

AGENDA

**Regular Meeting of the Board of Supervisors
of Northampton County, Virginia
Board Chambers, 16404 Courthouse Road
Eastville, Va.**

**October 14, 2014
4:00 p.m.**

Call to order

From 4:00 – 5:00 p.m.

Conduct 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.

*Appointments to boards, committees
County Administrator's Annual Evaluation*

(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.

Update on EMS site location

(C) Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been

made of the business' or industry's interest in locating or expanding its facilities in the community.

(D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Board of Supervisors regarding specific legal matters requiring the provision of legal advice by such counsel.

Verizon Wireless Lease Agreement

From 5:00 p.m.

Board and Agency Presentations

- (1) Mr. Robbie Lewis, Area Forester: Annual Update – Virginia Department of Forestry
- (2) Ms. Lisa Sedjat, newly-hired Executive Director, Eastern Shore Community Services Board: introduction to Board of Supervisors
- (3) Ms. Kerry Allison, Executive Director, Eastern Shore Tourism Commission: Update on recent activities.
- (4) Mr. Chris Isdell, Accomac Residency Administrator, Virginia Department of Transportation: Update and presentation of a Rt. 13 Crossover Closure Proposal
- (5) Ms. Sue Simon, Economic Development Coordinator, A-N Planning District Commission: Updated Bike Plan
- (6) Mr. John Outten, Building Official: Presentation on Rental Inspection Ordinance

Consent Agenda:

- (7) Minutes of the meetings of September 9, 22 and 29, 2014.

County Official's Reports:

- (8) Ms. Leslie Lewis, Director of Finance:
 - (A) Budget Amendments & Appropriations
 - (B) Other

Recess at 6:00 p.m. for supper break.

Reconvene meeting at 7:00 p.m.

From 7:00 p.m. forward:

Invocation

Pledge of Allegiance

Public Hearings:

- (9) Consider a Boundary Line Adjustment with the Town of Cheriton. The new corporate limits of the Town of Cheriton are proposed to incorporate the entirety of the following properties, the acreage shown being the portion of the parcels presently outside the said corporate limits of the Town of Cheriton:

Tax Map 84-25-A currently owned by Webster Investors and consisting of 17 acres, more or less.

Tax Map 84-25-B currently owned by Webster Canning Holdings Va LLC and consisting of 13.86 acres, more or less.

Tax Map 84C3-A-18 currently owned by Sheldon Lee & Kathleen Williams and consisting of 12.44 acres, more or less.

Tax Map 84C3-A-19 currently owned by Sheldon Lee & Kathleen Williams and consisting of 3.2 acres, more or less.

Tax Map 84C3-3-A2 currently owned by DC Building, Inc. and consisting of 0.03 acres, more or less.

Tax Map 84C3-3-A3 currently owned by DC Building, Inc. and consisting of 0.25 acres, more or less.

Total acreage affected by this boundary line adjustment is 46.78 acres, more or less

(10) Consider the possible transfer of some or all of the property known as Lots 6, 7, 8, 9, and 10 of the Selma Farm Subdivision, identified as being Tax Map 58, double circle 2, Parcels 6, 7, 8, 9 and 10, to the Northampton County Public Schools.

(11) **Zoning Map Petition 2014-02:** Kiptopeke Villas, LLC has applied to rezone property containing 1.52 acres of land from Hamlet, (H) to Commercial, (C-1) for the purpose of building and operating 12 efficiency type motel units to be used as a principal multi-family attached dwelling unit – apartments for workforce housing in the off season. The property is described as Tax Map 112, double circle A, parcel 69, located in Kiptopeke.

(12) **Special Use Permit 2014-09:** Kiptopeke Villas, LLC has applied to construct and operate a principal multi-family attached dwelling Unit – apartments. The property containing 1.52 acres of land, is described as Tax Map 112, double circle A, parcel 69, is zoned H, Hamlet, and located in Kiptopeke.

(13) **Special Use Permit 2014-08:** Kiptopeke Villas, LLC has applied to construct a mass drainfield to serve the proposed principal multi-family attached dwelling unit - apartments to be located on parcel 69 of tax map 112, double circle 6. The drainfield will use two parcels containing 1.5 acres of land and is identified as Tax Map 112, double circle 6, parcel 4 and Tax Map 112, double circle 6, parcel 3 and are zoned H, Hamlet, and located in Kiptopeke.

(14) **Zoning Text Amendment 2014-01:** The Northampton County Board of Supervisors has filed to amend the Northampton County Code, Chapter 154: Zoning Code, §154.003 Definitions as follows, **1. Add Group home.** A respite care service facility, retirement home or supervised living residential facility that houses more than eight individuals or otherwise is not a “residential facility” as defined herein. **Residential facility.** (1) A group home or other residential facility for which the Virginia Department of Behavioral Health and Developmental Services is the licensing authority in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident or nonresident staff persons. “Mental illness” shall not include current illegal use of or addiction to a controlled substance as defined in Va. Code § 54.1-3401. or (2) any assisted living facility or residential facility for which the Department of Social Services is the licensing authority and in which no more than eight aged, infirm or disabled persons reside, with one or more resident counselors or other staff. **2. Add the following use to Appendix A,**

Category 8, SF Single-Family Residential Uses as follows: a. Residential Facilities—allow by right in the Conservation, Agricultural, Hamlet, Waterfront Hamlet, Village – 1, Village – 2, Waterfront Village – 1, Waterfront Village – 2, Existing Cottage Community, Town Edge – 1, Town Edge – 2, Town Edge – Neighborhood Business districts; allow by minor special use permit in Village – Neighborhood Business and Waterfront Village – Neighborhood Business districts; and do not allow in Waterfront Village – Commercial, Town Edge – Commercial General, Existing Business, Commercial – 1 and Existing Industrial districts. b. Chart line number for Residential Facilities as “11”.

(15) **Zoning Text Amendment 2014-02:** The Northampton County Board of Supervisors has filed to amend the Northampton County Code, Chapter 154: Zoning Code, §154.045 Site Plans as follows: Add the following new language: (E) Minimum standards and required improvements. (22) Best Management Practices (BMPs) shall be designed such that the lowest outfall invert elevations shall be at or near the seasonal high water table so as to minimize the non-beneficial withdrawal of ground water while still meeting all other applicable design specifications, e.g., water balance, and not adversely impacting upstream conveyance systems.

(16) Consider AN ORDINANCE RENEWING “ AN ORDINANCE ENTITLED GLEBE AGRICULTURAL AND FORESTAL DISTRICT AFD 94-02 AND IMPOSING CERTAIN CONDITIONS THEREON”

Citizens’ Information Period (only matters pertaining to County business or items on Board agenda for which a public hearing has not already been scheduled).

Mrs. Katie Nunez, County Administrator (*informational items only*):

Work session/other meeting agendas:

- (i) 10/27/14: Work Session: Proposed Zoning Ordinance Amendments
- (ii) 11/24/14: Work Session: Proposed Zoning Ordinance Amendments
- (iii) 12/22/14: Work Session: Cancelled ?

(17) Bi-monthly Report

(18) Report on Legislative Summary – Optional Items Not Discussed During the Last Two Months

Tabled Item:

(19) AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “AN ORDINANCE ESTABLISHING THE NORTHAMPTON COUNTY SUBDIVISION ORDINANCE”, codified as Section 156 of the Northampton County Code.

The purpose of this amendment is to comply with corrective action imposed by the Virginia Department of Conservation and Recreation relative to the inclusion of language in the Subdivision Ordinance that plats shall have a notation of the five-

year pump-out for onsite septic systems as outlined under the Chesapeake Bay Preservation Area Designation and Management Regulations.

Action Items:

(20) Consider a request from Dr. David Smith for withdrawal of property within the Dalbys AFD

(21) Consider approval of FY 2015 Local Government Agreement with the Eastern Shore Health District.

Matters Presented by the Board Including Committee Reports & Appointments

Recess to 5:00 p.m., Monday, October 27, 2014 to conduct the regular work session.