

LANCASTER COUNTY PLANNING COMMISSION

Minutes

July 16, 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, Robert Smart, Tara Booth, 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, and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the May 21, 2015 meeting.

Mr. Jones moved to approve the May 21, 2015 minutes as submitted. **VOTE: 7-0.**

CONSIDERATION ITEM #1

UPDATE TO THE FUTURE LAND USE MAP IN CHAPTER SEVEN OF THE COMPREHENSIVE PLAN

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

Mr. Gill stated that at the last Planning Commission meeting, it was suggested that twelve existing and proposed public use areas be added to the Lancaster County Future Land Use Map in response to the County Attorney, Jim Cornwell's, request that the proposed Windmill Point boat ramp and other public use areas be shown on our future land use map.

Mr. Gill stated that the existing public use areas have been added as green dots and the proposed public use areas have been added as purple dots on the draft map.

Mr. Gill stated that he had sent a copy of the draft map to Jim Cornwell to review. He stated that Mr. Cornwell said the dots were fine as long as there was a document attached to the map, which explained what the dots represented. He stated that Mr. Cornwell went on to say that the explanation needed to be a part of the minutes when the

map is approved, because if a public use was ever contested he would want to be able to defend it based upon the land use map showing the general location of the use.

Mr. Gill stated that based on Mr. Cornwell's comments, a second page may need to be added behind the map that lists the existing and proposed public use areas.

Mr. Smart suggested numbering the dots for clarification.

Mr. Gill stated that could be done.

Mr. Smart stated that he liked the fact that the map was not cluttered.

Mr. Gill stated that Mr. Cornwell's main objective was to get the public use areas on the future land use map.

Mr. Brent asked how much description would there be for the sites.

Mr. Gill replied that he was planning on naming the existing sites and briefly describing the proposed sites. He stated that there is some redundancy, because within the text of Chapters Five and Six of the Comprehensive Plan, most sites are already described.

The consensus was to have Mr. Gill add the descriptions and advertise it for public hearing as opposed to reviewing it again.

Mrs. Booth made a motion to forward the Update to the Future Land Use Map in Chapter Seven of the Comprehensive Plan to public hearing at the August meeting.
VOTE: 7-0.

DISCUSSION ITEM #1

NORTHERN NECK PLANNING DISTRICT COMMISSION ANALYSIS OF VDOT ROAD ENDINGS FOR POTENTIAL PUBLIC ACCESS

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

Mr. Gill stated that after a joint presentation by Lewie Lawrence of the Middle Peninsula Chesapeake Bay Public Access Authority and Stuart McKenzie of the Northern Neck Chesapeake Bay Public Access Authority in November 2012, the Planning Commission requested that the Northern Neck Planning District Commission investigate VDOT road endings in Lancaster County for possible conversion to public access sites using the same protocol that the Middle Peninsula Chesapeake Bay Public Access Authority had used in a similar study in 2005. He stated that the Northern Neck Planning District Commission originally intended to study 10 road endings, but due to the complexity of this issue, revised that number to three during a recent grant project cycle.

He stated that the report was included in the Commission members' packages for their information.

Mr. Gill stated that the results were not very promising for the three sites that were researched. He stated that he did not know if research on the other sites could continue in another grant cycle.

Mr. Chupp stated that he wasn't convinced that the results were that disappointing. He stated that only thirty percent of the sites had been researched and there were still possibilities to be explored. He stated that he did not believe if the road endings are privately owned, they can no longer be used for public access. He stated that according to Mr. Lawrence, many of the sites that have been developed in the Middle Peninsula were old steamboat landings. He stated that there was a state Supreme Court ruling that says the public has access to the road endings for the steamboat wharfs even if the land is privately owned.

Mr. Gill stated that the Northern Neck Planning District Commission used the same protocol that the Middle Peninsula used. He stated that the County could exercise its right to eminent domain, but since so many years of private ownership has elapsed, it may negate the right to public use.

Mr. Chupp stated that he would think that the Middle Peninsula faced the same problems with private ownership as Lancaster faces. He stated that the Middle Peninsula Chesapeake Bay Public Access Authority was established in 2003 and has had much success. He stated that the Northern Neck Chesapeake Bay Public Access Authority was established just two years later and no one had heard of anything they had ever done. He stated that the Northern Neck Chesapeake Bay Public Access Authority had not been active since 2008. He stated that he thought that it needed to be reinvigorated and would be interested in assisting with it. He stated that the Authority could do its own research on road endings and even buy and sell properties and it is a resource that should be used by the County.

Mr. Gill stated that the Northern Neck Chesapeake Bay Public Access Authority provided some funding a few years ago to do studies on the Ashley Cove and Taylors Creek sites in Lancaster.

Mr. Gill stated that the Northern Neck Chesapeake Bay Public Access Authority serves Westmoreland, Northumberland, and Lancaster counties. He stated that Richmond County has recently expressed interest in joining the Authority as well.

Mr. Chupp stated that Lancaster County Administrator Frank Pleva was active in the Middle Peninsula Chesapeake Bay Public Access Authority when he was the Mathews County Administrator and stated that his expertise should be utilized in the Northern Neck.

Mr. Smart stated that at one time the roads went to the water because of ferry travel and now it has been lost and it's a shame.

Mr. Chupp stated that he would like to pursue this with Frank Pleva and others and report back to the Commission with his findings.

The Commission agreed by consensus.

OTHER BUSINESS

Mr. Gill stated that there may be a rezoning application in August.

ADJOURNMENT

The July 16, 2015 regular meeting of the Lancaster County Planning Commission was adjourned at 7:30 p.m.