CITIZENS FOR A BETTER EASTERN SHORE

SHORELINE™

A Journal of Natural Resources, Public Affairs and Culture on the Eastern Shore of Virginia

Volume 27 | *July 2014* | *Number 7*

Renew Your Membership or Join Today!

In My Opinion

We need a fairer system of tax assessment

By Arthur Upshur

A few weeks ago, there were four applications submitted to the Board of Supervisors in Northampton for inclusion in Agricultural and Forest Districts (AFDs). The Board approved three and rejected one. From the outside, it appeared to be a reasonable outcome. However, all three of the approved applications were actually already in an AFD that was being shut down because the required "core" acreage was being withdrawn from the AFD program. That means these were really were just technical approvals for the parcel to be "attached" to another AFD. The large parcel being "withdrawn" is already in a conservation easement, so no additional tax would be collected on that property even though it is no longer in the AFD. The county happily took the application fees of $500 from each applicant for this administrative action.

In the discussion, it appeared clear that Supervisors LeMond and Trala were only willing to consider these three applications because they would extend the tax benefit for only one year. All of these will have to re-apply shortly as the AFD they were joining would come up for renewal in 2015. The only "new" addition to an AFD was rejected by the Board despite the favorable recommendation by the AFD review committee and the Planning Commission as a strong candidate for inclusion in an AFD based on its location and importance to an aquaculture operation just off-shore.

Property taxes almost always kill off farming in communities that develop their land unless there is some tax relief for farmland.

Frankly, I was a little troubled by the debate on these applications. We tend to hear a lot about the AFD as a tax subsidy for the wealthy. And it may be, in some cases. But there is an old African expression that "when elephants fight, it is the grass that actually gets hurt" – and frankly I feel like "the grass" in this debate. I farm for my living on the Shore. It is a hard profession and not very lucrative. I farm using organic practices and sell direct to customers on the Shore. I employ a half dozen or more folks and depend on the generosity of our local customers to make it all work. It is exactly the type of business that I think our county would want to encourage in any way they can. Yet I worry about my farm's future because of the uncertainty of my taxes.

I need to have my tax expense linked to the use of my land as farmland. My small parcel of land is attached to a larger core parcel in an AFD. Most of the land surrounding my farm is sub-divided into residential lots. For a few years, while our county had a use value assessment program (often known as "land use taxation"), I was assured that my tax rate would be linked to my use of the land. But, in 2009, Northampton County supervisors decided to get rid of land use taxation – one of the only counties in Virginia to do so – and certainly an odd choice given our economic mix of farming, high value waterfront and aquaculture, all of which depend upon the presence of open land. So I was forced by the county to join an AFD or my taxes would have gone up by roughly 500%.

When our county real estate market recovers and assessed values go up, that tax bill could be a lot higher. I have lived in many communities prior to returning to the

See **"Tax Assessment,"** *Cont'd on page 2*

"Tax Assessment," *Cont'd from p. 1*

Shore. Property taxes almost always kill off farming in communities that develop their land unless there is some tax relief for farmland. There is no farming to speak of in most developed areas because of the high taxes created by residential development. So here I am, with a business that will be threatened each time my AFD comes up for renewal. And unfortunately the AFD process has become arbitrary and completely at the discretion of whoever makes up the Board of Supervisors when my AFD comes up for renewal.

If the current Board were there, I suspect they might vote it down. If the "core" parcel is owned by some wealthy landowner from across the Bay, it might be voted down despite the other landowners who would be hurt. The county may not benefit much if the large landowner can move his land to a conservation easement or some other strategy to reduce his or her taxes. But my farm may well be crushed by the expense of the taxes. The farmers who rent land from these large landowners will also pay a price since rents are usually loosely linked to the cost of holding open land – landowners will not rent farmland for long at the same rate if taxes become higher than the collected rent. My plea to our Supervisors is that they pay more attention to the "collateral damage" that will come to our agricultural community if they start down this path of eliminating the only land use tax reduction left in the county.

ShoreLine is published monthly by Citizens for a Better Eastern Shore and is distributed to members, public officials, and friends.

How to reach CBES
P.O. Box 882, Eastville, VA 23347
(757) 678-7157
info@cbes.org • www.cbes.org

Printed on 20% Recycled Paper

There is a lot of open land to enjoy when living in a rural setting. But much of that is held by owners who could not afford the taxes if it were all taxed at its "highest and best use" value. And some landowners fear that development is dead, and they could not sell their land anyway. This is wrong. I had too much training in economics to believe that. When you raise the cost of holding open land exponentially, there will be a reduction in the amount of open land held, i.e., it will sell for other uses. Owners will be forced to sell, even at low prices to escape the taxes. If the price is low enough, the buyers will be speculators who can develop the land for residential use to meet demand from the urban areas to our south. All it will take is the continued strength of the Virginia Beach real estate market to start driving purchasers to the Shore. They can now pay a commuter rate on the bridge which makes more of the Shore a viable area in which to locate. We need our Board of Supervisors to consider the longer term implications of eliminating or reducing the AFD program.

One member of the Board of Supervisors is reported to have claimed that the AFD program cost him an extra 5 cents on his residential tax rate. The apparent implication is that getting rid of the AFD program could lower residential tax rates from 67.28 cents per $100 of value to 62.28 cents, a reduction of 7.5%. But this is strange thinking for me. I understand that our country believes in a progressive tax system. But what is "fair" in this case? The reality is that farmland requires almost no county services to support it. A 100 acre farm needs a tiny fraction of the support needed by a 100 acre residential development. Right now each farm already subsidizes residential taxpayers by paying more in taxes than the services received from the county. This Supervisor, therefore, is really arguing that he would like farms to give a *larger* subsidy so that his taxes can be reduced. Is that fair?

We need to find a better way to discuss how to fairly tax while supporting the agricultural community. I would love to see us re-open the debate on land use taxation. Personally, I believe that the Board of Supervisors should add land use taxation as an option in our county with appropriate "claw-backs" *["roll-back" is the term that has been used here*] of tax if someone changes the use from agriculture. This seems like a more rational way to apply tax reduction. Also, access to land use should be "open" so that you know that if you meet the requirements of the program, your application will be approved. One of the most unfair parts of the current program is our county assessing this hidden "tax" by collecting application fees but then rejecting the applicant as a matter of course. Folks should know that when they pay a fee, it is covering only the costs of the application and is not a hidden tax or revenue source for our county.

If "land use" is off the table, at least the Board should consider making the AFD application process more rational and rules-based in order to make it more predictable and less capricious. I know there is a concern over what the county can "afford" to "give" in tax reduction. But actually, the necessary debate is whether our taxes are fairly applied based on services rendered to our residents. Since farming reduces overall tax rates for everyone by minimizing the services required, in order to better manage its costs, the county should be debating how to ***keep*** land in farming. Our Supervisors should certainly work harder to reduce county expenses and administrative overhead before I could support a continuing search for more tax revenue to pay for those costs.

We need to start the conversation together in order to move forward. Now is the time for the Northampton Board of Supervisors to step up and search for better solutions to support agriculture and our rural environment while implementing fair tax collection. Clearly their current approach with piecemeal rejections of AFD applicants is not right – or good for our future.

Renew your CBES membership or ***ShoreLine*** subscription today! Check your mailing label; if you see a "13" following your name, you need to renew!

Bikes would boost the economy

Bike Trail would be a boon

In late May, the Accomack-Northampton Planning District Commission held two public workshops on the Accomack-Northampton Bike Plan – and update of the 2011 plan.

Bicycling tours have brought large numbers of tourists to the Shore over the years. The CBES "Between the Waters" Bike Tour often brings 850 or more riders to the Shore in late October. If there were dedicated bike trails for cyclists, the area would attract many more visitors throughout the year. Bicycling, hiking and walking are great forms of exercise. They could assist the local population in maintaining their health or becoming even healthier. A dedicated trail would provide a safe area to exercise and enjoy the beauty of the Shore.

Many people report that they wish there were more walking and biking trails on the Shore. Now is the time for residents to tell the Planning District Commission that they are interested in trails and support these efforts, including the construction of the bike trail from the state park to Cape Charles that would be located on the former railroad right-of-way *(see page 24, #5 in the 2011 Bike Plan)*.

For more information, contact Sue Simon at 757-787-2936, Extension 115 or via email at ssimon@a-npdc.org. The PDC is expected to accept written comments on the Bike Plan revision. You can view the full plan at: http://a-npdc.org/wordpress/wp-content/uploads/2012/09/bikePlan2001.pdf.

VIMS

Public Seminar Series

Advances in Point Source Nitrogen Removal Technologies: Transitioning from Version 1.0 to 3.0

Dr. Charles Bott
Chief of Research and Development
Hampton Roads Sanitation District/
Adjunct Professor
Dept. of Civil and Environmental Engineering
Virginia Tech

Limiting nitrogen inputs into coastal systems, such as Chesapeake Bay, are extremely important to managing estuarine natural resources. Dr. Bott will discuss conventional and emerging technologies that can directly impact coastal water quality. Innovative and efficient alternatives from several ongoing pilot and full-scale studies will be presented including work in Hampton Roads, Washington, DC and Austria.

Wednesday, July 2, 2014
7:30 PM
Virginia Institute of Marine Science
Wachapreague, Virginia

The seminar is free and open to everyone. Seating capacity is 60 people and space is available on a first come-first serve basis. Coffee and light refreshments will be provided. For further information call VIMS at 787-5816

Important sector of the economy

Agriculture is growing

The 2012 Census of Agriculture released on May 13, 2014, shows that agriculture in Virginia is growing by almost every measure. The final figures were released by the national Agricultural Statistics Service and are based on a census following the 2012 production year. In terms of land use, the state has more than 8 million acres currently devoted to farming. That is up 2.4% from 2007 when the last census was taken.

The average value of agricultural products sold per farm in Virginia was $81,540, up from $61,334 in 2007. The average size of a farm was 180 acres, while the average age of the principal farm operator was 59.9 years. Virginia agriculture also saw a large increase in the market value of all farm products – up 29% to $3.75 billion. Livestock accounts for $2.4 billion, while crops account for $1.35 billion.

Virginia Eastern Shorekeeper

Town Hall meetings could help

The Northampton Supervisors have repeatedly given every indication that their minds were made up on their zoning proposals and that they had heard all they were willing to hear on the subject from the Planning Commission and the public. That has led many people to assume that they were prepared to pass the new zoning regulations at their June meeting – but now they have decided to extend the review period by at least 90 days.

Had the Supervisors been holding occasional Town Hall meetings to hear what the people they represent think, they would have been better informed and better able to evaluate the impacts and consequences of the proposed zoning changes. If so, they may not have had to promise to take no action for three months, and all those concerned with these matters could have been spared much frustration and anxiety.

Town Hall Meetings serve a useful purpose, and citizens should request that their Supervisors grant them such opportunities to express their views and debate issues with those whom they have elected to represent them.

Bumpy Road Predicted for Rural Economies

Declining revenues, reduced transfer payments, aging populations = painful new fiscal realities

By Mary Miller

Even as the country's overall economy shows signs of improving, the economic road ahead for rural areas might still have some major bumps. Many states are experiencing declines in tax revenues as consumers spend more cautiously, and rural localities are experiencing lower tax revenues as real estate values remain depressed. As a result, states are shifting more funding responsibilities to local governments. In Virginia, localities are increasingly responsible for funding employee retirement programs, state support for education spending is dwindling, and transportation funding is being taken from general fund revenues. Many rural counties benefited from the American Recovery and Reinvestment Act of 2009 – the two Shore counties received $46,203,065. Northampton County obtained $18,334,878 for waste-water system upgrades, rural health and seaside restoration projects. Those funds were a one-time stimulus; the county will continue to benefit, and is expected to build on the federal investment.

The Agricultural & Applied Economics Association (A&AEA), a rural economy think tank in Wisconsin, has issued a report entitled *The Twin-Transfer Squeeze on Rural Households and Governments in Virginia*, which details ongoing fiscal stress on rural counties of Virginia. In addition to declining state revenue transfers to local governments, stress will also result from cuts in public transfer programs to households as the federal government struggles to reduce its debt burden.

According to the A&AEA report, "Virginia is typical of most states – its rural population has been aging rapidly making rural households increasingly dependent on transfers. Aging of residents increases dependence on health (mainly Medicare) and retirement (Social Security) transfers. This may in turn lead to higher numbers of elderly poor. Rural localities in Virginia are also more dependent on transfers from the state and federal government to support local government operations – but, because the ability to raise revenues locally is constrained by economic factors, rural counties receive far higher proportions of revenues through transfers from higher levels of government."

Local rural governments need "internal solutions."

The A&AEA report concludes that rural localities must "Face the fact: finding alternative revenue sources to compensate for state and federal cutbacks will be difficult." Declining property values, limited ability to increase tax rates and few alternatives to the property tax constrain fiscal options in rural localities. State revenue for school funding is most important in rural counties where local revenue-generating capacity is low. "Local governments find themselves scrambling for alternatives in one of the most fiscally constrained environments in America's history – they must seek internal solutions. Options include reducing capital investments, cutting non-essential services, and possibly, seeking efficiency gains through privatization or other measures."

One major impact may be on health care funding.

One impact of reduced health care transfer payments to rural areas is outlined in a report on home health care from the Kansas Health Institute (March, 2014). Federal spending cuts are planned for the home health care agencies that provide everything from in-home skilled nursing care to hospice care to meal preparation so seniors can remain in their homes instead of in a nursing facility. According to the report, "some of the hardest-hit agencies are in rural areas. It's going to come down to access of care, and it's going to be really hard for people in rural areas to gain access to home care." Home health care services employ many Northampton County workers. A decrease in funding for these services will result in fewer jobs, fewer workers and a reduction in household income and local spending power for these households.

Rural localities have their own "banking crisis."

Creating yet another bump in the road for rural economies, research funded by the US Department of Agriculture's National Institute of Food and Agriculture (February, 2014) cites the continuing decline in the number of local banks in rural areas – banks that have traditionally been the funding resource for small businesses and rural entrepreneurs. In an article in *Business News Daily*, Fox Business News writer Chad Brooks states that local small businesses and entrepreneurs have lost the small town "relational" banking link where lenders knew the reputation and credit histories of borrowers. Small business owners often fail to convince the mega-banks of their loan-worthiness and are forced to resort to riskier start-up funding like re-mortgaging their homes or drawing from pension funds. According to Brooks, "…local businesses and entrepreneurs are increasingly vital for rural employment growth" because manufacturing jobs are not relocating to rural areas.

In an ironic "Catch-22" finding, the Rural Policy Research Institute in Chapel Hill, North Carolina has released its research on rural economic development and found the following:

- "Entrepreneurship development is a necessary component of rural economic development – it may be the most promising strategy for rural places."
- "Creating an entrepreneurial environment requires culture change – instilling a 'growing our own' mentality in rural regions across the country."

The good news is that in economic study after study, Northampton County has been found to have a long and robust history of small entrepreneurial businesses. But the combination of a high percentage of rural households relying on transfer payments, the high percentage of rural localities also relying on transfer payment revenues, the decline of rural real property values, increasing difficulty in funding rural businesses and a squeeze on rural health care funding for an aging population, "indicates that many rural counties in Virginia will face difficulties in adjusting to the new fiscal realities" (A&AEA Report).

Sources: *Virginia Commission on Local Government – Comparative Report of Local Government Revenues and Expenditures (2012), USDA Economic Research Service and the Rural Virginia Prosperity Commission Data Update.*

In Northampton

Comp Plan vs. Zoning Proposal

Martina Coker and Roberta Kellam are members of the Northampton County Planning Commission. Coker has been Chair of the Commission for a number of years. Kellam is an attorney with substantial land use experience. The two developed a 23 page memo for the Planning Commission urging the Commission to recommend to the Board of Supervisors that the zoning proposal be withdrawn based on its non-compliance with the Comprehensive Plan that is currently in place. Within the motion was the following chart, which details how the proposal is in conflict with the Comprehensive Plan. The Commission failed to approve the Coker/Kellam memo, but the ShoreLine *edit board felt that it would be of interest and benefit to our readers. The chart is presented in its entirety.*

Comprehensive Plan Part 1, Sec 1 – Public Input	**Proposed Zoning Code Inconsistencies**
1.2.3 Housing affordability – should focus on infill development and rehabilitation of existing structures -- *Housing*	No attention to this concept in proposed Zoning Amendments; proposed Zoning Amendments promote new development outside of existing settlement areas.
1.2.4 Economic Development – find ways to strengthen agriculture, seafood-based industries and water-related activities for economic development, but also as a crucial part of maintaining the county's rural character and traditional development pattern of towns and villages -- *Economic Development*	Elimination of seaside Bay Act protection, decreased shoreline lot frontage, permitted rezoning to residential in Agriculture Districts, non-compatible uses in Agriculture Districts and on working waterfronts, all jeopardize the traditional county industries and the resources needed to sustain them.
1.2.5 Community character and development pattern – generally favored compact development forms, traditional townscapes and working agricultural landscapes -- *Housing & Economic Development*	Permitted rezoning to high density residential PUDs, higher density Residential Districts and Commercial and Industrial uses in residential and agricultural areas undermines this repeated community aspiration.
1.2.7 Community facilities and infrastructure – new development brings demand for services that may stretch the county's financial capabilities – identified "conditional zoning" as one way to address infrastructure needs -- *Housing*	• No adequate government services policy has been established to deliver or fund services for widespread residential development. • By Right uses and densities eliminates most rezoning and removes negotiating ability from the county.
Comprehensive Plan Part 1, Sec 1 – Vision Statement	**Proposed Zoning Code Inconsistencies**
Preserve rural development pattern; direct new development to towns and villages -- *Housing & Economic Development*	• Permitted rezoning to high density residential PUDs, higher density Residential Districts and Commercial and Industrial uses in agricultural areas undermines this repeated community aspiration. • Elimination of Town Edge Districts reverts many areas to Agriculture District density (1:20)
Develop a healthy, sustainable local economy based on Agriculture, Aquaculture, recreational tourism and compatible industries-- *Economic Development*	Removal of seaside Bay Act protections, lack of meaningful Performance Standards for rezoning, lowered setbacks for intensive agriculture, by-right non-compatible uses on farmland and in residential neighborhoods and removal of working waterfront protections all undermine this community aspiration
Preserve natural resources that serve as the foundation for the local economy—*Economic Development*	• Removal of seaside Bay Act protections, lack of meaningful Performance Standards for rezoning, lowered setbacks for intensive agriculture, by-right non-compatible uses on farmland and in residential neighborhoods and removal of working waterfront protections all undermine this community aspiration. • Uncontrolled residential sprawl development threatens the sole source aquifer.

See **"Comp Plan vs Zoning Proposal,"** *Cont'd on page 6*

"Comp Plan vs Zoning Proposal," *Cont'd from p. 5*

Ensure new development is located and scaled to be compatible with historic settlements and structures, and varied enough to meet the needs of all income groups – *Housing*	• Lack of intent statements eliminates any requirement for compatible development, or for inclusionary housing.
Subdivision design standards, to preserve open space and rural character -- *Housing*	• Removal of Lot Area Ratios for any development will eliminate standards which would preserve open space, control drainage issues in flood prone or low-lying areas and ensure compatibility with rural character. • Lack of meaningful criteria and Performance Standards for PUDs will have the same effect.
Established standards for Village development to assure architectural compatibility and consistency with scale and density of surrounding areas – *Housing*	Lack of intent statements eliminates any requirement for compatible development.
Protect the agricultural industry from encroachment, by using sensible land use guidelines-- *Economic Development*	• Permitted non-AG uses in AG District, many industrial, commercial, recreational and institutional uses By Right, will all encroach on farming operations. • Permitted Rezoning to R, R-1, R-2, R-3, R-5 or PUDs in any District, including Agriculture, will provide incentive to convert productive farmland to other uses.
Protect the aquaculture industry with careful land use planning to ensure coastal waters remain clean and productive and working waterfronts remain viable-- *Economic Development*	Permitted rezoning to high density residential, reducing shoreline lot frontage, removal of Bay Act protection on the seaside and permitting non-water dependent uses on working waterfronts will adversely impact both the resources and operating areas necessary to a thriving aquaculture industry.
Direct development away from sensitive natural areas including sensitive waterfront lands, flood prone areas and wetlands-- *Housing & Economic Development*	• Removal of seaside Bay Act protections, lack of meaningful Performance Standards for PUD rezoning, lowered setbacks for intensive agriculture, by-right non-compatible uses on farmland and in residential neighborhoods will all impact adjacent natural areas • Removal of Lot Area Ratios for any development will eliminate standards which would preserve open space and control drainage/stormwater runoff issues in flood prone or low lying areas.
Comprehensive Plan Part 1, Sec 2 – The Land Use Plan	**Proposed Zoning Code Inconsistencies**
Design Goals: 1. Promote compact development forms that both preserve open space in rural areas and maintain distinct town and village edges in settlement areas. 2. Promote infill development in existing towns and villages and rehabilitation of existing structures. 3. Allow for a range of residential densities, particularly in designated development areas, to provide housing options varied enough to meet the needs of all incomes. 4. Ensure new development is appropriately located and scaled to be complementary extensions of existing settlements and structures and, where appropriate, the rural landscape. 5. Promote consolidation of existing entrances and minimize the creation of new entrances to improve the safety of the U.S. Route 13 corridor	1. New Residential Districts of large-lot subdivision (R-3 and R-5) are not compact or clustered and encourage sprawl. 2. New Residential Districts and elimination of Existing Subdivision District promotes new residential growth in Agricultural land, rather than in the existing settlement areas. 3. Higher densities allowed in new development than is currently the normal density will lead to development that is not complementary to existing settlements. 4. Widespread by-right commercial and industrial uses with no meaningful performance standards do not ensure appropriate location and scale of new development. 5. Elimination of Route 13 Overlay District threatens the safety and appearance of the Route 13 Corridor

See **"Comp Plan vs Zoning Proposal,"** *Cont'd on page 7*

"Comp Plan vs Zoning Proposal," *Cont'd from p. 6*

2.1.1 Land Use Planning Goals: • Direct new residential development to areas in or adjacent to existing towns and villages – where there is the greatest potential for central utilities and adequate public services – *Housing* • Ensure that new development is located according to policies and the Future Land Use Map in this Plan – *Housing and Economic Development* • Direct new industrial and business development to limited areas in and adjacent to existing towns and to key locations near the Cape Charles harbor and the railroad – *Economic Development*	• Elimination of Town Edge Districts reverts many areas to Agriculture District density (1:20) • FLUM has been disregarded in the proposed Zoning amendments • Rezoning to Commercial and Industrial PUDs, with no meaningful criteria or Performance Standards, undermines this land use goal • By-right Industrial and Commercial Uses in residential and Agriculture districts disregards this land use goal
Land Use and Community Design Policies: 1. Accommodate growth where it can be supported by infrastructure improvements. 2. Maintain existing community character which supports heritage, culture and mature-based tourism. 3. Preserve natural resources that support agriculture, aquaculture, eco-tourism and maritime activities.	• Elimination of Town Edge and addition of new Residential Zones promotes development outside of areas supported by infrastructure capabilities. • All Zones have been upzoned by allowing an additional dwelling unit "guest house" by-right, resulting in higher net densities outside of infrastructure areas. • New commercial and industrial uses without Special Use Permits in agriculture areas undermine the county's rural character. • Upzonings and permitted rezoning to high density residential and PUDs undermine the natural landscape and rural character. • Removal of Chesapeake Bay Preservation Act from the Seaside, high density Residential Development in the Villages of Willis Wharf and Oyster, high density Residential Zoning Districts throughout the watershed of the Bayside and Seaside, narrow lot shoreline widths, and multiple industrial and commercial uses without Special Use Permits will all contribute to the degradation of water quality, wildlife habitat, groundwater resources, and other natural resources of the County.
Conservation District: • 1 dwelling unit/50 acres • No public sewer and water • No community facilities other than parks and outdoor recreation	• Increased density by-right with allowance for additional dwelling unit "guest house." • By-right uses include biomass facilities, research facilities, basic utilities (which could include coal fired power plants, among other generation facilities), which are clearly in direct conflict with the Conservation District.
Rural / Agriculture Areas: • 1 dwelling unit/20 acres • Rezoning to higher density is discouraged • New residential should be clustered • No sewer and water • Minimal community facilities • Transportation improvements focused on Agriculture needs	• Increased density by-right with allowance for additional dwelling unit "guest house." • No limitation on rezoning to higher intensity Residential District or PUD, in direct conflict with the Plan. • Many non-agricultural, commercial and industrial uses by-right, which encourages the conversion of farmland to development. • No limitation on rezoning to higher intensity commercial and industrial with associated public sewer and water.

See **"Comp Plan vs Zoning Proposal,"** *Cont'd on page 8*

"Comp Plan vs Zoning Proposal," *Cont'd from p. 7*

Hamlet (e.g., Bethel Church, Birdsnest, Culls, Marionville, Pat Town, Wierwood): • 2 dwelling units/acre • Infill with SF residential • New structures of same scale and type • No public sewer and water • Not preferred location for county-owned facilities other than parks	• Density increased to 4 MF/acre; even higher with "guest house" density allowance. • Many high impact non-compatible, commercial, recreational and industrial uses allowed By-right, with no Notice to residents, and no assurance that development will be compatible. • Elimination of Lot Area Ratios for any development will eliminate standards which would preserve community character and manage stormwater issues in flood prone or low lying areas.
Waterfront Hamlet (e.g., Bayford, Redbank, Cherrystone Landing): • 2 dwelling units/acre • Residential infill • Small scale business, institutional, employment uses • Working waterfront • No public sewer and water • Not preferred for County-owned facilities other than parks	• Consolidated with Hamlet zone; density increased to 4 MF/acre; even higher with "guest house" density allowance. • No protection for Working Waterfront • Many high impact non-compatible, commercial, recreational and industrial uses allowed By-right, with no Notice to residents, and no assurance that development will be compatible. • Elimination of Lot Area Ratios for any development will eliminate standards which would preserve community character and manage stormwater issues in flood prone or low lying areas.
Village (e.g., Capeville, Cheapside, Hare Valley, Machipongo, Martin Siding/Reedtown, Townsend, Treherneville): • 2 DU/ac – SF • 4 DU/ac – MF • Mixed housing types • Preferred location for community facilities • Community sewer and water not prohibited but requires planning.	• All densities increased by addition of by-right "guest house." • Elimination of Lot Area Ratios which preserves community character and open space could exacerbate stormwater drainage issues in flood prone and low lying areas. • Many high impact non-compatible, commercial, recreational and industrial uses allowed By-right, with no Notice to residents, and no assurance that development will be compatible.
Waterfront Village (Willis Wharf and Oyster): • 2 DU/ac • Working waterfront • Conform to Vision Plans • Waterfront-related uses that are compatible in scale, proportion and impact • Mixed use buildings • No residential in harbor and working waterfront • Preferred location for community facilities • Community sewer and water not prohibited but requires planning	• Consolidated with Village zone • Increase in residential densities not in line with Vision Plans. • Density of 4 SF or MF dwelling units/acre is a large increase from the current 2 DU/ac. • Conversion of extensive acreage from Rural Waterfront Village – 1 District (1 du/10 ac.) to Village District (4 DU/ac) jeopardizes surface water quality by stormwater runoff from developed parcels and exacerbates stormwater runoff impacts on the land. • No protection for working waterfront.
Existing Subdivision (e.g., Vaucluse, Waverly, Wilsonia Landing, Butler's Bluff, Chesawadox, Highland Heights, Tower Hill): • Single use rural subdivisions • No sewer/water • No expansion • Infill only • 2 DU/acre – 1 DU/3 acre • No non-residential development • No community facilities except for recreation	• Removal of this Zoning District impacts rights of lot owners in Existing Subdivisions. • Proposed conversion of Existing Subdivisions to proposed new Residential Districts would include numerous by-right commercial and industrial uses (e.g., basic utilities, biomass, assisted living facility) which compromise the residential nature of the Existing Subdivisions. • Proposed conversion of Existing Subdivisions to proposed new Residential Districts would increase allowable density and intensity of use by allowing by-right guest house, and multi-family units.

See **"Comp Plan vs Zoning Proposal,"** *Cont'd on page 9*

"Comp Plan vs Zoning Proposal," *Cont'd from p. 8*

Existing Cottage Community (Battle Point, Downings Beach, Silver Beach, Smith Beach): • No new developments, infill only • No rezoning • Single family development only • 2 DU/ac • No nonresidential development except for by SUP or home occupation • No public sewer and water • No community facilities except for recreation	• Proposed Zoning Code allows new Cottage Communities to be created with NO minimum Density, NO minimum shoreline width, NO minimum lot size in direct conflict with the Comprehemsive Plan which limits the development to 2 DU/acre. • The Proposed Zoning Code allows numerous commercial and industrial activities "by-right" rather than by SUP.
Town Edge (Adjacent to Towns, future expansion of Towns, and may be served by Town facilities): • 1 DU/2 acres to 5 DU/acre • Public sewer and water • Neighborhood-oriented commercial • Cluster, compact and mixed use that preserves community spaces	Elimination of Town Edge converts many areas to Agriculture Density (1 DU/20 acres).
The Comprehensive Plan does not include any new Residential Zoning Districts outside of the Town Edge, Hamlet and Village areas due to: • No public sewer • No public water • Cost of providing public services to widely dispersed populations – transportation, school bus, emergency medical, fire and public safety response. • Surplus of available Residential lots within the County with low demand	The Proposed Zoning Ordinance creates five (5) new Residential Zoning Districts outside of the Town Edge, Village and Hamlet areas: R, R-1, R-3, R-5 and RM. Densities for these new districts are as follows (note that densities do not include the by-right accessory dwelling unit allowed for each SF unit): R: 1 SF or MF dwelling unit/20,000 sq. ft. R-1: 1 SF or MF dwelling unit/1 acre R-3: 1 SF or MF dwelling unit/3 acres R-5: 1 SF or MF dwelling unit/5 acres RM: 1 SF dwelling unit/20,000 sq. ft or 1 MF dwelling unit/10,000 sq. ft. The proposed Zoning Code offers no planning for the community services, emergency services, facilities, transportation, sewer and water infrastructure and schools that would be required in order to support this new Residential development. The proposed Zoning Code does not consider the impacts to groundwater, surface waters, shorelines, affordable housing, aquaculture needs, agriculture preservation, and historical resources from these new Residential Districts.
Comprehensive Plan – Part 1, Section 5: Environment and Natural Resources Plan	**Proposed Zoning Code Inconsistencies**
5.4.**Groundwater Protection.** d. Continue to implement the Chesapeake Bay Preservation Act on a County-wide basis	The proposed Amendment to the Bay Act removes the Bay Act protections on the seaside; in direct conflict with the Comprehensive Plan.
5.4.**Groundwater Protection.** e. Study and implement zoning regulations to protect and manage selected recharge areas and other groundwater-sensitive areas.	The proposed Zoning Code fails to address development standards to protect groundwater.
5.4.**Groundwater Protection**. i. Develop standards for industrial development that will protect groundwater.	The proposed Zoning Code fails to include any performance standards for Industrial Activities that would address groundwater protection.
5.5.**Natural Environment and Marine Habitats**. u. Continue to implement the Chesapeake Bay Preservation Act on a County-wide basis.	The proposed Amendment to the Bay Act removes the Bay Act protections on the seaside, in direct conflict with the Comprehensive Plan.

The 2014 CBES Pig Roast

By Denard Spady

The CBES Pig Roast just completed its 26th edition. In those 26 years, the event has evolved and changed with its times. This year was no exception.

The Pig Roast was originally proposed by Dr. Harry Holcomb as a "good time" for CBES volunteers who, in 1989, had been working hard for a year to establish a new community organization. So, in the late 1980s, it was a gathering of CBES members and community leaders with invited guests from the public arena – Supervisors, Planning Commissioners, county staff, etc. – an opportunity for everyone to get together, have an enjoyable evening and put aside the controversies of the time. It was hoped the event would break even financially, but the focus was on the good time and celebration of each year.

In the 1990s, the attendance became broader. Public officials were welcome but were no longer invited guests. The crowd came to be dominated by college-age and other young adults who wanted to "party." The event became livelier and the stories more legendary of each year's event. Without much competition on the social scene, the Pig Roast was the first big party of the summer season for many. Attendance sometimes hit 500-plus and the event began raising more funds than its cost, adding between $3000 and $5000 each year for CBES' other activities.

In the 2000s, as those college kids married and had families, the Pig Roast became a family event with new young parents who had grown up attending the event, their parents (now grandparents) and swarms of kids. It featured antique tractors, hayrides, kiddie games, a little rock music for the young parents and a glass of wine for the grandparents.

But after peaking in the late 1990s and early 2000s, the environment for events like this changed again. The number of competing events (run by organizations that didn't exist when the Pig Roast started) and the crowds they draw have increased dramatically – particularly on Memorial Day weekend, the traditional date of the Pig Roast. The Pig Roast, once the only game in town, had become one of many games in town. We knew we needed to change the event again.

See **"Pig Roast,"** *Cont'd on page 11*

Pig Roast attendees took wagon rides thanks to Pfeiffer Stables.

Volunteers

Lynn Badger
Will Brown
Sharon & Larry Burkhard
Sandra & George Chandler Jr.
Ive & John Chubb
Mary & Jason Floyd
Eleanor Gordon
John Gordon
Karyn Harmonson & Margaret Harmonson
Nancy Holcomb
Barbara & Steve Johnsen
Lynn Lanier & Denard Spady
Michele Leatherbury
Bo Lusk
Penny Lusk
Sue & Bill Mastyl
Mary Miller
Nancy Mulligan
Jan Neville
Jack Ordeman
Solomon Owens
William Pfeiffer
Liam Pyle
Sally Richardson
Tad Taborn
Nichole Toms
Barry, Britney & Leigh Tyndall
Arthur Upshur
Margaret VanClief
Jeff Walker

Sponsors

Dr. & Mrs. Michael Peirson
SEA Consulting
Atlantic Animal Hospital
ESVA.net
Jake & Sarah Golibart, *The Folkibarts*
Pfeiffer Training Stables
Tommy O'Connor

Supporting Businesses & Organizations

Northampton HS Culinary Arts Department
The Chesapeake Bay Bridge Tunnel
Northampton County Sheriff's Department
Northampton Alliance Against Trash
Sullivan's Office Supply
Rayfield's Pharmacies
H.W. Drummond
The Book Bin
Eastern Shore Events & Rentals
Chatham Vineyards
Wendell Distributing

Event Manager

Phyllis Tyndall

Special Thanks

To John Wescoat and his family for the continued use of the Cherry Grove site and for keeping it so well maintained.

"Pig Roast," *Cont'd from page 10*

Over the last few years, the CBES Board has frequently discussed ending the event – some members feeling that it is not "mission-related" and is too much work for no gain after staff expenses of organizing the event are factored in. Other Board members felt that the Pig Roast is a great community event and good public relations for our organization. After much debate, it was decided that we needed to change with the times again. We decided to move the date to a less competitive weekend. We partnered with the Northampton School Culinary Arts Program on food preparation to scale down the work on preparing the food on site. Chatham Vineyards generously agreed to host the wine for the adults. We dropped the silent auction portion of the fundraising to focus on the core purpose of the event – to add a family community event.

By all measures, most of our goals were met this year. We had a great family event with strong attendance by our community. While we still had a "competing" event, the Historical Society Gala which unfortunately ended up on the same night, the change of date seemed not to effect the attendance too much. The food was certainly different from Roger Buyrn's cooking on an open fire while "bickering" with Jeff Walker over the details. We missed Art Schwarzchild's legendary sauces. But it was good food and the kids still enjoyed the hoola hoop contests and limbo stick competitions. The Northampton Culinary Arts Program made a great first effort for us and we hope to be able to work with them in the future too as their program evolves further. With their help, we are hopeful to add more local food to the venue. Most of all, the smaller event was easier to manage for us.

Was it "successful"? We *think* so – and we hope you agree.

Let us know what you think about the Pig Roast – along with any suggestions you may have for future editions of this great old CBES event – phone (757) 678-7157, HYPERLINK "mailto:info@cbes.org" or info@cbes.org or US mail to P.O. Box 882, Eastville, Virginia 23347.

All photos by esva.net.

Sarah and Jake Golibart entertained the crowd.

Limbo remained a popular activity at the Pig Roast.

Detach and return to CBES, PO Box 882, Eastville, VA 23347 • Join online at www.cbes.org

CBES Membership 2014 ❑New ❑Renewal

For Office Use

I would like to receive *ShoreLine* by email: ❑Yes ❑No

Name_____ Phone _____

Address _____ email _____

City _____State _____Zip _____ - _____

My volunteer interests are: _____

Enclosed is $_____ for the following:

* _____ Regular Membership (includes *ShoreLine*) $ 20

* _____ Life Membership (includes *ShoreLine*) $ 200

* _____ Optional Additional Contribution of $ _____

* _____ *ShoreLine* subscription without CBES membership $ 20

* _____ Gift subscription to *ShoreLine* for a friend *(write name and address on reverse)* $ 20

For our membership records, tell us how many there are in your home 16 years or older: _____

Citizens for a Better Eastern Shore
P. O. Box 882
Eastville, VA 23347-0882

Address Service Requested

RENEW YOUR MEMBERSHIP NOW!

Nonprofit Organization
U. S. Postage Paid
Eastville, VA
Permit No. 8

SHORELINE

Community Calendar - July 2014

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

CBES and Other Activities

July 2 **VIMS Public Seminar**
7:30 PM, Wachapreague

July 8 **CBES Exec. Committee**
5 PM, CBES Office

July 10 **Shorekeeper Meeting**
1 PM, ES Chamber of Commerce
Keller

July 17 **UVA Seminar Series**
7 PM, Oyster

Northampton County

July 1 **Planning Commission**
7 PM, Sup. Chambers

July 7 **Board of Zoning Appeals**
1 PM, Conference Room

July 8 **Board of Supervisors**
7 PM, Sup. Chambers

July 16 **Wetlands Board**
TBA, Conference Room

July 24 **School Board**
5:30 PM, Sup. Chambers

July 24 **BOS Work Session**
7 PM, Sup. Chambers

Accomack County

July 2 **Board of Zoning Appeals**
10 AM, Sup. Chambers

July 9 **Planning Commission**
7 PM, BOS Chambers

July 15 **School Board**
7 PM, BOS Chambers

July 16 **Board of Supervisors**
6 PM, BOS Chambers

July 17 **Wetlands Board**
10 AM, Sup. Chambers

www.cbes.org