

LANCASTER COUNTY PLANNING COMMISSION

Minutes

January 15, 2015

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the Board meeting room of the Lancaster County Administration Building, Lancaster, Virginia.

Present were David Jones, Chair, Tara Booth, Vice-Chair, Robert Smart, David Chupp, Glenn Pinn, Steve Sorensen and Ty Brent.

Also present were William R. Lee, Board of Supervisors Representative, Don Gill, Planning/Land Use Director, Renss Greene, Rappahannock Record, Nick Ferriter and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the November 13, 2014 meeting.

Mr. Jones moved to approve the November 13, 2014 minutes as submitted.

VOTE: 7-0.

DISCUSSION ITEM #1

PUBLIC INFORMATION SESSION REGARDING THE PROPOSED PUBLIC BOAT RAMP AT THE WINDMILL POINT MARINA BASIN

Mr. Jones asked Mr. Gill to present the issue.

Mr. Gill stated that the objective of this discussion was to inform the Planning Commission of what has occurred to date and provide the public with correct information.

Mr. Gill stated that he wanted to start with why public access is needed in Lancaster County. He stated that the County has over 300 miles of tidal shoreline and 97 percent of that is privately owned, which makes obtaining land for public access extremely difficult. He stated that there are only two public boat landings in Lancaster County, one at Belle Isle State Park and the other on Greenvale Creek, which are both located at the upper end of the County, with none at the lower end. He further stated that there is one canoe/kayak launch site in the Windmill Point area and one public beach

there as well. He stated that Lancaster County is ranked last in the total number of public access sites of all of the counties of the Northern Neck, Middle Peninsula and Eastern Shore of Virginia.

Mr. Gill stated that the need for public access has been well documented in the Comprehensive Plan, which cites a clear objective to create a public boat ramp on the eastern side of the County that can provide direct access to the Chesapeake Bay. He stated that other objectives noted in the Comprehensive Plan include developing convenient public access facilities in areas of high pier densities in order to give boat owners the option of taking their boats out of the water when not in use and to create public access sites in locations where they can act to generate traffic to nearby businesses.

Mr. Gill stated that the Windmill Point Marina Basin was created in the 1960's and most of the time since, there has been a boat ramp there. He showed a map where various locations for ramps have been located. He stated that in 2004, the owner at that time, Windmill Point Resort Yacht Harbor, Inc., submitted a joint permit application to re-bulkhead the marina basin and relocate the boat ramp. He stated that permit application was approved in 2005 and some of the work was done, but the property was sold in 2006, before the work was completed. The old boat ramp had been removed, but the new one had not been built at that point. He stated that the new owner, Windmill Redevelopment Associates, wanted to put several large buildings, including 200 condominium units, around the marina basin. He stated that company revised their master plan in 2007 and moved the boat ramp location again. He stated that after the downturn in the economy in 2007 and 2008, their plans became stagnant with the redevelopment of the marina. He stated that, in 2012, the property was sold again, to RL Prop 2011-1 Investments, LLC, and they have the intention of operating the property as a marina. He stated that in 2013, the current owner did a boundary line adjustment and sold some of the property to a private individual. He stated that the current owner asked if the County could install the boat ramp instead of the developer and the owner suggested the current location of the proposed ramp and added some extra acreage for parking.

Mr. Gill stated that he had included in the Commission members' packets, the following documents: 1) the grant application submitted to the Virginia Department of Game and Inland Fisheries (DGIF) on October 1, 2014, 2) the Resolution passed by the Board of Supervisors on November 20, 2014 supporting the proposed ramp, 3) the 25-year lease executed on December 9, 2014 for the 1.4-acre site of the proposed ramp and parking area and 4) the Grant Award letter dated December 30, 2014 approving Lancaster County for a \$150,000 grant to help develop the proposed ramp site and parking area.

Mr. Gill stated that Board of Supervisors Chairman Bellows, County Administrator Pleva and he met with the Board of Directors of the Beach Cove Villas on January 10th to explain the proposed project. He stated that another meeting was scheduled for January 24th with additional property owners. He stated that the County is trying to get comments and concerns from neighbors so that they can hopefully be

addressed. He stated that engineered plans needed to be prepared, but they need to know those concerns so they can be addressed in the plans, if possible.

Mr. Gill stated that one of the concerns he has heard from owners within close proximity of the proposed project is that their current access road will go through the proposed parking area of the ramp, so they are asking the Board to consider relocating their access road to an alternative ingress/egress location. He stated that the property owners were putting together a list of other concerns for the Board of Supervisors' review.

Mr. Brent asked about wetlands in the area of the alternative road.

Mr. Gill replied there is a very small amount of wetlands there and Adrian Jennings from the Army Corps of Engineers has been on site to address any wetlands concerns and make suggestions for mitigation.

Mr. Gill stated that a cooperative grant agreement needs to be signed by April 1st between the County and the Department of Game and Inland Fisheries. He stated that after that agreement is signed, the County has eighteen months in which to use the grant money and complete the project.

Mr. Gill showed the Planning Commission a shoreline evolution report from the Virginia Institute of Marine Science (VIMS) to demonstrate the evolution of the marina basin.

Mr. Gill stated that no formal action was required by the Planning Commission on this issue since a "county sanctioned public facility" is a by-right permitted use in all zoning districts. He stated that this discussion is intended to brief the Planning Commission, in a public setting, on this proposal and what has occurred to date, and to record any comments or concerns of Commission members.

Mr. Gill stated that should the Planning Commission wish to go on record with a recommendation, the proper course of action would be to endorse, or not, by a consensus poll. He stated that a formal vote is not appropriate as there is no application before the Planning Commission to be acted upon.

Mr. Jones asked if DGIF defined the complete project as the parking lot and the boat ramp.

Mr. Gill replied yes, and all that is being proposed is a 16-foot wide, single boat ramp, a small courtesy pier and the parking area.

Mr. Jones asked if the wetlands area and the alternative road were held up, could the project still proceed and be completed.

Mr. Gill stated that he thought everything could be accomplished in the eighteen-month timeframe, but assumed if the County was making progress, an extension may be granted.

Mr. Smart asked what the controlling depth to the bottom of the boat ramp was.

Mr. Gill replied that it had to be equal to or greater than 3 feet deep.

Mr. Brent stated that he understood that the basin itself was 6 feet deep.

Mr. Smart asked if there were any major siltation problems.

Mr. Gill replied that there has been some siltation over the years in the inlet channel to the marina basin.

Mr. Sorensen asked about the access road that is there now from Windmill Point Road.

Mr. Gill replied that the current access road, Windjammer Lane, has gravel in some areas and pavement in others, and that it would need to be maintained better in the future.

Mr. Smart stated that he was happy that the County was executing what has been in the Comprehensive Plan for 15 years.

Mr. Brent asked if Mr. Gill had received any comments from the public.

Mr. Gill replied that he has received comments in support and in opposition and there have been some letters to the editor in the Rappahannock Record as well. He stated that it was impossible to please everyone, but the goal was to come up with something that everyone could live with. He stated that the boat ramp would be a benefit to the 11,300 plus residents of Lancaster, since there is no boat ramp in the eastern half of the County, by providing direct access to the Chesapeake Bay, and that there had always been a boat ramp there until 2005.

Mr. Smart referred to the location and stated that it was minutes away from great fishing.

Mr. Lee stated that all of the comments he had received concerning the proposed boat ramp have been positive. He stated that he thought it was an ideal spot.

Mr. Jones stated that he agreed.

Nick Ferriter, a District 1 citizen, asked if he could make a couple of comments.

Mr. Ferriter stated that he was very much in favor of the proposed boat ramp and believed the public would embrace the plan. He stated that his concern was the inlet to the marina basin and asked about the history of dredging there. He stated that he also thought it would be better if the County owned the property associated with the boat ramp as opposed to leasing it.

Mr. Gill stated that there are on-going discussions concerning the purchase of the property associated with the ramp and parking area. He further stated that the lease payment of \$2400 annually is relatively small, so there is little incentive for RL Properties to want to continue with the lease versus selling the property to the county.

Mr. Gill stated that he appreciated the question concerning the history of dredging there and he would try to find that information.

Mr. Chupp stated that he thought it was a great proposal and a great location. He stated that he was concerned about the lease agreement and thought the parcel should be owned by the County.

Mr. Chupp asked if the County planned on charging a fee for usage of the ramp.

Mr. Gill replied no, as one of the requirements of the DGIF grant is that usage of the ramp be free.

Mr. Chupp asked about any restrictions on the size of boats that will use the ramp.

Mr. Gill replied no, as long as they can be launched and retrieved in the mean low water depth of 3 feet.

Mr. Chupp stated that there is also a need for a fishing pier in the County for those citizens who do not have access to a boat and trailer. He suggested that maybe some of the funding that the County has been approved for could help take care of that need as well.

Mr. Brent asked, for clarification purposes, about the proposed project including a fishing pier.

Mr. Gill replied that there is no fishing pier proposed with this project. He stated all that is being proposed is a 16-foot wide, single boat ramp, a small courtesy pier and a parking area with operational hours from dawn to dusk.

Mr. Smart stated that he thought the proposed ramp would get a lot of use because of its location.

Mr. Jones stated that he thought it was a good start towards meeting the public access goals of the county.

Mr. Smart asked what the marina owner plans on doing with the rest of the property.

Mr. Gill replied that what he knew at this point was that they do not have the residential aspirations the previous developer had, but want to operate it as a marina, similar to their other 13 or 14 marinas along the east coast.

Mr. Brent asked if the residential permits had expired there.

Mr. Gill replied that the master plan that was previously approved was still valid, and included a marina, but it will obviously need to be revised when the new owner decides on his future plans there.

Mr. Jones asked about the boathouses and whether or not they were grandfathered.

Mr. Gill replied that the boathouses were removed more than 2 years ago, so they have lost their grandfathered status and cannot be rebuilt.

Mr. Lee stated that the proposed ramp will help the property owner's business.

Mr. Jones agreed.

Mr. Chupp stated that he thought it would help the economy of the whole area as well.

OTHER BUSINESS

Mr. Gill stated that the Capital Improvement Budget for FY 2016-2020 would be on next month's agenda.

ADJOURNMENT

The January 15, 2015 regular meeting of the Lancaster County Planning Commission was adjourned at 7:45 p.m.