

Northumberland County Planning Commission
June 20, 2019
Minutes

The regular monthly meeting of the Northumberland County Planning Commission was held on June 20, 2019 at 7:00 p.m. in the New Courthouse at Heathsville, VA with the following attendance:

Chris Cralle	Present	Garfield Parker	Present
Vivian Diggs	Present	Albert Penley, Jr.	Present
Alfred Fisher	Present	Wellington Shirley, Jr.	Present
Ed King	Present	Heidi Wilkins-Corey	Absent
Patrick O'Brien	Present	Charles Williams	Absent
Richard Haynie	Present		

Others in attendance:
Stuart McKenzie (County Planner)

RE: CALL TO ORDER

The meeting was called to order by Mr. Fisher.

Ed King gave the invocation.

Alfred Fisher led the Commission in the Pledge of Allegiance to the Flag.

RE: AGENDA

Chairman Fisher noted that there are some changes to agenda, County Administration is seeking more information regarding amendments to the Subdivision Ordinance, and would like to cancel the discussion item on this month's agenda. Mr. Fisher made a motion to remove the item from the agenda, which was seconded by Patrick J. O'Brien. All members voted for the motion, and none against. Details on the vote are below:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Aye	Albert Penley, Jr.	Aye
Alfred Fisher	Aye	Wellington Shirley, Jr.	Aye
Ed King	Aye	Heidi Wilkins-Corey	Absent
Patrick O'Brien	Aye	Charles Williams	Absent
Richard Haynie	Aye		

RE: MINUTES- March 21, 2019

With a motion from Patrick O'Brien, seconded by Mr. Parker, and approved by all, the March 21, 2019 minutes were approved. The vote was as follows:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Aye	Albert Penley, Jr.	Aye
Alfred Fisher	Aye	Wellington Shirley, Jr.	Aye
Ed King	Aye	Heidi Wilkins-Corey	Absent
Patrick O'Brien	Aye	Charles Williams	Absent
Richard Haynie	Aye		

RE: COMMISSIONERS' COMMENTS

There were no commissioner's comments

RE: STAFF MEMBERS' COMMENTS

There were no staff member comments.

RE: CITIZENS' COMMENTS

There were no citizen's comments

RE: PUBLIC HEARINGS

There were no public hearings.

RE: WORK SESSION ITEMS

There were no Work Session Items scheduled

RE: DISCUSSION ITEMS

Chairman Fisher turned to staff to start the discussion, Mr. McKenzie stated that at the last meeting we talked about Hampton Hall Landing, but he did not have maps to show the Planning Commission members at that time. Mr. McKenzie produced maps showing the digital tax parcels that comprise Hampton Hall Landing shown over a 2017 aerial photo, as well as an old conceptual drawing of proposed improvements to create a canoe/kayak launch at the site. Mr. McKenzie noted that he helped correct an error on the Northumberland County tax maps regarding the full extent of County-owned land. Mr. McKenzie stated that the total area of Hampton Hall Landing is approximately 2.5 acres after correcting the errors. Chairman Fisher noted that one of the problems with that site is that VDOT requires turn lanes for the highway to access the site, and that they cost \$30,000. Mr. McKenzie stated he thought the figure today might be closer to \$50,000.

That is cost prohibitive to creating a new water access site. Mr. McKenzie noted that there is a VDOT grant program to assist localities in getting roads to access parks and other recreational facilities, which could possibly be used to construct the turn lanes as well as the road to access the canoe/kayak launch. Mr. McKenzie noted that the conceptual plan shows a floating dock for canoe and kayak launching, and was created for a grant application to the Jesse Ball DuPont Memorial fund, which the county was not successful in obtaining.

Mr. McKenzie also noted at the last meeting we talked about Sampson's Wharf, but did not have any maps or photos of the site. Mr. McKenzie distributed a map with the digital tax maps of Sampson's Wharf over a 2017 aerial photo, as well as a 1969 survey of the Public Landing at Sampson's Wharf. Mr. McKenzie noted that Sampson's Wharf is shown on the tax maps, but that there is no tax parcel number associated with the land. Mr. McKenzie noted that he would work with the Commissioner of Revenue to get the Public Landing at Sampson's Wharf a tax parcel ID. Mr. McKenzie noted that the site is not a complete dead end, it has a spur to turn around, so that there is room to turn around a vehicle, but not necessarily a vehicle with a boat trailer. Mr. Fisher noted that for a water access site to be useful, you have to have a parking area, even if it is limited. You have to be able to leave a vehicle there while you are enjoying the river. Chairman Fisher noted that this might be a good site for a canoe/kayak launch. Mr. McKenzie stated you could park two or three cars there, and still have room to turn around. Mr. Cralle stated that the County should sell off some of the other pieces of waterfront land and use that money to improve the other boat ramps in the County. Chairman Fisher stated that yes, that is the key, to generate our own funding for improving water access within the county. Mr. Fisher stated if we could sell the Dameron Marsh property to DCR, then we could use that money to purchase the Glebe Point site. Board of Supervisor member Mr. Haynie mentioned that the Glebe Point site is going to be expensive. Mr. Fisher stated that you never know until you try.

Mr. McKenzie stated at the last meeting that we mentioned the Northern Neck Chesapeake Bay Public Access Authority (NNCBPAA). Staff stated that Northumberland County is a part of the NNCBPAA and they are there to serve us, they won't work on any projects that are not approved by the Board of Supervisors. The NNCBPAA has accepted donated land in other Northern Neck Counties, they have experience in handling these donations, and we should utilize this resource if possible. Mr. McKenzie noted that he handed out the NNCBPAA brochure that outlines the personal tax benefits that can be had when you donate property, after you receive your federal and state tax credits, you can legally sell the state tax credits on the open market for cash. Mr. McKenzie stated that if the Commission would like to have staff from the NNCBPAA come and present on what they do, then we can set that up. Mr. Fisher asked if the speaker could address what is happening regarding public water access in the other three counties, and staff indicated yes, the NNCBPAA covers all four counties of the Northern Neck and should be able to address that inquiry. Chairman Fisher followed up with the question, has the NNCBPAA done any work in Northumberland County? Mr. McKenzie replied that before the NNCBPAA formed, he was involved in getting the fishing pier on the Great Wicomico funded through Virginia Coastal Zone Management Program funds, but that pre-dated the formation of the NNCBPAA. Staff added that Northumberland County has the most boat ramps of all the four counties of the Northern Neck, but that most of them

are on protected inland waters, that necessitate traveling most of the length of a river to get to the Potomac or the Bay. Mr. Parker asked if Rowes Landing was a boat ramp. Mr. McKenzie stated yes, that it is county-owned, and Mr. Fisher added that it was an active boat ramp.

Mr. O'Brien stated he had a list of county-owned parcels that he received from the Commissioner of the Revenue, but that he did not give it to Mr. McKenzie, because most of the parcels are small slivers of land. Mr. McKenzie stated that he had compiled a list of government owned land for the Middle Peninsula Planning District Commission for examination of possible dredge spoils siting, and he stated he has that in a GIS map format. The Virginia General Assembly passed a bill that created a fund for dredging of shallow draft creek channels that is funded from a portion of the monies collected by the Virginia Port Authority, and since the Army Corps of Engineers is not funding dredging anymore, a county that needs a creek dredged is going to have to find an appropriate site in order to dispose of dredge spoils. This project will identify possible sites for future environmental vetting as a dredge spoil site. Mr. McKenzie further explained that with suction dredging equipment, they could send dredge spoils up to two miles inland, so all of the properties he listed are within two miles of water. Mr. O'Brien stated his county owned property list is only waterfront, and none of the sites are big enough to use as a water access site, but they could be sold to make money for an appropriate sized site for public water access site. Mr. McKenzie brought up access to the water by commercial watermen, and noted that he didn't learn until a few years ago, that according to DGIF personnel, commercial watermen cannot legally use DGIF funded boat ramps, because the money used to build the boat ramps come from recreational boat fuel taxes. The DGIF boat ramps are for the use of recreational boaters only, any other use is a violation of the law, stated Mr. McKenzie. That being said, the county-owned boat ramps, Lodge, Rowes and Cranes Creek provide tremendous value for commercial watermen to be able to legally launch and maintain their watercraft in order to crab and fish. Chairman Fisher noted that it used to be that watermen had waterfront land and a pier, but now that waterfront land is so expensive, they can't spend \$20,000 to put a dock on a piece of waterfront land that cost \$250,000. Mr. Fisher noted that Lodge, Rowes and Shell Landing are owned by the county. Mr. McKenzie stated that Shell Landing is owned by the county, but the county leases Shell Landing to VDGIF. Mr. Fisher noted that there have been several watermen in the past that had docks attached to Shell Landing. Mr. Fisher stated that we don't want to keep watermen from using Shell Landing. Mr. Fisher asked how many acres comprised Shell Landing? Mr. McKenzie stated he was not sure and would check. Mr. Fisher stated he knew the county had insurance for the Glebe Point Fishing Pier, as well as Shell and Lodge Landing. Mr. Parker asked how Lodge Landing is going to be maintained and Mr. Haynie said through county funds. Mr. McKenzie explained that Lodge Landing needed dredging and the county applied for a Virginia Saltwater Fisher grant to accomplish that, with some county funds being used as match. Mr. Fisher stated that maintenance needs for boat ramps is very small. Mr. Fisher asked Mr. Parker how often he has seen work done by VDGIF down at Coopers Landing? Mr. Parker stated very little. Mr. Cralle asked if the county negotiates with VDGIF on the lease contract, or do you just accept the conditions. Mr. Haynie stated you take their conditions in order for them to maintain the facility in the long term. Mr. Cralle followed up that if the county wanted to put language in the agreement to allow commercial watermen to use the facility, then VDGIF would likely not enter into the lease

agreement? Mr. Haynie stated yes, it is VDGIF rules and you trade that for the service they provide in keeping the facility in good repair. Mr. O'Brien stated that he would like to take a look at the lease agreement, if that is possible, and staff replied in the affirmative. Mr. Fisher stated he would like to see what the restrictions are in the Shell Landing lease as well. Mr. McKenzie stated the primary use of the VDGIF boat launch facility is to launch and retrieve boats, anything else is prohibited so bank fishing, swimming, sitting on your tailgate looking at seagulls, or a marshmallow roast is not allowed, only launching and retrieving of boats, because the money used to build the boat ramp came from recreational boat fuel taxes, so the use is supposed to benefit that community. Staff stated, when you think of it, canoes and kayaks did not help support the funding of the boat ramp, and they are allowed to launch there, so that is not consistent.

Mr. Penley asked if staff could map all of these identified county owned properties so they could look at the geographic distribution of them. Mr. McKenzie stated that he could do that provided he got the list from Mr. O'Brien. Mr. McKenzie stated that some of the properties are so small they might not show up on a countywide map, but that he would do his best to depict the properties at a countywide map scale.

Mr. McKenzie told the commission that he got a call from John Bateman at the NNPDC about the status of the sign at the Glebe Point Fishing Pier. The Virginia Coastal Zone Management Program (VCRMP) help fund the pier and they had gone out to all the public access sites they funded to make sure the signage gives them proper credit. The county's original sign faded and had been replaced with a plastic sign that has text crediting all of the funding sources, however the sign does not show any of the funding sources logos, and the VCRMP wants the sign to have the logo graphics that were on the original approved funding credit sign. Staff is hopeful that VCRMP will pay for a new color graphic sign at the Glebe Point Fishing Pier, and he will keep you apprised of the status of this initiative.

Mr. McKenzie brought up Northumberland Ordinance, Chapter 38, Beaches and Piers. Chairman Fisher asked to periodically review ordinances throughout the year so Planning Commission Members can become familiar with them. Mr. McKenzie summarized Chapter 38 as the rules that apply to Vir-Mar Beach, The Great Wicomico Fishing Pier and County Owned boat landings. Mr. McKenzie read the ordinances to the Planning Commission. Mr. Penley asked if these rules are posted at each appropriate site, and Mr. McKenzie stated the rules are at the Great Wicomico Fishing Pier, but he was unsure at the other sites. Mr. Haynie stated that Vir-Mar Beach needs some work, and the county is going to do a better job keeping up the site. Mr. Penley asked for clarification of the meaning of loitering, Mr. Fisher stated that if you are taking up space and not in the process of using the water access site, then you are loitering. There was some discussion regarding the rules for county owned boat landings, which were revised when citizens began mooring watercraft long term to a county boat ramp. There was also discussion regarding abandoned watercraft sunk in state waters, and the role of VMRC in getting those sunken, abandoned vessels removed.

Mr. Penley asked what type of advertising has the Northern Neck Chesapeake Bay Public Access Authority has undertaken, because he has never heard of it. Mr. McKenzie stated that when he was employed by the NNPDC he cultivated a relationship with the Northern

Neck Land Conservancy to inform landowners that were interested in conservation easements about possibly donating waterfront land to the NNCBPAA. However, I do not know of any marketing or advertising campaign for the NNCBPAA other than the handout from their website. Mr. McKenzie stated that the Middle Peninsula Chesapeake Bay Public Access Authority has had much more success than the NNCBPAA in having land donated, and have over a million dollars of real estate donated to them, they have a public hunting area, as well as a waterfront parcel that the Gloucester County High School Crewe Team uses to practice their rowing skills.

Chairman Fisher asked Mr. Haynie if the Board of Supervisor’s would even entertain the thought of selling some county land to generate funds for public water access creation or improvements. Mr. Fisher asked how about selling the county owned parcel near Dameron Marsh to perhaps Virginia DCR to add to the Dameron Marsh Natural Area Preserve. Mr. Haynie stated he could not say how the Board would react to such a proposal. Mr. McKenzie noted that the county owned parcel in Dameron Marsh does have an airstrip easement on it, as it is an emergency landing field for small airplanes. Mr. Fisher stated the tax value of the property is \$272,000, and if we sold it for that we could do tremendous improvements to public water access in this county with that money. Mr. Penley stated you can’t go by the assessment, as the market value may be lower.

RE: PUBLIC COMMENTS

There were no comments from the public.

RE: PUBLIC HEARING

There were no public hearings at this meeting.

RE: ADJOURNMENT

With a motion from Mr. O’Brien, seconded by Mr. Penley, and approved by all, the meeting was adjourned at 8:23 pm. The vote was as follows:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Aye	Albert Penley, Jr.	Aye
Alfred Fisher	Aye	Wellington Shirley, Jr.	Aye
Ed King	Aye	Heidi Wilkins-Corey	Absent
Patrick O’Brien	Aye	Charles Williams	Absent
Richard Haynie	Aye		