

CITIZENS FOR A BETTER EASTERN SHORE SHORELINE™

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The “NEW” Northampton Comprehensive Plan

By Mary Miller

Using community input gathered five years ago, before most of the sitting Commissioners were members, the Northampton County Planning Commission has now produced a draft of what looks to be an almost complete rewrite of the current (adopted) Comprehensive Plan. Working without benefit of recent community participation or town involvement, without soliciting current public comment or support for changes to the current Plan, the Commission, on its own, has reinterpreted the county’s goals. They eliminated complete sections supporting resources and community visions, set the stage for a massive increase in residential density, provided data that fail to support these changes, and listed goals with no specific path for implementing or funding. The draft Plan gives the green light to high-impact commercial and industrial development adjacent to towns and along Route 13.

Some of the major changes are listed below, but what’s missing is the “WHY?” Who directed this major rewrite of the community’s plan for its future? Why were major changes made to Villages and Hamlets, the small communities and neighborhoods, now mostly single-family homes on ½- to 1-acre lots? Why was input from the towns ignored? Who directed changes in the county’s priorities? Who decided to cut off organized community participation in 2012? Who chose to quote extensively from a disbanded committee’s

five-year-old report and phone survey? Who actually drafted the Plan language?

In the process previously used by the county for the required five-year review of the Comprehensive Plan, current community input would be gathered from facilitated meetings, surveys of residents, etc.

Who actually drafted the Plan language?... county Staff has confirmed that the proposed Plan was written solely by members of the Planning Commission themselves.

Then a certified planner on staff, or a consultant, would aid the Planning Commission in proposing changes to the adopted Plan, if the community supported the changes. Almost all the Planning Department staff are newcomers and arrived after the Plan was drafted. But now county Staff has confirmed that the proposed Plan was written solely by members of the Planning Commission themselves. All the Commissioners are/have been citizen-volunteers and none of the members were or are certified planning professionals.

Some of the Major Changes Proposed

- **Town Edge District** eliminated – the current district contains criteria for residential density and neighborhood-oriented commercial development – a 2015 county meeting with the towns confirmed that all the towns supported the Town Edge District as written, as a mechanism

for cooperation with the county.

- **Potential Development Areas (PDAs)** are now proposed around the towns – with no residential density limit, and “large-scale commercial/industrial development” permitted.
- Twenty-four of the small, mostly single-family residential **Hamlets** (Wardtown, Weirwood, Cherrystone Landing, Franktown, Sylvan Scene, etc.) will become **Villages** – residential density will double, with no separate zoning district for commercial, industrial and institutional uses. Three Hamlets have disappeared: Birdsnest West, Cheriton Crossroads and Cherrystone.
- **Existing Subdivision Districts** eliminated – these districts protected the underlying property rights of lot owners.

See Plan, cont’d on p. 3

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CBES Candidate Forum to Highlight Delegate, Northampton Elections

By Sue Mastyl

On Tuesday, October 24, CBES will host a Candidate Forum for the contested seats on the Eastern Shore in the election to be held on Tuesday, November 7. The event will be held at Northampton High School from 6:00 to 9:00 PM.

For more than two decades, CBES has conducted Candidate Forums for all local elections, with a standard format that we believe gives each candidate a fair opportunity to make his or her case for election, and provides voters with a chance to learn about the positions the candidates take on controversial issues, and to evaluate their qualifications for the offices they seek.

The candidates for this year's Forum will include:

- **Member, Northampton Board of Supervisors, District 1:**
John R. Coker
Jacqueline C. Chatmon

- **Member, Northampton School Board, At-Large:**
Randall D. "Randy" Parks
Kevin Schwenk
- **Member, Virginia House of Delegates, 100th District:**
Robert S. Bloxom, Jr.
Willie C. Randall


It should be noted that Kevin Schwenk is not listed on the ballot for At-Large School Board Member, but is running a campaign as a write-in candidate. Although he was not able to file in time to be on the ballot due to a contractual issue, he is running a legitimate campaign as a full-fledged candidate, including printing signs and going through the campaign finance reporting process with the Registrar. Based on this, CBES has made the decision to include Schwenk and his opponent Randy Parks as a legitimate



CBES moderator Sue Mastyl at a recent candidate forum for Accomack County.

contested election.

During the Forum, candidates will have the opportunity to respond to questions from the audience, as well as questions sent to them in advance.

Your participation is needed – come out and hear what your candidates have to say! And don't forget to vote on November 7! 

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RAFFLE TO WIN "Between the Waters" Original Painting

You don't have to be a cyclist to claim this remarkable painting by Shore artist Bethany Simpson, who is featured in the Sept/Oct issue of *Coastal Virginia Magazine*, and is the official graphic of the CBES Between the Waters Bike Tour.

"It's a landmark 25th year for our bike tour, an event that started to get folks thinking about how ecotourism could be a sustainable industry on the Shore," said CBES President, Arthur Upshur. "Bethany's work draws attention to what CBES works to protect, and does so in a uniquely beautiful way."



Capturing a quintessential Eastern Shore scene in Bethany's vibrant Coastal Folk Art style, this 16 x 20 inch original is ready to adorn your home. Raffle Tickets: \$20 per chance or 3 for \$50. Purchase online at www.cbes.org or send check to CBES, P.O. Box 882, Eastville, VA 23347. All proceeds support Pedal to Protect Virginia's Eastern Shore.



Plan, cont'd from p. 1

- A new **Residential District** would include waterfront and inland subdivisions, and other areas – lot sizes from ½ acre to 5 acres for single-family homes, and from two multi-family units to four multi-family units per acre in “mixed-use districts,” located, but unmapped*, within the Residential Districts shown on the Future Land Use Map (the District includes Highland Heights, Butler’s Bluff, Hungars Beach, Tower Hill, Vaucluse, etc.).
- **Wastewater** – in spite of resounding community opposition to the projects, both the unmapped* Northern and Southern sewer projects are included in the Plan, and the Public Service Authority (PSA) is charged with identifying areas for public sewer expansion.
- **Route 13** development – “nodal growth at improved intersections” – unmapped*, and with no uses or densities proposed, could lead to illegal “spot zoning.”
- Includes no Code-required strategy for **affordable housing** – requirements involve designating areas and creating implementation strategies, like bonus densities, to ensure sufficient low-cost housing “*which is sufficient to meet current and future needs.*”
- **Eliminated** – the **Oyster and Willis Wharf Village Visions** along with the county’s **Sensitive Natural Resource Areas Report and Recommendations**
- **Hundreds of new building lots** would be possible, in addition to the 6,929 currently available home sites – despite the projected population decrease of 13% over the next two decades.

*Virginia Code requires mapping of various types of development, residential, commercial, industrial and community services.

Stakeholders Meet to Review Draft

Most of the Comprehensive Plan Stakeholder Review participants in the September 13, 2017 meeting had constructive comments, as requested by county staff. Recurring questions included, “Who wrote this?,” and “Why wasn’t the public involved?” Since the Planning Commission is charged by Virginia Code to review and propose amendments to the Plan, all process, drafting, public input, and timeline decisions are made by the Commission. The most frequent criticism of the draft was that there appeared to be no “plan” in the Plan – goals were admirable but rhetorical, and in many cases, not realistic. The strategies to achieve the goals were also labeled “vague,” “not realistic,” “not possible without significant funding,” and “no accountability” for whether a goal was realized or not.

Several Stakeholders noted that the Data and Analysis sections did not support many of the conclusions and assumptions stated in the actual Plan draft – e.g. massive

increases in residential density vs. a projected decrease in population; noting the need for affordable/workforce housing vs. the lack of action to designate areas and require affordable units; acknowledging poor drainage issues and identifying flood-prone areas vs. increasing building lots in those neighborhoods; mentioning adequate emergency services (EMS) vs. no reference to the thousands of seasonal visitors in campgrounds and vacation rentals, in addition to the increasing number of part-time residents, who would rely on the EMS; referring to groundwater and aquifer protection vs. proposing new mapped and unmapped development areas on parts of the recharge area.

Changes to Be Considered

Several positive changes to the draft Plan were noted: continued support of Agricultural-Forestal Districts (AFDs), no residential development on working waterfronts, a realistic poverty assessment, especially of elderly and children living in single-parent households, and the inclusion of State agency guidelines for coastal and flood zone management. Although many noted the mention of the recent Competitiveness Assessment Report (a study commissioned and paid for by the county and which recommended many specific actions to increase new investment), none of the recommendations appeared to be included in the Plan’s strategies.

Further Changes Suggested by Stakeholders

- More public input before draft is finalized
- Restore Town Edge District
- Include Oyster and Willis Wharf Village Visions, Sensitive Natural Resource Areas Report and Recommendations
- Update affordable housing strategies, Department of Housing and Urban Development (HUD) information
- Retain residential densities and Village zoning Districts in the current Plan
- MARKET the county aggressively as an investment opportunity
- Delete real estate pricing and other extraneous details from Part 2
- Use the Competitive Assessment Report recommendations as strategies
- Establish plan for Town/County cooperation for use of assets, e.g. Cape Charles harbor, railroad
- Provide for better use of professional expertise available, e.g., Accomack-Northampton Planning District Commission, Groundwater Committee, etc., when making policy and permitting decisions
- Remove reliance on 5- to 6-year-old input, often

See Plan, Cont'd on page 7

Eastville Reviews Its Comprehensive Plan... ...and welcomes new neighborhoods

Assembled from Eastville Town Documents

In stark contrast to Northampton County's closed process to complete a required 5-year review of its adopted Comprehensive Plan, the newly enlarged Town of Eastville has hired a certified planning professional to guide the Town and its new residents through a public review of its Plan.


The Town's new boundaries include all the areas served by their water lines – Eastville Station, the Selma subdivision, parts of Bethel Church and two trailer parks. Many of the new residents already considered themselves part of the Eastville community, and now their participation in town planning and governance will be part of the town's citizen resources.

Sandra Benson Thornton, retired Northampton County Director of Planning and Zoning, has been retained by the Town to facilitate the process and then provide guidance for possible amendments to the current Plan.

Citizens will soon receive a three-page questionnaire about the town and its future. The responses will help “the

Town Council and the Planning Commission to understand what issues are most important to the Town's citizens and property owners...and assist in preparation for a public workshop on October 18,” at the Eastville Fire Company's bingo hall. This will be the first gathering of new and old town residents in an official meeting.

The questionnaire urges respondents to consider how they see the town's future, and their hopes for their community – its appearance, its growth, its surrounding areas and its resources. Particular emphasis is given to how important town residents feel it is to plan cooperatively with the county for the Town's future.

Community input will be carefully considered; amendments, if needed, will be proposed; and the Town anticipates that Public Hearings by the Planning Commission and the Town Council will be scheduled before December, 2018. 

Accomack Referendum on Elected School Board


By Sue Mastyl

On November 7, voters in Accomack County will decide the question, “Shall the method of selecting the school board be changed from appointment by the School Board Selection Committee to direct election by the voters?”

In 1992, Virginia became the last state in the nation to allow elected school boards. Accomack County is one of only a few remaining school districts in Virginia that still appoint School Board Members. In 2012, Northampton County residents voted by a 4 to 1 margin to change to an elected school board.

The effort in Accomack County is being led by the Accomack County School Board Election Committee, whose leaders include Laura Courtney Thomas, Connie Burford, and Janet Turner. Turner, a former member of the School Board, noted that the movement has been led by parents frustrated with the current system, in which the General Assembly appoints a Circuit Court judge, who appoints a School Board Selection Committee, who then appoints the School Board Members. Turner noted that there is a lack of accountability in the process, since the Committee “meets once and then goes away”; they don't usually attend school board meetings, “so there's not much oversight.”

Recent controversies in the School District have fueled this drive, including a \$6 million surplus in the budget, the temporary ban of several classic books, repeated sewage overflows in the playground at Metompkin Elementary School, charges of inflated salaries in the central office, and chronic problems with teacher retention and school accreditation.

Allegations have also been made that the Selection Committee chooses friends and family, without regard to qualifications. To the charge that elected School Board Members might not be as qualified as those chosen by the Selection Committee, Supervisor Paul Muhly, who is supportive of the effort, responded, “That's why you have elections.” 



Purchase professional biking apparel adorned with the unique beauty of “Between the Waters,” by Shore artist Bethany Simpson. See www.cbcs.org for your choice of jerseys, wind vests, and jackets. A portion of the sales benefits “Pedal to Protect Virginia's Eastern Shore.”

Affordable Housing County Comparison...

...a collection of publicly available data

“Affordable Housing,” by Federal definition, is housing that costs no more than 30% of a household’s income, including rent and utilities, and is generally occupied by households with incomes of between 30% and 60% of the Area Median Income (AMI).* This housing usually needs to be subsidized and rents are often based on a sliding scale depending on household income.

“Workforce housing,” on the other hand, is an inexact phrase, but is frequently used by planners and developers to describe housing affordable to people who are gainfully employed, and making from 60% to 120% of AMI.* These households are often overqualified for affordable housing yet can’t afford the average market-rate home in the area where they are employed. The phrase came into use to describe housing needed by public employees, teachers, public safety and emergency services personnel, who worked in communities where they could not afford to live.

The website www.affordablehousingonline.com monitors every affordable and low-cost housing option daily for every county in every state, and publishes the information as soon as it’s available. Information on that site, from the US Census Bureau Quickfacts, and from published county data has provided the following information.

Accomack County has seven low-income housing apartment complexes, which contain 329 affordable apartments. Many units have rental assistance with rent based on income. There are 488 other low-income apartments

that don’t have rental assistance but are still considered to be affordable housing for low-income families.

- Accomack County has a total of 21,049 housing units; 817 of these are considered affordable to low-income households.
- 4% of Accomack County’s housing units are considered affordable.

Northampton County has 13 low-income housing apartment complexes, which contain 654 affordable apartments. Many units have rental assistance with rent based on income. There are 580 other low-income apartments that don’t have rental assistance but are still considered to be affordable housing for low-income families.

- Northampton County has approximately 7,378 housing units; 1,234 of these are considered affordable to low-income households.
- 17% of Northampton County’s housing units are considered affordable

**The Dept. of Housing and Urban Development’s (HUD) definition of Area Median Income “is the amount which divides the income distribution into two equal groups, half having income above that amount, half having income below that amount.” Housing assistance is based on a percentage of that figure: For Accomack County the AMI is \$51,100; for Northampton County, the AMI is \$52,500.*



County	#Housing Units	#Affordable/Low Cost Units	%Affordable/Low Cost Units	Area Median Income
Accomack	21,049	817	4%	\$51,100
Northampton	7,378	1,234	17%	\$52,500

2017 Eastern Shore Birding and Wildlife Festival

October 7, Kiptopeke State Park
10 AM - 4 PM

11 AM/2 PM - Flight of the Raptor Program

Hands-on Activities • Interpretive Hikes • Wagon Rides

www.esvabirdingfestival.com



Increased Building Permits Good News for Rural Counties


Compiled from Virginia public documents

The small rural counties around the Chesapeake Bay are often used for comparative analysis for things like population, financial resources, debt and growth assessment. The compared counties (see table below), with populations under 18,000, have significant water frontage and collect between 43% and 67% of their local revenue from real property taxes. The smaller the county population, the more important is the real property tax revenue. Reliance on real property tax revenue is generally the norm in small rural counties across the nation. Negative comments that Northampton’s reliance on real property taxes (58%) is a status unique to the county are not accurate – the county falls in the mid-range of compared counties.

So when residential building permits start to increase, it’s important for communities that are dependent on maintaining and increasing real property values. And rural counties around the Chesapeake Bay are starting to see more building activity. Driven by tourism, investment in

second homes and vacation rentals, and the rising popularity of counties on both the Eastern and Western shores as retirement choices, houses are being constructed, enlarged, restored, and rehabilitated.

Rural counties across the country try to remain viable by attempting to attract non-residential investment to strengthen tax bases. Many are dramatically losing population and are unable to compete. Counties, like many around the Chesapeake Bay, are attractive to both residential and other types of investment. If a large segment of counties in the Chesapeake Bay region relies on real property tax to pay for essential services, careful balancing of all local tax revenue with the need for increased essential services for residential growth will be important.

The table below shows the percentage of local tax revenue from real property and the dollar value of new building permits in the compared counties. 

County – small, rural, Chesapeake region		% local tax revenue from real property	\$\$ value of new residential building permits
Essex	Pop. 10,914	52%	\$2,926,713
Lancaster	Pop. 11,297	67%	\$7,300,341
Middlesex	Pop. 11,802	59%	\$9,973,445
Mathews	Pop. 8,737	43%	\$5,507,042
Northampton	Pop. 12,176	58%	\$6,800,992
Northumberland	Pop. 12,220	62%	Failed to report
Westmoreland	Pop. 17,725	53%	\$13,011,165

Ed note: Accomack County was not included in the comparisons due to size criteria. Accomack County collects 40% of its local revenue from real property and issued new residential building permits totaling \$6,139,200.

Resources: 2016 Auditor of Public accounts – revenue sources

2015 Annual Bldg Permit data – Weldon Cooper Center for Public Service

Record-Breaking Sellout for 25th Anniversary Bike Tour

The CBES annual bike tour, to be held on October 28, has not only sold out for a second straight year, but did so at breakneck speed. We hit 1,000 riders before the first fall leaf appeared – September 1!

Twenty-five years ago, CBES leadership launched an ecotourism event to promote the Eastern Shore’s natural resources and help raise funds for the organization’s mission to protect those resources, dubbed the “Between the Waters Bike Tour.” The tour provides varying routes that showcase our peninsula’s scenic beauty, historic towns, and hamlets. CBES volunteers return year after year to provide Shore hospitality. Private landowners also share

their pieces of heaven with visitors. Sponsors cannot be left out of the equation, for their financial assistance provides the marketing funds and the event’s infrastructure and supplies. Also, this year the bike tour was fortunate to receive \$7,500 in grant funding from the Northampton County Tourism Grant Committee.

There is still much work to be done in the weeks ahead – for both the tour and the related Oink & Oyster Roast. CBES looks forward to celebrating our 25th Anniversary Between the Waters Bike Tour with our visiting cyclists.

JOIN US – VOLUNTEER! info@cbes.org or 757-678-7157

Tax-exempt Property and Conserved Land Taxation

An incorrect headline in the local press misstated the basis of the property tax relief and exemptions in Northampton County. *Partial tax relief* on conservation easements and other conserved land totals \$283,611. As Board Chairman Spencer Murray stated, the conserved lands require significantly fewer public services than are required by developed properties.

The “Bottom Line” in a Report to the Board by Dr. Dean Bellas, Center for Regional Analysis, George Mason University and Urban Analytics, Inc. is this:

“For every dollar spent in Northampton County annually to provide public services to support land with conservation easements, revenues to Northampton County were estimated to be \$1.15.”

Complete tax-exemptions, as provided by law, for schools, government-owned properties, utilities, religious and charitable institutions, total \$385,918, more than conserved land tax relief. Most of these totally *tax-exempt* properties require taxpayer-funded services like public health and safety, emergency services and solid waste disposal.

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Top Ten Taxpayers in Northampton

A report to the Northampton County Board of Supervisors in September by the Center for Regional Analysis, George Mason University, and Urban Analytics, Inc. included the following:

Top Ten County Taxpayers (FY15)

- Bay Creek South LLC
- Daniel A. Hoffer
- Bayshore Concrete Products Corp.
- Ballard Brothers Fish Company
- The Nature Conservancy
- Peacock Holdings VA LLC
- Cherrydale Holdings VA LLC
- THS Family Limited Partnership
- Baymark Construction Company
- Hungars Glebe LLC

Other high paying taxpayers include: Bay Creek LLC, Bay Creek Marina and Resort LLC, Brown and Root, Inc, Virginia Realty LLC, HCMF Partnership, and Bayview [Citizens] for Social Justice.

Plan, cont'd from p. 3

- contradictory, as primary sources of public response
- Omit personal statements and other quotes
- Correct the frequent contradictions between Data and Analysis and the final recommendations

Timeline

As the Stakeholder’s meeting ended, many asked about a timeline. Staff indicated that it would take time to go through the scores of pages of written input due by September 25. Although public comment can be submitted any time, the Staff indicated that work on modifying the draft would start soon. The Stakeholders voted to meet again to review the changed draft before a Public Hearing date was set – December is the target date for a Public Hearing. No public information meetings are scheduled.

But Does the Whole Process Need a Reset?

Here’s an idea. What if the Planning Commission started the review process over – held a series of three county area meetings, hired a professional planning facilitator, updated statistical data, and then asked the public to tell them what, if anything, needed changing in the county’s current Comprehensive Plan? Questionnaires could be provided, highlights of the Competitiveness Assessment distributed, and current responses and comments would meet one of the Code requirements for amending a county Plan: *“the commission shall make careful and comprehensive surveys and studies.”* The information would be gathered in a community environment, would include anyone who wanted to attend, and the material gathered would be timely and current. The concept that a plan for the community’s future ought to be informed by the widest possible community response is a basic intent of the Code requirements for amending the community’s Comprehensive Plan.

Between the Waters Bike Tour

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SHORELINE

Community Calendar - October 2017

Note: Please verify times and places prior to attending meetings.

CBES and Other Activities

- Oct 4** **VIMS Public Seminar**
7:30 PM, Wachapreague
- Oct 7** **Birding & Wildlife Festival**
10 AM - 4 PM, Kiptopeke
- Oct 12** **Shorekeeper Meeting***
3 PM, Chamber of Commerce
- Oct 17** **ES Groundwater Committee**
10 AM, Accomac
- Oct 17** **CBES Board Meeting**
7:00 PM, Eastville

* Alternating between the ES Chamber of Commerce and the Barrier Islands Center

Accomack County

- Oct 4** **Board of Zoning Appeals**
10 AM, Sup. Chambers
- Oct 11** **Planning Commission**
7 PM, Sup. Chambers
- Oct 17** **School Board**
6:30 PM, Sup. Chambers
- Oct 18** **Board of Zoning Appeals**
10 AM, Sup. Chambers
- Oct 18** **Board of Supervisors**
5 PM, Sup. Chambers
- Oct 26** **Wetlands Board**
10 AM, Sup. Chambers

Northampton County

- Oct 3** **Board of Zoning Appeals**
1 PM, Conference Room
- Oct 3** **Planning Commission (PC)**
7 PM, Sup. Chambers
- Oct 10** **Board of Supervisors**
7 PM, Sup. Chambers
- Oct 18** **Wetlands Board**
TBA, Conference Room
- Oct 18** **PC Work Session**
7 PM, Sup. Chambers
- Oct 23** **BOS Work Session**
7 PM, Sup. Chambers
- Oct 24** **School Board**
5:30 PM, Sup. Chambers

www.cbes.org