

Northumberland County Planning Commission
March 19, 2009
Minutes

The regular monthly meeting of the Northumberland County Planning Commission was held on February 19, 2009 at 7:00 p.m. in the Courthouse at Heathsville, VA with the following attendance:

Thomas Basker	Present	Bill Kling	Present
Chris Cralle	Present	George Kranda	Present
Kevin Elmore	Present	Garfield Parker	Present
Alfred Fisher-Chairman	Present	Jim Stone	Absent
Ed King	Present	Charles Williams	Present

Others in attendance:

Richard Haynie (Board of Supervisors Liaison)
Luttrell Tadlock (Assistant County Administrator)
W.H. Shirley (Zoning Administrator)

RE: CALL TO ORDER

Al Fisher, Chairman, called the meeting to order.

Ed King gave the invocation.

RE: BOARD OF SUPERVISORS REPORT

Luttrell Tadlock gave the Board of Supervisors Report.

RE: ZONING ORDINANCE DISCUSSION

Luttrell Tadlock explained that surveys were sent to the Commission in order to ascertain information from the Commission as to what they may like to see in the draft Zoning Ordinance. He continued by saying that the Master Schedule would change as there would not be a public hearing on draft language as scheduled in April. The earliest a public hearing could be held would be in May.

Bill Kling noted that he has informed Mr. Tadlock's office that he would not be filling out the survey. He feels that he does not have enough information to justify a decision on the different aspects of the questionnaire. He commented that he was concerned about answering the survey and the public's view of the Commission's answers. We need to move forward with reviewing the zoning ordinance; the intervening situation only hurt the consensus to update the zoning ordinance that was there before.

Chris Cralle commented he felt that in filling out the survey it would have been better to have had a definition for some of the usages.

Luttrell Tadlock commented that the zoning ordinance has a very limited list of definitions, and that is one of the many parts that are being proposed to be updated.

Charles Williams stated he felt that the survey should give staff a good consensus upon which to focus their attention on when drafting language for the zoning ordinance.

George Kranda felt the survey was a useful exercise for the Commission.

Ed King suggested the Commission set a time other than regular Commission meeting time to analyze the draft zoning language at a work session.

Bill Kling commented that the public would still be allowed at the work session; however, no comments would be taken. The Commission's task is to show consensus and not dominance. We need to let the public know why we want to update the zoning ordinance.

The Commission decided to set a working session on the draft zoning language on April 16, 2009 at 4:00 p.m. in the New Courts Building. If there is any other business, the Commission can continue with their regularly scheduled monthly meeting.

Al Fisher noted he would take public comments.

Larry Moore read from a prepared statement (which can be found in this meeting's file) and felt that more and more freedoms are being taken away by government regulation. The County's Comprehensive Plan is 289 pages, which is larger than any other adjoining county's Comprehensive Plan. The Comprehensive Plan does not properly address present reality or reasonable future expectations. Some of the ideas it promotes are not feasible for Northumberland. He continued by saying that there is no past or present data that would lead one to conclude that massive commercial construction is occurring, as pushed by those wanting massive new zoning restrictions. He agrees that staff needs guidance; however, this guidance should be initiated by the Board of Supervisors or the Planning Commission. The questionnaire should be discussed by the Commission as a whole and given to staff. Mr. Moore continued by saying that at various times when the Commission and Board of Supervisors considered massive zoning restrictions, the public has objected to the taking of their property.

Greg Haugan commented he felt that Mr. Moore's comments were a mischaracterization of the County's Comprehensive Plan and are unfounded. The Commission went item by item and held a total of 11 public hearings. This is very different from that of Lancaster County who had a consultant hold one public hearing and charged \$75,000 to \$85,000. He commented that he volunteered his time to work on the Comprehensive Plan but it is the Commission's Plan. The Appendix was the only section that did not have an individual public hearing as it contained demographic and other statistical data about Northumberland. The Appendix itself is approximately 60 pages long. The Comprehensive Plan discusses broad policies about the village concept and open space as well as other items; it is not as specific as it should be in the Zoning Ordinance. The

Comprehensive Plan needs updating now as we are approaching the five years in which it needs to be revised again, specifically some of the statistical data. He resents the fact that Mr. Moore is degrading the Commission's Comprehensive Plan. He commended the Commission for the manner in which it was presented to the public and the way the Commission incorporated public comments.

Ralph Millar commented the Commission needs to have a draft of the zoning ordinance. In order to be a responsible Planning Commission, you (the Commission) must know what is in that draft before it is brought to the public. The Commission needs to take a look at all of the districts as a whole to get a better understanding of what is being proposed.

Mike Harwood commented he also worked with the Commission approximately 10 years ago on the Comprehensive Plan and would like to commend the Commission on their decision to hold a working session meeting on April 16.

Lee Allain stated the Comprehensive Plan was written by the public and not by Greg Haugan. He feels that the questionnaire was a good idea. He also congratulated the Commission for setting a working session date.

RE: BOATHOUSES

Luttrell Tadlock explained to the Commission that the Board of Supervisors has asked the Commission to review whether boathouses should be allowed or if allowed what criteria they should meet.

Charles Williams stated the pressure to not have boathouses is occurring more and more and sees the days of allowing boathouses as being numbered. He sees that going before the Board of Supervisors as a necessary nuisance.

George Kranda asked how the Chesapeake Bay Act played into this.

W.H. Shirley noted that the Bay Act only goes to Mean High Water.

The Commission discussed that it would be difficult to generate a set of criteria to consider every situation. As it is now, each boathouse is considered one by one and considerations can be taken on each specific lot. The Commission also discussed what constituted "line of site", but did not propose a definition.

Kevin Elmore noted the most weight should be considered in an objection from those immediate neighbors and not those further up or down the creek.

With a motion from Ed King, seconded by Kevin Elmore, with all approving except one objection, the Planning Commission is recommending to the Board of Supervisors that boathouses continue to be allowed as currently proposed. Opinions of the immediate

neighbors would be weighed more than those away from the proposed boathouse. The vote on the matter was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	AYE	Garfield Parker	NAYE
Alfred Fisher-Chairman	AYE	Jim Stone	Absent
Ed King	AYE	Charles Williams	AYE

RE: PUBLIC COMMENT PERIOD

Lee Allain suggested one does not have to notify an individual across a waterway if the distance is greater than 500 feet. Maybe the Commission or the Board could use the 500 foot idea to determine how far away to consider one to be a neighbor.

Charles Williams asked that a large map of the County be obtained so the Commission or the Public can make reference to it when needed. He also asked for a large flip pad for the working session to be able to write down items as the Commission discusses them.

RE: ADJOURNMENT

With a motion from Charles Williams, seconded by Ed King, and approved by all, the meeting was adjourned. The vote was as follows:

Thomas Basker	AYE	Bill Kling	AYE
Chris Cralle	AYE	George Kranda	AYE
Kevin Elmore	AYE	Garfield Parker	AYE
Alfred Fisher-Chairman	AYE	Jim Stone	Absent
Ed King	AYE	Charles Williams	AYE