordinance.

WOULD YOU KINDLY PLACE OUR OBJECTION ON RECORD!

Peggy Beach Charnock
Douglas Cole Charnock

RE: 00002-0A-00-0000007

00038-05-00-000000D

Janice Williams

From: Katie Nunez <knunez@co.northampton.va.us>
Sent: Wednesday, February 17, 2016 12:46 PM
To: 'enviroduf'; mkellam@northampton.co.va.us; bjones@co.northampton.va.us; rduer@co.northampton.va.us; ghogg@co.northampton.va.us; obennett@co.northampton.va.us; llemond@co.northampton.va.us; jwilliams@co.northampton.va.us; pstith@co.northampton.va.us; smurray@co.northampton.va.us
Subject: RE: WRONG MAP SENT OUT FOR ZONING NOTICE.....

Mr. Dufty:

I thank you and your neighbor, Leo Kellam, for taking the time to read the notice and look at the maps sent and for letting my office know that you felt there was a mistake in the current zoning map that was included in that notice. You are correct in that the current zoning map that was included for your area, known as "Map 15 for mailing purposes" was incorrect. It was not intentional nor done with any mindset to delaying action by the Board of Supervisors on the proposed zoning ordinance. Your calling it to our attention has allowed us to correct the error and ensure that proper notification has been done to all property owners and will not impede the Board's ability to act upon the proposed zoning ordinance following the public hearing.

As a point of edification, staff has reviewed all of the parcels that were discussed at the December 8, 2015 Board of Supervisors meeting and changed to a new zoning classification which should have been reflected on the "Current Zoning Map". While it was mapped with those changes, when we went to print the maps we had a box checked that resulted in this error. To ensure that all of the parcels that were reviewed and acted upon by the Board at their December 8, 2015 meeting were properly notified, we are re-mailing those particular mailing map segments which include the following: Maps 14, 15, 16, 21, 22, 40, 85 and 99. The property owner notification letter is marked as a corrected letter along with a corrected Current Zoning Map with a mailing date of February 17, 2016. We are still within the timeframe requirements of the Code of Virginia for the property owner notification, including this corrected mailing.

Again, I thank you for bringing this to our attention and am very appreciative that we are able to correct this error without impeding the Board's ability to meet their calendar for the proposed zoning ordinance.

Sincerely,

Katie Nunez

From: enviroduf [mailto:enviroduf@aol.com]
Sent: Tuesday, February 16, 2016 9:31 PM
To: mkellam@northampton.co.va.us; bjones@co.northampton.va.us; rduer@co.northampton.va.us; ghogg@co.northampton.va.us; obennett@co.northampton.va.us; llemond@co.northampton.va.us; jwilliams@co.northampton.va.us; knunez@co.northampton.va.us; pstith@co.northampton.va.us
Subject: WRONG MAP SENT OUT FOR ZONING NOTICE.....

To the BOS and the Planning Department, as well as the County's Legal Team: Feb 16, 2016

Today we received our notice in the mail for the property my wife and I own together (I have insurable equity and fiduciary equity in this property) regarding the repeal of the 2015 zoning ordinance and the re-adoption of the amended 2009 ordinance. And shortly after that, the phone rang and it was my neighbor, Leo Kellam. Leo wanted to know why his property was listed as R-3 on the "current" zoning map when indeed he, Charles Smith, and I worked hard to get it to be rezoned back to ag, the very designation that prompted both my neighbors to buy their property at the corner of Milton Ames and Wardtown Road.

When I checked the "Northampton County- Current Zoning Districts" map in our notice, sure enough, their property is designated as R-3. However, when I checked the county website under "December 8, 2015" zoning map, the website reflects that their property was zoned back into agriculture. Obviously, the wrong map was sent out in our public notice.

I just got off the phone with Charles Smith (8:40pm) and Charles is quite upset. I assured him, as I did Leo earlier, that the wrong map was sent out in the public notice. (see attached map that was received). Both he and Leo fear that their property is zoned R-3 today, as the notice would lead any reasonable landowner to conclude.

This discrepancy is either a harmless mistake, or worse, a ploy to delay the approval of the amended 2009 zoning ordinance (which I doubt, but which was raised during conversations today). Either way, it speaks poorly of the zoning and planning department, and it is unfortunate that this mistake has upset my neighbors. Also, we are aware that the distribution of a public notice of this import is expensive, and taxpayer resources underwrite this effort.

While the Proposed Zoning District Map on the other side of the "current" map which was sent out to the public on February 16, 2016 correctly depicts the agricultural zoning that Charles and Leo fought so hard to keep, this unfortunate occurrence has caused consternation on their part.

It causes us to wonder what other mistakes were made in the Public Notice, but in the interest of expediting the repeal of the disastrous 2015 zoning ordinance, I am sure Charles and Leo will overlook this glitch and we can all move forward to restore civility and reasonableness to Northampton County's land use policy and ordinance, attributes that are sorely lacking today. r

However, we thought we should bring this matter to your attention.

Sincerely,

Ken Dufty (757) 442-7889

Janice Williams

From: envirodud <envirodud@aol.com>
Sent: Tuesday, February 16, 2016 9:31 PM
To: mkellam@northampton.co.va.us; bjones@co.northampton.va.us;
rduer@co.northampton.va.us; ghogg@co.northampton.va.us;
obennett@co.northampton.va.us; llemond@co.northampton.va.us;
jwilliams@co.northampton.va.us; knunez@co.northampton.va.us;
pstith@co.northampton.va.us
Subject: WRONG MAP SENT OUT FOR ZONING NOTICE.....
Attachments: Scan0125.pdf

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However, we thought we should bring this matter to your attention.

Sincerely,

Ken Dufty (757) 442-7889

Janice Williams

From: Marc Schott <mschott44@hotmail.com>
Sent: Tuesday, February 16, 2016 9:30 PM
To: info@co.northampton.va.us
Subject: Proposed Zoning code

Dear Northampton County,

My wife and I own property in the proposed zoning code, Lot 012D2-02-00-00000F2. The proposed zoning for our property is ES/R-A-1. This allows one dwelling unit/20 acres. Our property is approximately 11 acres. This is probably a dumb question but will we be allowed to build one dwelling unit on our 11 acres? Also our entire lot is wooded. How much of the lot can we clear for agriculture?

Sincerely,
Marc Schott

Janice Williams

From: Curtis Koller <curtiskoller@hotmail.com>
Sent: Tuesday, February 16, 2016 8:16 PM
To: info@co.northampton.va.us
Subject: proposed zoning

I own the parcel 7c-1-1 the current zoning is R-3 which I understand to be 1 house per acre. I couldn't find a reference to the FLUM on the web. Can you tell me how the proposed zoning will affect this parcel.

Thank You
Curtis Koller

Janice Williams

From: James Halek <hale202@outlook.com>
Sent: Tuesday, February 16, 2016 10:13 PM
To: info@co.northampton.va.us
Subject: 0047A-01-00-0000023 Zoning Code changes

Please respond to Jim Halek @ hale202@outlook.com

Q1. Why is the Northampton Board of Supervisors (Board) and the Northampton Planning Commission proposing the changes.

Q2. Who, other than the above Boards proposing these changes.

Q3. Will these changes have a bearing on the current real estate tax rates, and or cause real estate taxes to increase.

I at present do not think I will be able to attend the public hearing on 3/9/2016, but would like someone, like Katherine Nunez to respond to my questions.

Respectfully,

James & Melinda Halek
14385 Harbour Lane
Eastville, Va 23347

Phone 215 368-3658

Janice Williams

From: Peter Stith <pstith@co.northampton.va.us>
Sent: Tuesday, February 16, 2016 2:26 PM
To: jwilliams@co.northampton.va.us
Subject: FW:

From: Tknoonan [mailto:tk.noonan@verizon.net]
Sent: Tuesday, February 16, 2016 12:48 PM
To: Peter Stith <pstith@co.northampton.va.us>
Subject:

Feb 16. 2016

Peter,

Thank you for talking with me concerning the set backs under the new zoning regs. It is my opinion that having a sixty foot set back from the front road on a Chesapeake Bay lot and a rear set back of 25 feet (facing the Bay) is missing the spirit of protecting the Bay. Wouldn't it be better to allow the landowner to build closer to the so called front lot line and be farther from the Bay?

In building on the Bay people should know that erosion is the enemy and building farther away is the prudent thing to do. I would think switching the 25 for the 60 would be a better solution.

Sincerely, Tom Noonan

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

Janice Williams

From: Karen Jolly Davis <ccbeachglass@gmail.com>
Sent: Thursday, February 11, 2016 9:17 AM
To: jwilliams@co.northampton.va.us
Subject: zoning

To the Board of Supervisors--

I was a stakeholder in the Comprehensive Plan process that was organized several years ago. I went to many of the meetings and paid close attention to the views of all the people, most especially members of our African American community. Like ALL of the other participants, they wanted more and better jobs, and improvements to the school system. They pointedly DID NOT WANT development that would destroy the cohesiveness of their neighborhoods and further fragment their families.

Then the Comprehensive Plan Advisory Committee was appointed, and all of the input provided to the county by local citizens was thrown out the window. I feel strongly that the CPAC was created intentionally to short circuit the input process because some people—I don't know who—didn't like what they were hearing. It was especially inappropriate that Bill Parr, who has been a business partner of Mr. Occifinto, was made chairman of that committee. Both Parr and Occifinto have real estate holdings that are directly affected by the zoning of the property, and it is a classic case of conflict of interest for him to participate as an appointed official at all.

The 2015 Zoning Ordinance increases density on the waterfront, which will not benefit our African American community, unless they want to work as maids or landscapers for the wealthy. The roads out the necks will suffer increased use with no guarantee of improvement. And if factory farms are allowed to flourish in Northampton, the people who will suffer will be the poor.

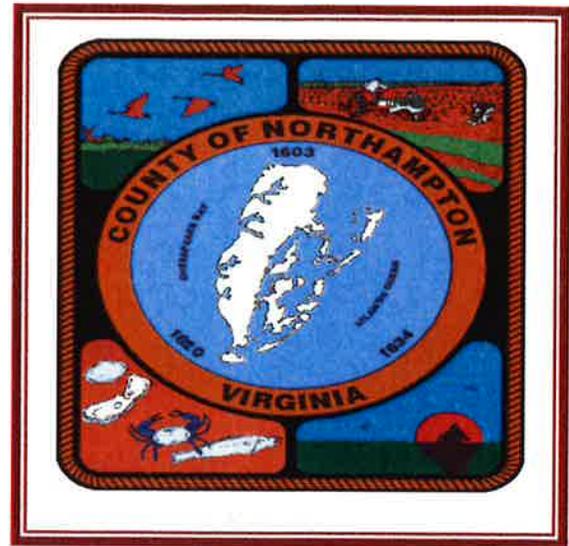
According to the representative from Johns Hopkins, there are NO REGULATORY STRUCTURES in Virginia to monitor the public health implications of factory farms. That means no one will be checking to see if the chicken manure and rotting chicken corpses are polluting the wells of people nearby. No one will be watching to see if the toxic air that is being blown out of the factory farms is affecting the health of local children. Environmental racism is alive and thriving in this nation, and you can be sure that toxic waste producing industries will be located near poor black communities, because they don't have the resources to oppose them.

The 2015 Zoning Ordinance has so many obvious flaws that it should be thrown out as soon as possible. Yes, we want more and better jobs in Northampton. Yes, we want a better school system. But these great goals cannot be accomplished by funneling rich people onto our fragile waterfronts while endangering the health of the poor.

Please consider a close look at how our county can leverage the value of Wallops Flight Facility, and attract the aerospace research industry. Thank you for your consideration.

Karen Jolly Davis

Mowing of the landfill slopes occurred in September 2015 for the first time since closure (2009)



**NORTHAMPTON COUNTY
SANITARY LANDFILL
ANNUAL REPORT
CALENDAR YEAR 2015**

INTRODUCTION

The Northampton County Sanitary Landfill began operation of its new landfill in April 1988. The new landfill includes a liner, leachate collection and monitoring wells. Beginning in January 1989, the County began operation of its weigh scales, computerized data collection, and tipping fees. This report addresses the twenty-third full year of operation for the complete system. Items covered include solid waste types, their sources, and revenue generation.

Northampton County ceased accepting solid waste for burial on March 31, 2009 with the commencement of the transfer station operation. For the past several years, the County's use of the spray-back method has been sufficient to dispose of leachate without resorting to pump-and-haul in most years. Pump-and-haul was used once in 2003. A new leachate pond was completed in 2001.

SOLID WASTE INFORMATION

Two methods are used to account for solid waste received at the landfill; by unit count and by weight. Currently, only tires and batteries are tracked by unit count. A fee is charged for accepting tires but not for batteries. All other items received are weighed. Items accounted for by weight are referred to as "waste volumes".

TIRES

A fee is charged for each tire checked through the landfill entrance. The fee assessed is based upon tire size. Two thousand eight hundred forty-six (2,846) tires of all sizes were accounted for at the landfill during this reporting period and three thousand one hundred sixty-four (3,164) were recycled during 2015 (eliminating any remaining tire stockpile from previous year).

It is important to remember that the number of tires "accounted for" does not necessarily equal the number "received". Tires "accounted for" are documented and fees collected; that is, they are legally deposited in the landfill. Some tires, however, from the waste collection sites (hidden in the bulk containers) and unsupervised off-loading at the landfill face, find their way to the County landfill.

BATTERIES

As stated previously, no fee is charged for batteries. The total number of batteries "accounted for" at the landfill was 0. When received, these batteries are sold to a private recycler for reuse.

VOLUME WASTE

Total waste received at the landfill was 31,371,298 pounds (15,686.65 tons). It should be noted here that all waste received was not shipped out from the Transfer Station. Of the total amount, 3,013,330 pounds of this amount was soil obtained from the Virginia Department of Transportation and other sources and was used for internal purposes. Additionally, 196,440 pounds

were stone used for road building purposes. It is important to remember that these amounts, while counted as part of the "total waste received at the landfill", should not be included when one speaks of normal County waste generation. Therefore, municipal solid waste accepted into the Landfill amounted to 28,161,528 lbs. (14,080.77 tons).

With these deductions, using the 2010 U. S. Census for Northampton County, this volume equates to a per capita waste generation rate of 6.23 pounds per person per day (lbs/p/d).

Waste accounted for by volume (weight) includes Agricultural Plastic (AP), Brush (BR), Biosolids (BS), Construction Debris (CD), Commercial Waste (CW), Metal (MT), Rubble (RB), Residential Waste (RW), Soil (SO), and Stone (ST). Definitions for waste types may be found in the appendix. Tabulations of waste received by waste type and by month are presented in Table 1.

While Agricultural Plastic was initially approved for acceptance in 1994, it was denied acceptance to the County's landfill in 2005. Since then, this waste type has steadily decreased from 823.11 tons in Calendar Year 2006, to 453.21 tons in Calendar Year 2007, to 422.17 tons in Calendar Year 2008, to 7.50 tons in Calendar Year 2009, to finally 0 tons in 2010, 2011 and 2012. However, starting in 2013, Northampton County is again receiving agricultural plastic waste with 1,925,560 lbs. (962.78 tons) being received, 942,810 lbs (471.40 tons) being received in 2014, and 601,160 (300.58 tons) being received in 2015.

With the exception of Brush, Metal, Soil, and Stone, the waste volumes shown in Table 1 are shipped out of the County. Brush, 2.2% of the waste volume, is currently placed in a separate area and burned. Soil, 9.6%, and Stone, .6%, of the waste volume, are used internally for road base construction and other purposes on the landfill site. Metal, amounting to .5% of the waste stream, was white goods that will be recycled through a third-party vendor.

As one might expect, the waste volume received at the landfill varies from month to month. The monthly landfill volumes as a percentage of the total yearly volume are presented in Table 1. This presentation shows the heaviest use to be in December.

The source of the waste is an important consideration given that it affects revenue. The major source of non-revenue producing solid waste is the County collection system. The County accounted for 29.66% of the gross waste received at the landfill in 2015. Again, when stone and soil are removed from the calculation, the County's waste accounted for 33.04% of the modified waste tonnage. This came primarily from the waste collection sites and the minimum volumes collected from the county properties such as the Courthouse, Indiantown Park, etc. Chart 1 plots the monthly tonnage received, including County haul, with that hauled only by the County. While monthly County increases and decreases track the total from all sources, the County volume is more stable. That is, County haul does not exhibit as wide a variation with regard to highs and lows.

TABLE 1
SANITARY LANDFILL WASTE VOLUMES (LBS.)
2015

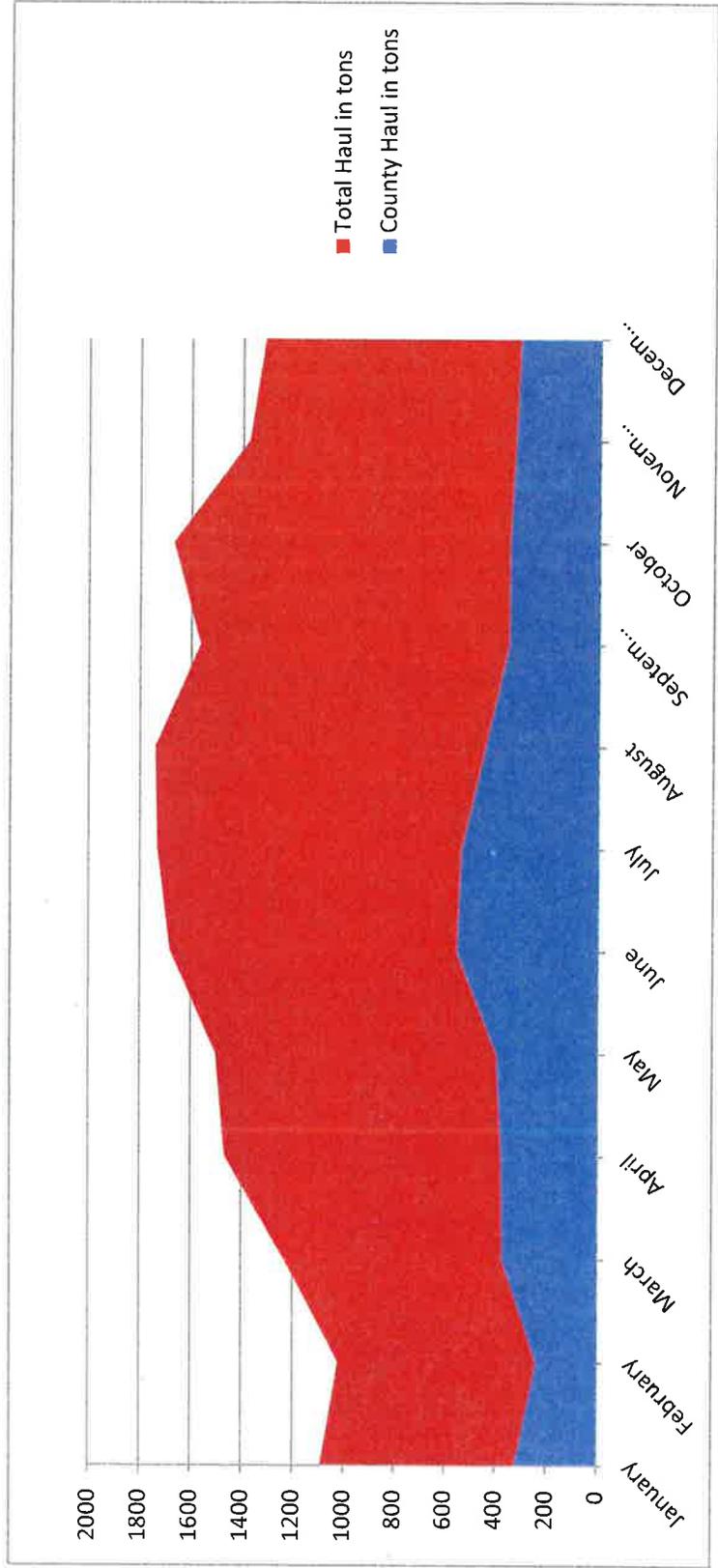
Month	AP	BR	BS	CD	CW	LE	MT	RB	RW	Total Waste	WO	SO	ST	Grand Total	% of Total	B1	T1	T2	T3
January		56100		282720	622290		5980		883661	1,850,751	-1,717,740	43,560	11780	188,351	2.41%		-234	-60	
February		7620	14340	235460	509080		3380		671570	1,441,430	-1,210,660	16,960		247,710	3.18%		171	15	
March		68540	33420	440240	647220		18700		1077170	2,285,290	-2,019,700	190,720		456,310	5.85%		317	15	
April		75160	16880	381140	619460		29300		1454516	2,576,456	-1,913,960	846,020	17320	1,525,836	19.58%		-287	-77	
May		33840	16600	420820	763270		24020		893640	2,152,190	-2,013,170	46,480		185,500	2.38%		178	16	
June		36780	66340	378560	840320		11620		1398100	2,732,700	-1,872,140	307,140	24800	1,182,500	15.29%		-494	-105	
July		70840	14720	431880	945000		20720		1367170	2,850,330	-2,543,360	80,160	111480	488,590	6.38%		201	35	
August		69240	64400	396960	658590		12600		1319035	2,720,825	-2,187,440	71,760		605,165	7.76%		286	15	
September	414780								1115400	2,925,666	-2,696,560	321,340	28160	578,606	7.42%		-267	-96	
October	141560								873680	2,484,120	-2,086,880	70,840	2780	470,860	6.04%		254	15	
November		26240							844720	1,658,760	-1,676,060	139,170	120	321,990	4.13%		-320	-104	
December	44620								1362050	2,279,210	-1,628,060	879,160		1,530,310	19.62%		205	15	
TOTAL	601160	710380	288100	4195466	8921970		159640		13280712	28,157,728	-23,585,770	3,013,330	196440	7,801,728	100.00%		-2	-316	0
% of Total	1.9%	2.2%	0.9%	13.3%	28.3%		0.5%	0.0%	42.2%		9.6%	0.6%			100.0%				

KEY: AP = Agric. Plastic BR = Brush CD = Construction Debris LE = Leachate MT = Metal RW = Residential RB = Rubble
 SO = Soil ST = Stone B1 = Batteries T1 = regular car tires T2 = truck tires T3 = offroad tires BS = Biosolids (sludge) WO = Waste Out

Date	County Haul in tons	Total Haul in tons
January	325.04	767
February	238.935	783
March	375.095	858
April	378.24	1089
May	397.62	1105
June	555.5	1126
July	539.185	1192
August	445.02	1295
September	353.89	1210
October	353.365	1317
November	330.995	1044
December	313.72	1000

CHART 1

County vs. Haul, 2015



WASTE COLLECTION CENTERS

In support of Board-adopted Goals & Objectives, there was established in 2006 a series of manned Convenience Centers, now re-named Waste Collection Centers. The first such site, Birdsnest, was opened in January 2006. Bayview became operational in July 2006 and Wardtown shortly thereafter in September 2006. Hare Valley opened in June 2008 and the fifth site, Cheapside, commenced operations in January 2011. Eastville, the County's sixth and final waste collection site, commenced operations in January 2014.

These manned sites offer safe, clean and environmentally secure solid waste disposal as well as recycling opportunities for the County's citizens by reducing the number of unmanned greenbox locations from approximately 28 randomly placed sites to 6 strategically located waste collection centers. An attendant staffs each site during all hours of operation, answers questions and offers assistance to those citizens needing help with their waste disposal. The attendant also provides the initial screening of the County-controlled waste stream, which is a condition of the joint Agreement with Accomack County should Northampton need to dispose of its solid waste in the Accomack facility.

Having an attendant present on site eliminated existing problems of scavenging and, in some cases loitering, at the old greenbox sites. In addition, loose blowing litter and unsightly piles of waste and bulk items placed in and around the existing greenbox sites have been eliminated.

A key feature of the Waste Collection Centers is the recycling component. A multi-year contract, entered into jointly with Accomack County, was executed with Tidewater Fibre Corporation of Chesapeake, Virginia, to provide at least weekly pickup of recycling products for transport to TFC's Chesapeake facility, utilizing its unique single-stream recycling process. This innovative technique allows all recycling products to be commingled at the Waste Collection Centers rather than having to be separated by the consumer. Glass, paper, plastic and cardboard are accepted and are generating approximately 35 tons per month county-wide, approximately 54.46% of the total from the two Shore counties. In fact, when the Centers began operation, three recycling containers were in place at each site. Since that time, the number of containers has doubled at some of the sites due to the demand by County residents. Waste oil and battery disposal are also features of the Waste Collection Centers.

The Birdsnest Waste Collection Center received 8,981 recycling visitors in Calendar Year 2015, averaging 748 visitors per month. This is the only Waste Collection Site which experienced a decline in recycling visitors from 2014.

The Bayview Waste Collection Center received 12,913 recycling visitors in Calendar Year 2015, averaging 1,076 visitors per month.

The Wardtown Waste Collection Center received 16,332 recycling visitors in Calendar Year 2015, averaging 1,361 visitors per month.

The Hare Valley Waste Collection Center received 9,061 recycling visitors in Calendar Year 2015, an average of 755 per month.

The Cheapside Waste Collection Center received 8,684 recycling visitors in Calendar Year 2015, averaging 724 per month.

The Eastville Waste Collection Center received 11,261 recycling visitors in Calendar Year 2015, averaging 938 per month.

Statistics show that the Waste Collection Centers' recycling activities are most active in the 1 - 2 p.m. hour. See Chart 2.

With regard to solid waste disposal, again, the 1-2 p.m. time frame was the most active. Chart 3.

With the opening of the Birdsnest Waste Collection Center, five greenbox locations were closed: Bridgetown, Bayford, Red Bank, Machipongo and Birdsnest. This site saw 42,177 visitors in Calendar Year 2015, averaging 3,515 visitors per month.

With the opening of the Bayview Waste Collection Center, the existing Bayview greenbox site was closed as well as the container placed in the CDBG Bayview project area. The site saw 69,281 visitors in Calendar Year 2015, averaging 5,773 visitors per month, our most heavily used site in the County, by far.

With the opening of the Wardtown Waste Collection Center, the existing greenbox sites at Willis Wharf, Wardtown and West Town were closed. The site saw 41,351 visitors in Calendar Year 2015, averaging 3,446 visitors per month.

With the opening of the Hare Valley Waste Collection Center, the "Rt. 13 North" greenbox site was closed. This site saw 36,586 visitors in Calendar Year 2015, an average of 3,048 per month.

With the opening of the Cheapside Waste Collection Center, the greenbox site at Cheapside was closed. This site saw 29,046 visitors in Calendar Year 2015, an average of 2,421 per month.

There were no remaining public greenbox sites to close with the opening of the Eastville Waste Collection Site. This site saw 47,404 visitors in Calendar Year 2015, an average of 3,950 per month.

The construction of the Eastville Waste Collection Site represented the sixth and final site to be constructed under the Board of Supervisors' Capital Improvement Plan. An analysis of the last three calendar years' solid waste visitor volume is shown below:

Site	2013	2014	2015
Birdsnest	51,899	41,356	42,177
Bayview	77,327	67,767	69,281
Wardtown	39,987	41,328	41,351
Hare Valley	40,906	36,267	36,586
Cheapside	27,900	27,983	29,046
Eastville	-	40,289	47,404
TOTAL SOLID WASTE VISITORS	238,019	254,990	265,845

Recycling volumes collected from the Waste Collection Centers during Calendar Year 2015 amounted to 421.17 tons (representing 54.46% of the total shipments from the two Eastern Shore counties) and are set forth below:

Month	Tonnage Collected
January 2015	29.14 tons
February 2015	29.34 tons
March 2015	27.43 tons
April 2015	33.20 tons
May 2015	44.34 tons
June 2015	40.85 tons
July 2015	41.24 tons
August 2015	42.15 tons
September 2015	31.52 tons
October 2015	43.43 tons
November 2015	33.28 tons
December 2015	30.58 tons

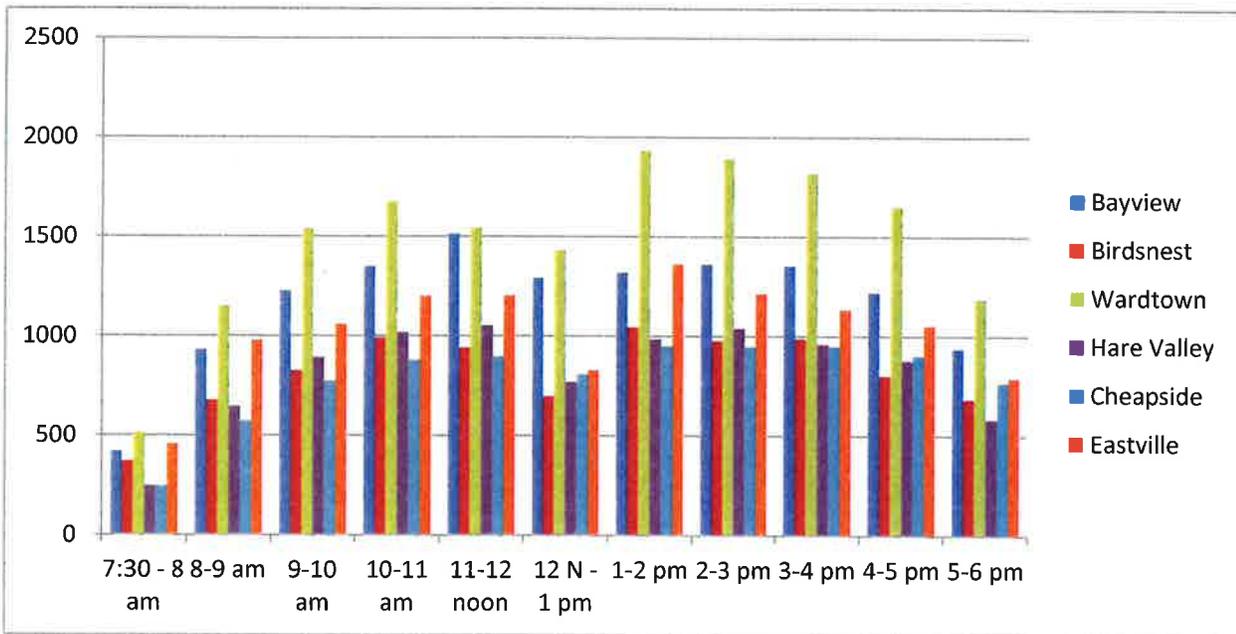
An analysis of the last three calendar years' recycling visitor volume is shown below:

Site	2013	2014	2015
Birdsnest	12,188	9,084	8,891
Bayview	14,636	12,353	12,913
Wardtown	15,161	15,488	16,332
Hare Valley	9,706	8,148	9,061
Cheapside	7,369	7,935	8,684
Eastville	--	10,130	11,261
TOTAL RECYCLING VISITORS	59,060	63,138	67,232

**Chart 2
CY 15 Useage
Recycling**

	Bayview	Birdsnest	Wardtown	Hare Valley	Cheapside	Eastville
7:30 - 8 am	419	368	513	245	246	453
8-9 am	929	675	1150	644	572	976
9-10 am	1225	824	1537	891	773	1057
10-11 am	1349	989	1677	1018	879	1199
11-12 noon	1513	940	1544	1052	895	1202
12 N - 1 pm	1291	696	1431	768	807	826
1-2 pm	1318	1044	1932	983	950	1362
2-3 pm	1361	975	1892	1039	946	1213
3-4 pm	1352	987	1819	960	948	1132
4-5 pm	1219	800	1650	877	902	1052
5-6 pm	937	683	1187	584	766	789

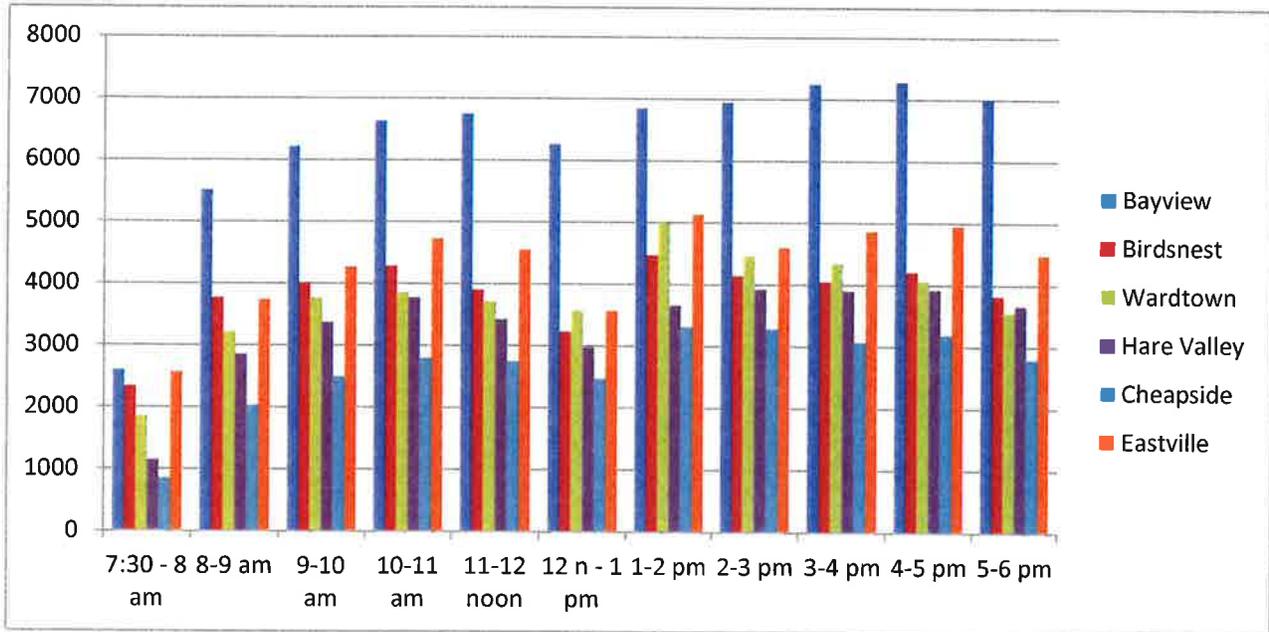
12913	8981	16332	9061	8684	11261	67232
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**Chart 3
CY 15 Usage:
Solid Waste**

	Bayview	Birdsnest	Wardtown	Hare Valley	Cheapside	Eastville
7:30 - 8 am	2590	2327	1847	1145	851	2559
8-9 am	5505	3763	3215	2849	2028	3734
9-10 am	6216	4007	3759	3369	2493	4265
10-11 am	6626	4282	3852	3771	2791	4726
11-12 noon	6745	3901	3704	3422	2747	4551
12 n - 1 pm	6261	3226	3567	2972	2475	3562
1-2 pm	6846	4468	4989	3658	3309	5124
2-3 pm	6951	4135	4462	3922	3286	4594
3-4 pm	7246	4044	4338	3897	3074	4860
4-5 pm	7282	4205	4061	3918	3192	4951
5-6 pm	7013	3819	3557	3663	2800	4478

69281	42177	41351	36586	29046	47404	265845
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FINANCIAL

INCOME

Total revenue generated from landfill tipping fees in 2015 was \$532,623.10, an increase of \$4,718.15 over 2014.

Monthly revenue from tipping fees varied from a low of \$28,707.50 in February to a high of \$63,493.96 in September. The average monthly income was \$44,385.26. The tipping fee is \$69.00 per ton as established by the Board to become effective July 1, 2015.

A new revenue source in 2011 was a recycling rebate. This rebate was put forth by Tidewater Fibre Corporation in its bid proposal to provide recycling services effective with the 2011 year. However, due to lower industry costs, Northampton County received no recycling rebate funds during Calendar Years 2013, 2014 and 2015.

EXPENSES

There are two major cost centers in the solid waste management system; solid waste disposal and solid waste collection. This report addresses only the solid waste disposal aspect of the operation. Since April 2009, Northampton County ceased actual "disposal" of its solid waste and commenced operation of a transfer station which transported the waste to the King and Queen Landfill. Rebid of the transportation and disposal contract in 2014 resulted in waste now being disposed of in the Bethel Landfill in Hampton, Virginia. Costs associated with the operation of the transfer station are included in the "disposal" cost center. Currently, Northampton County contracts with Davis Disposal to provide all collection services necessary to bring the waste from the waste collection centers and the few remaining greenboxes (utilized at county properties); that cost is what constitutes the "collection" segment of the solid waste system.

Disposal costs also include equipment operation and maintenance, labor, capital outlay and other routine operating expenses. The total operating cost (disposal only) for calendar year 2015 was \$496,332.69; an average of \$41,361.06 per month. The equivalent per ton cost for solid waste disposal was \$31.65; *\$37.35 per ton less than the \$69.00 per ton tipping fee.* It must be remembered, however, that these costs are for the disposal portion only of the solid waste system. Collection costs for 2015 amounted to an additional \$785,641.02. When the disposal and collection parts are combined, the equivalent cost per ton is \$81.73 or *\$12.73 more than the \$69.00 per ton tipping fee.*

RECYCLING EFFORTS

BATTERIES

Beginning in 1989, the County began recycling efforts with removal of batteries from the

waste stream. Batteries are collected at the landfill entrance for disposal to a recycler. No fee is assessed for batteries left at the landfill.

TIRES

Tires are also separated at the landfill but are subject to a fee. Fees are based on tire size.

GLASS

With the establishment of the waste collection centers and their associated recycling component, the former glass recycling sites, first opened in 1989, have been dismantled. Glass is now collected along with other recyclable materials through the County's single-stream recycling program by Tidewater Fibre Corporation.

USED OIL

In December 1989, oil recycling efforts began with the installation of tanks for this purpose at the sanitary landfill. The recycling center accepts petroleum products such as used motor oil and hydraulic and brake fluids.

Items that can not be accepted include gasoline, transformer oil, paint and paint thinners, and solvents.

No fee is charged for deposit of acceptable petroleum products.

During 2015, approximately 5,631 gallons of used oil (approximately 20.84 tons) was removed by a private recycler. This includes quantities deposited at the County's sanitary landfill and its six waste collection centers.

WHITE GOODS

The term "white goods" refers to home appliances such as refrigerators, stoves, air conditioners and water heaters. In practice, the term also includes scrap metal. While initially handled through a multi-year contract with a third-party scrap metal vendor and the County of Accomack, scrap metal is now removed as necessary with each County seeking market quotations at the time of disposal. No white goods were removed from the landfill in 2014 or 2015.

PESTICIDE CONTAINERS

During 2015, approximately 6,778 pesticide containers were recycled as a result of a program jointly operated with the Virginia Cooperative Extension Service. This amounted to a total of 5,084 pounds (2.542 tons) of recycled plastic. Included in this figure is the total of pesticide containers also recycled by Lipman & Lipman, a large tomato grower in Northampton County. The breakdown is shown below:

Site	Pounds	Rejected	~ 2.5 Cont.
Northampton County	1,051		1,401
Lipman & Lipman	4,033		5,377
TOTAL	5,084		6,778

PLASTIC BAGS

Plastic bags are collected at each of the County's six waste collection sites and periodically transported to Accomack County towards a bi-county effort for reclamation into artificial lumber products. During 2015, six trips to Accomack County with in excess of 150 containers of plastic bags totaling 620 pounds were made.

TEXTILE RECYCLING

A new initiative was started by the County in late June 2014 involving textile recycling through the Special Olympics organization. Donations in the amount of approximately 350 pounds every other week are being received, resulting in 9,100 pounds on an annual basis (4.5 tons).

COMMUNITY DEVELOPMENT

Since the opening of the Northampton County Sanitary Landfill, the governing body has demonstrated a very generous nature in allowing free solid waste disposal for community development projects. While the Northampton Alliance Against Trash (N.A.A.T.) ceased its regular monthly clean-ups in the Spring of 2009, it remains available on an as-needed basis and during 2013, collected 1,160 pounds (and 18 tires) in a clean-up event in the Nassawadox area. No events were held in 2014 or 2015.

While obviously a loss in revenue, these beautification efforts are seen to far outweigh any monetary loss, providing both a cleaner, healthier county and a spirit of teamwork and community pride.

With the elimination of the County's Code Compliance officer position effective July 1, 2015, the use of Northampton County probationers assigned by the County's Court Systems, to provide litter pick-up, ceased. For the period January – June 2015, however, seven (7) probationers removed 181 bags of trash along 38 miles of roadways.

Respectfully submitted,

Janice K. Williams

February 5, 2016



DEVELOPMENT DEPARTMENT NORTHAMPTON COUNTY, VIRGINIA

Development Department
Kris Tucker, Director
- *Planning*
- *Zoning*
- *Building*
- *Code Compliance*
- *Economic Development*

16404 Courthouse Road
P.O. Box 538
Eastville, VA23347
Phone: 757-678-0443
Fax: 757-678-0483
www.co.northampton.va.us

MEMORANDUM

TO: Northampton County Board of Supervisors
FROM: Northampton County Planning Commission
SUBJECT: 2015 Annual Report DRAFT
DATE: February 3, 2016

This report is provided in accordance with VA Code §15.2-2221 to summarize the Planning Commission's activities during the past year and to advise the Board of Supervisors of matters which the Commission believes are future work priorities. The Commission requests that a joint work session be scheduled in order to discuss the upcoming work program.

2015 Activities

The Commission held eleven (10) regular monthly meetings, three (3) joint meetings with the Board and sixteen (15) recessed meetings for a total of 28 meetings in 2015. During much of the first half of the year the Commission continued working on the draft Comprehensive Plan. Other work included recommendations on Agritourism and the Chesapeake Bay Act relative to the seaside. In the fall of 2015 the Commission reviewed the public hearing draft of the zoning and provided recommendations on that document in December.

The Commission held a total of twenty-four (26) public hearings during 2015. The following is a summary of the types of hearings conducted:

Agricultural & Forestal Districts (AFDs) – 6 hearings (all renewals)
Subdivision ordinance amendments – 0 hearing
Joint public hearing with a town council – 1 hearings (Nassawadox and BOS on Floodplain Ord.)
Comprehensive Plan amendments – 0 hearings
Zoning Map Amendments (county only) – 1 hearings
Zoning Text Amendments (county only) – 4 hearings
Special Use Permits – 14 hearings

Dave Fauber was appointed on September 28, 2015 to fill the vacant at-large position. All seats are now filled and all Commissioners have completed training through the Certified Planning Commissioner Program.

Future Issues and Topics for Discussion

A table follows which includes Goals for 2016 which the Commission has deemed important for consideration. With respect to the Capital Improvements Plan (CIP), the Commission notes that the local CIP is considered one of the means of implementing the local comprehensive plan. With that in mind, the Commission would suggest that the current plan review and update be completed prior to initiating work on a CIP.

2015 Goals	Progress to Date	2016 Goals
Continue required 5-year review of Comprehensive Plan including making careful and comprehensive surveys and studies of existing conditions and trends of growth as per Virginia Code §15.2-2223.	Draft is near completion for distribution to Stakeholders for review.	Revised schedule attached.*
		Review and make recommendations on BOS application to repeal 2015 zoning
Review zoning ordinance following adoption of comprehensive plan revisions.	Zoning Ordinance adopted December 8, 2015. Some items recommended to the BOS require additional public hearing.	Review additional items that were part of the 12/1/15 PC recommendation and send out to public hearing.
Develop an Overlay District Ordinance for Route 184.	Request from Cape Charles to pursue this has been put on hold until a later date. No action.	Review draft of Overlay District from Cape Charles. Prepare recommendation of Historic Highway Overlay district for Route 184 to the Board.
Review of Subdivision Ordinance (BOS/PC/staff roundtable approach) to ensure compliance with adopted zoning ordinance revisions.	No action.	Review Subdivision ordinance to ensure compliance with adopted zoning revisions.
Development of a Capital Improvements Plan as per VA Code §15.2-2223. Develop CIP following adoption of comprehensive plan revisions.	No action.	Develop CIP following adoption of Comprehensive Plan revisions.
Provide recommendation to the BOS on the Bay Act and the seaside per resolution dated 10/27/14.	Memo to Board submitted January 5, 2016.	Completed.

Revised Timeline for Comprehensive Plan Review

Part 2 – Data & Analysis Completed To Date:

Part II Section 2 History & Geography
Part II Section 3 Population & Demographic Analysis
Part II Section 4 Economic Analysis
Part II Section 5 Housing Analysis
Part II Section 6 Environment & Natural Resources
Part II Section 7 Community Facilities & Services
Part II Section 8 Transportation

- Part II Sections were mailed to the Plan Review Stakeholder Group (PRSG) and the Comprehensive Plan Advisory Committee (CPAC) in July 2013 to begin review while the Commission continues work on Part I.

Part I – Goals and Implementation Current status of Part I Sections:

Part I Section 2 The Land Use Plan
Part I Section 3 Economic Plan
Part I Section 4 Housing Plan
Part I Section 5 Environment & Natural Resources
Part I Section 6 Community Facilities & Services
Part I Section 7 Transportation
FUTURE LAND USE MAP (FLUM)
Section 1 Plan Methodology & Citizen Participation will be done at end of process

- Formatting and data updates are being made to the document in advance of distribution to the PRSG
- PRSG membership is being updated; there have been job changes for some members
- On January 12, 2016 the Board dissolved the CPAC.
- On January 20, 2016 the Planning Commission added members of the CPAC to the PRSG

**March 2016: Send out draft to PRSG for their review and comment.

**Mid/late April: Reconvene PRSG to receive comments on draft

**May/June Planning Commission receives and reviews comments from PRSG, makes additional edits and prepares public hearing draft.

**June/July 2016 – Hold 3 Public Info Meetings (North, Middle, and South)

**July/August 2016 – Reserve time for Planning Commission to make additional changes based on public info meetings.

**July/August 2016 - Public Hearing

Vision

- Draft Finalized on 10-2-12 (Revised as part of draft Introduction by PC)

CPAC work on Economic section

- Completion of Report and recommendation on Economic Section (February 12, 2013)

**dates subject to be extended by 43 days given time to review zoning.

Janice Williams

From: Barbara James <bjames@escsb.org>
Sent: Wednesday, February 17, 2016 11:01 AM
To: 'Janice Williams'
Subject: RE: attendance records for boards, commissions, committees

Community service board

ESCSB Board Member Attendance 2015

Jan. Sept.	Feb. Oct.	Mar. Nov.	Apr. Dec.	May	June	July	Aug.
R.Hubbard Hubbard	R.Hubbard R.Hubbard	R. Hubbard R.Hubbard	R.Hubbard R.Hubbard	R. Hubbard R.Hubbard	R.Hubbard R. Hubbard	R.	
J.Ogram Ogram	J.Ogram J.Ogram	J.Ogram J.Ogram	J. Ogram J.Ogram	J. Ogram J.Ogram		J.Ogram	J.
S.Taylor Taylor ylor	S.Taylor S.Taylor	S. Taylor	S. S.Taylor	S.Taylor	S.Taylor		S.Taylor S.Ta

Thanks.

Barbara

From: Janice Williams [<mailto:jwilliams@co.northampton.va.us>]
Sent: Monday, February 1, 2016 2:56 PM
To: emeil@a-npdc.org; 'Peter Stith'; 'Leah Hoopes'; Jeff Flournoy; Kris Tucker; Barbara Coady; Barbara James; 'Janice Williams'; 'Edwin R. Long'; 'Laura Jenrette'; Sabrina Satchell; Robbins, Judy (VDSS); 'Melissa Kellam'
Subject: attendance records for boards, commissions, committees

Please provide to my office the attendance records of your board, commission or committee for 2015.

If you have any questions, please advise.

NORTHAMPTON COUNTY
ATTENDANCE RECORD
CALENDAR YEAR 2015
ORGANIZATION: Eastern Shore Community College Board

(NOTE: ESCC Board meets on a quarterly basis – Jan; Apr; July & Oct)

MEMBER	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Barbara Coady	X	**	**	X	**	**	X	**		**	**	**	
Richard Drury	X	**	**	X	**	**	X	**	X	**	**	**	
Jeff Holland	X	**	**	X	**	**	X	**	X	**	**	**	
Lloyd Kellam		**	**	X	**	**	X	**	X	**	**	**	
Bill Payne	X	**	**	X	**	**	X	**	X	**	**	**	

Please note any special meetings:

Blank – members did not attend meeting

** Month ESCC Board meeting was not held – The October meeting was moved to September due to a conflict of scheduling in October.

Janice Williams

From: Peter Stith <pstith@co.northampton.va.us>
Sent: Friday, February 26, 2016 10:35 AM
To: hale202@outlook.com
Cc: 'Janice Williams'
Subject: RE: 0047A-01-00-0000023 Zoning Code changes

Mr. & Mrs. Halek,

I have been asked to respond to your questions regarding the proposed zoning. I hope the following will address your questions.

Q1: Over the past 2.5 years staff has been working on creating a zoning ordinance that was based on a Board directive to create a more user friendly and business friendly zoning ordinance. This ordinance was adopted on December 8, 2015. In November we had an election and two new Board members took office in January. They voted to repeal what was adopted in December and go back to the old zoning. This is action by the Board only and not the Planning Commission. However, the Planning Commission must hold a public hearing on the matter and provide a recommendation to the Board before the Board can act.

Q2: The Board read the resolution at their first meeting so I do not know who else was involved with the proposed changes.

Q3: Just because your zoning changes it does not mean your taxes will change. If you have more tax questions I would recommend talking to the Commissioner of Revenue's office and speak with Todd Simpson. 757-678- 0446 ext 503.

I hope this answers your questions and if you have others or would like to submit comments for the public record please let me know.

Thanks,

Peter Stith, AICP
Long Range Planner/GIS Coordinator
PDR Program Administrator
Northampton County
16404 Courthouse Rd.
Eastville, VA 23347
p. 757-678-0440 x545
f. 757-678-0483
pstith@co.northampton.va.us

From: James Halek [<mailto:hale202@outlook.com>]
Sent: Tuesday, February 16, 2016 10:13 PM
To: info@co.northampton.va.us
Subject: 0047A-01-00-0000023 Zoning Code changes

Janice Williams

From: James Halek <hale202@outlook.com>
Sent: Tuesday, February 16, 2016 10:13 PM
To: info@co.northampton.va.us
Subject: 0047A-01-00-0000023 Zoning Code changes

Please respond to Jim Halek @ hale202@outlook.com

Q1. Why is the Northampton Board of Supervisors (Board) and the Northampton Planning Commission proposing the changes.

Q2. Who, other than the above Boards proposing these changes.

Q3. Will these changes have a bearing on the current real estate tax rates, and or cause real estate taxes to increase.

I at present do not think I will be able to attend the public hearing on 3/9/2016, but would like someone, like Katherine Nunez to respond to my questions.

Respectfully,

James & Melinda Halek
14385 Harbour Lane
Eastville, Va 23347

Phone 215 368-3658

Northampton County Administrator
Northampton County
PO Box 66
Eastville, VA 23347

February 24, 2016

Dear Sir/Madam,

I am the owner of lot 00014-05-00-00000A1 consisting of 5.0 acres on Nassawadox Creek on Franktown Neck. This lot was derived from the neighboring parcel to the east as a retirement home-site for me and my wife in 2003. I put in a sand driveway, a small pond, and obtained a well and septic permit. The lot was created to meet the existing zoning size limit of 5.0 acres in the R1 residential zone which is shown on the current zoning map as a patch consisting of my lot and the neighboring lot to the west.

Thus far I have not retired, so have not acted to build because I have an existing residence in Locustville since 1989.

I fear the proposed change from R1 to AG/RB at a 10.0-acre lot size minimum might have a further adverse impact on the lot value and could result in the County demanding a variance or outright deny a building permit for a single family home. The language in the proposed zoning is pretty explicit in seeking to raise the minimum lot size to 10 acres. There is little possibility of acquiring another 5 acres from any neighbor.

I ask you issue a response confirming that the property as it stands would remain a "lawfully non-conforming lot" should the proposed zoning be adopted. That it would receive normal approvals for a proposed home and associated barn so long as the lot meets health department well and septic conditions, the Chesapeake Bay shoreline set-back distances and all lot dimensions as to side, front and rear yard set-backs.

I am not able to attend the March 9th meeting on this subject due to business demands, but I earnestly urge you to consider leaving the existing zoning in place leaving the two lots described in a R1 zone at the 5.0-acre minimum size because one lot is built and mine cannot be subdivided, only merged with one of the two neighboring lots if the AG/RB proposed lot sizes are precisely interpreted. No one is farming 5.0 acres on the Creek when the forest has reclaimed the old farm once much much larger.

Sincerely,



Stewart Farrell
342 English Creek Road
Port Republic, NJ 08241

Janice Williams

From: asebacher@aol.com
Sent: Friday, February 26, 2016 6:47 AM
To: info@co.northampton.va.us
Subject: question

Good Morning,

I have a question in regard to the new zoning proposal information sent out by mail. My RE: is 038A-01-00-0000312. The current zoning for our vacant lot is R-1-RESIDENTIAL-1, the new proposed zoning is ES/R-RVR EXISTING SUBDIVISION/RESIDENTIAL-RURAL VILLAGE-RESIDENTIAL. It is not real clear what the proposed density is for that class of zoning. To get straight to my detailed question is that this vacant lot is less than one acre in size, so can a house still be built on this piece of land?

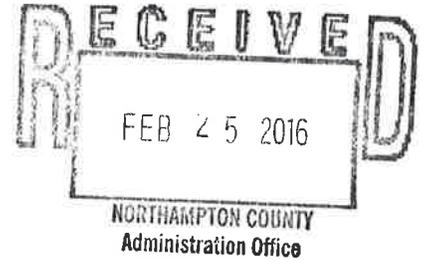
Thank you.

Andrew Sebacher



*Municipal Corp. of
Cape Charles*

February 19, 2016



Ms. Laura Godbolt
Economic Development Manager/FTZ Administrator
Virginia Port Authority
600 World Trade Center
Norfolk, Virginia 23510

Subject: Aid to Local Ports (ALP) Grant Request

Dear Ms. Godbolt:

Per your letter of January 11, 2016, we are requesting the carryover of a portion of the previously authorized grant and an additional grant to continue work on the Cape Charles Harbor Redevelopment Master Plan (attached).

Last year, the Port Authority Board approved the carryover of \$830,250 for the third Offshore Breakwater and other improvement projects. As you know, we have awarded the contract to build this new breakwater and to raise the existing two breakwaters to the original planned design height of 7 feet above Mean Lower Low Water. This work is well underway and should be completed soon. We anticipate that approximately \$194,000 of the grant will remain available at the conclusion of this project.

At a recent work session, the Cape Charles Town Council requested that the Town proceed with Phase 4 of the breakwater project as well as increasing the height of the existing jetty by two feet to further protect the Town Harbor and beach. The previous cost estimate for Phase 4 construction was \$875,000. The estimated cost of design and engineering for jetty rehabilitation is \$50,000 for a total of \$925,000.

We therefore respectfully request carryover of \$194,000 and a new grant in the amount of \$500,000.

The Town of Cape Charles is very appreciative of the financial support already provided by the Port Authority. Continued improvement of our harbor is an important element for economic development of the Town and Northampton County.

Thank you for consideration of our request.

Sincerely,

George Proto
Mayor

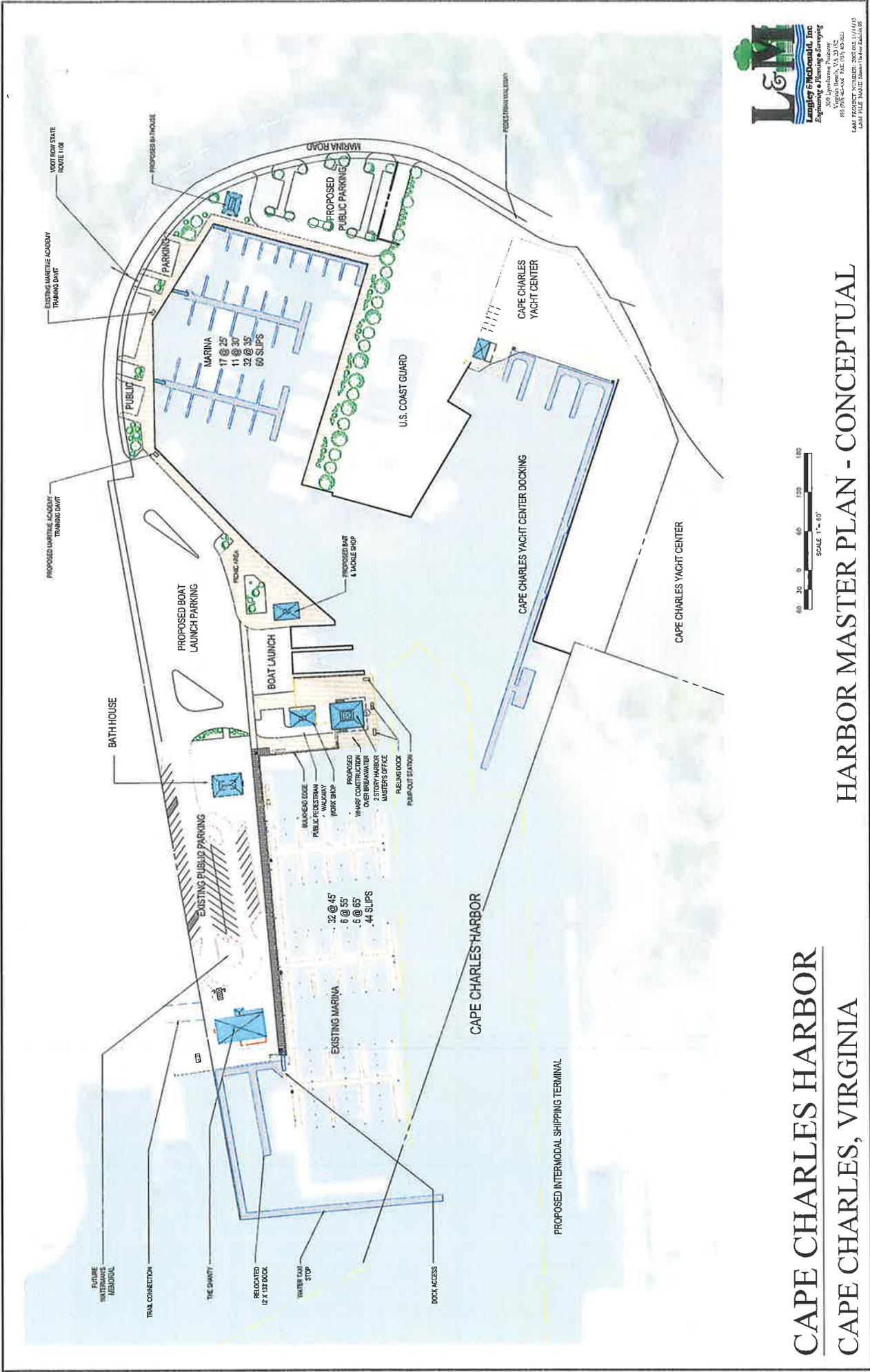
Enclosure: Cape Charles Harbor Redevelopment Master Plan

cc: The Honorable Terry McAullife
The Honorable Lynwood Lewis
The Honorable Rob Bloxom
Chairman, Northampton County Board of Supervisors
Cape Charles Town Council
Town Manager
Harbor Master

Municipal Building · 2 Plum Street · Cape Charles, Virginia 23310

(757) 331-3259

Fax (757) 331-4820



CAPE CHARLES HARBOR
CAPE CHARLES, VIRGINIA

HARBOR MASTER PLAN - CONCEPTUAL

L & M
Langley & McDonald, Inc.
Engineering & Planning & Surveying
 200 Lynnhaven Parkway
 Norfolk, VA 23502
 PHONE: (757) 435-1100
 FAX: (757) 435-1101
 E-MAIL: L&M@L&M.COM
 L&M FILE NO. 12-11-001-001

Wave Transformation to Project Site

Existing Breakwater



Design Breakwater

