

Northumberland County Planning Commission
July 21, 2022
Minutes

The regular monthly meeting of the Northumberland County Planning Commission was held on July 21, 2022 at 7:00 p.m. in person at the Northumberland Courts Building and using Zoom (telephonic meeting) with the following attendance:

Chris Cralle	Present	Garfield Parker	Present
Vivian Diggs	Absent	Roger McKinley	Present
Alfred Fisher	Present	Heidi Wilkins-Corey	Absent
Ed King	Present	Charles Williams	Present
Richard Haynie	Present	Patrick O'Brien	Absent

Others in attendance:
Stuart McKenzie (County Planner)

RE: CALL TO ORDER

The meeting was called to order by Chairman Fisher.

Mr. King gave the invocation, followed by Mr. Fisher leading the commission in the Pledge of Allegiance.

RE: AGENDA

Mr. Parker made a motion to accept the agenda as is, and Mr. McKinley seconded the motion. All voted in favor of accepting the agenda.

RE: MINUTES- June 16, 2022

Mr. McKinley motioned to accept the minutes, and that was seconded by Mr. Williams. All voted in favor of accepting the minutes from June 16, 2022.

RE: COMMISSIONERS' COMMENTS

There were no Commission member comments.

RE: STAFF MEMBERS' COMMENTS

Staff did not have any comments.

RE: CITIZENS' COMMENTS

There were no citizens comments.

RE: PUBLIC HEARINGS

Mr. McKenzie stated that the public hearing tonight was a request by Washington Auto Club, Inc., owners, and Rhetson Companies, Inc., applicant, for a change in zoning district classification to rezone a 3 acre portion of tax map parcel #42-(1)-174B from Agriculture (A-1) to Business General (B-1), in order to construct and operate a 10,640 sq. ft. retail building and associated parking lot. The aforesaid tax map parcel is located on Rt. 200 (Jessie DuPont Memorial Hwy) approximately 1/3 of a mile north of Wicomico Church, VA. Tax parcel #42-(1)-174B is comprised of 11.553 acres. The tax parcel is located in the Wicomico Magisterial District.

Mr. Fisher opened the public hearing at 7:10 pm.

Mr. Fisher asked if anyone would like to speak regarding the rezoning application. Mr. James Finney, 125 River Hill Rd, Heathsville, VA expressed concern over the traffic that would be impacted by a retail store right at the edge of the transition from 40-55 mph speed zones. Mr. McKenzie stated that VDOT, the state agency, is in charge of how the store interacts with through traffic and the county defers to VDOT staff's expertise.

Mr. John Parker, who is employed by the applicant, Rhetson Company, stated the site will be a small commercial center, that there are existing businesses nearby, that the building will be upscale looking with brick or hardy siding, that VDOT did review the application, and they estimate 10-12 tips per hour, which is less than a gas station, and the business is not a destination business, but more for servicing the local community, that it is on a commercial corridor, and that the store will serve the community by selling meat, cheese, bread, staples and produce. Mr. Parker stated that the store will be landscaped, and that the store will create 10-12 full time jobs in the county.

Mr. Williams asked if 10-12 visits per hour, is that normal? Mr. Parker replied yes.

Kenny Kukyndall, who is representing the owner, the Washington Auto Club, stated that the owner is thinking of donating some of the land to a church for a park. Mr. Kukyndall stated that the business entrance for the store will have a stub out, so that the access to the proposed church park would be through the store entrance, or in other words, it would be a shared entrance.

Mr. Fisher closed the public hearing at 7:21 pm.

Mr. McKinley made a motion to recommend to the Board of Supervisors to approve the rezoning, and Mr. Parker seconded the motion. The vote was as follows:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Absent	Roger McKinley	Aye
Alfred Fisher	Aye	Heidi Wilkins-Corey	Absent
Ed King	Aye	Charles Williams	Aye
Richard Haynie	n/a	Patrick O'Brien	Absent

The final vote was to recommend to approve the rezoning request, unanimously approved.

RE: WORK SESSION ITEMS

Northumberland County Zoning Administrator, Mr. Marston stated that recently it has come to the attention of the Building and Zoning Office that there is a commercial venture to rent a tent as a vacation retreat. Mr. Marston stated this was a new trend, and has happened in other counties. One community in Northumberland has expressed opposition to this use, and the site does have a residence on the property, but they rent a tent, it has a tent platform and other amenities to rent. The current zoning ordinance is intended to allow ONLY the property owners to camp, and a notice of zoning violation was sent to the landowner, only to be rescinded, because the zoning ordinance is open to interpretation. Mr. Marston stated he was waiting to hear back from the county attorney whether his proposed revisions to the ordinance are appropriate to solve this rent a tent issue on private property.

Mr. McKenzie stated that the Board of Supervisors wanted the Planning Commission to make the R-1 Zoning District the same regarding keeping of livestock as was done last year for the R-2 Zoning District. Mr. McKenzie stated he will take the zoning revision language for R-2 and adapt it to R-1 and advertise for a public hearing at the next Planning Commission meeting.

Mr. McKenzie stated that the Board of Supervisors also wanted the Planning Commission to look at whether it is appropriate to have utility scale solar energy facilities in the R-2 Residential Waterfront or the R-1, Residential General zoning districts. Mr. Fisher stated that there is a lot of waterfront land in the A-1 Agricultural Zoning District that is waterfront. Mr. Williams agreed, and asked if the Board of Supervisor's brought that up. Mr. Marston stated that they did not make that distinction. Mr. Williams asked what was the status of the solar energy facility conditional use permit that is currently being considered by the Board of Supervisors? Mr. McKenzie stated that it was tabled by the Board of Supervisors until the next meeting. Mr. Fisher asked if we could get clarification from the Board of Supervisor's regarding A-1 waterfront land appropriateness to be considered for solar energy facilities? Mr. Marston stated he would get clarification from the Board on that issue.

RE: DISCUSSION ITEMS

Mr. McKenzie gave an update on the Proposed Canoe/Kayak Launch at the Glebe Point Fishing Pier, that the VDOT Land Use Permit Application was hand delivered with the \$100 permit fee check from the county to the Northern Neck VDOT Residency in Haynesville earlier in the day.

Mr. McKenzie stated he did not know how long it would take VDOT to review the permit.

RE: BOARD OF SUPERVISORS REPORT

Mr. McKenzie stated that the rezoning of Tax Parcel 27(1)127, 1092 Hull Neck Farm Rd, owned by Jeffery B. Webster and Lily C. Lin from R-1 Residential General to A-1 Agriculture, was unanimously approved by the Board of Supervisors.

Mr. McKenzie stated that the request by John M. Deihl, for a conditional use permit to construct a commercial pier on property zoned R-2 (Tax Map Parcel 45B(1)11B on Deep Water Lane was unanimously approved by the Board of Supervisors.

Mr. McKenzie stated that the request for a conditional use permit to allow utility scale solar energy facility on property zoned R-2 Residential Waterfront, by Phillip Haynie, II, Judith Hayne and Phillip Haynie, III on Tax Map Parcel 37(1)195 at 642 Fairport Road was tabled by the Board of Supervisors.

RE: PUBLIC COMMENTS

Anne Thomas, from the Inland Harbor subdivision stated that her and her husband are returnees that moved back to Northumberland County to retire and age in place. Mrs. Thomas stated that little did we know that they would be facing an industrial use of the land in front of their house. Mrs. Thomas researched the Comprehensive Plan and its emphasis on rural farming and forestry, and there is no mention of solar energy facilities in the Plan. Mrs. Thomas stated that industrial scale solar is not a good fit for Northumberland County. Mrs. Thomas stated there is a Heritage Trail, and Oyster Trail, a Wine Trail, but that she does not think tourists will want to visit a Solar Farm Trail. Mrs. Thomas concluded by saying solar energy facilities are fine if they do not disturb farmland, forestry or residences.

Mr. James Finney commented on waterfront A-1 Agriculture and whether to allow solar energy facilities stated that maybe we should do like Lancaster County, and create a Waterfront Overlay Zoning District to protect farmers as well as residences from solar energy facilities.

Chairman Fisher stated that he encouraged public comment, because often times the Commission does not know what the community is thinking about the decisions that have to be made.

Dave Thomas (husband of Anne Thomas) stated that they would have never purchased property if they knew a solar farm would be near their house, that solar energy facilities do not belong in R1 or R2 zoning districts and that tourists don't come here to look at industrial solar facilities.

RE: ADJOURNMENT

Mr. King made a motion to adjourn that was seconded by Mr. McKinley and the meeting was adjourned at 8:12 pm. The adjournment vote was as follows:

Chris Cralle	Aye	Garfield Parker	Aye
Vivian Diggs	Absent	Roger McKinley	Aye
Alfred Fisher	Aye	Heidi Wilkins-Corey	Absent
Ed King	Aye	Charles Williams	Aye
Richard Haynie	n/a	Patrick O'Brien	Absent