

February 8, 2011

**KILMARNOCK PLANNING COMMISSION
Tuesday February 8, 2011
Community Library
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order

Vice-Chair Ludwig called the regular meeting to order at 7:00 pm with the following members present:

Jane Ludwig, Vice-Chair
Steve Bonner

John Smith, Council Liaison
Lindsay Gardner

Members Absent:

Claudia Williamson, Chair
Denis Bouslough
Dave Reedy

Staff Present:

Marshall Sebra, Zoning Administrator/Planning Director
Paul C. Stamm, Jr., Town Attorney
Joan N. Kent, Transcriber

2. Recognition of Guests:

Vice-Chair Ludwig welcomed Kilmarnock residents, business owners and guests.

3. Acceptance of the Agenda

ACTION: Commission Member Bonner made a motion to accept the February 8, 2011 Planning Commission meeting agenda as presented, seconded by Commission Member/ Council Liaison Smith; and carried unanimously.

4. Public Forum

Vice-Chair Ludwig opened the public forum by inviting members of the audience to voice their concerns or ideas in regards to planning issues. Each speaker was limited to 3 minutes.

February 8, 2011

There were no participants in the public forum.

5. Minutes: Approve, Correct or Amend the Minutes for the January 11, 2010 Planning Commission Meeting.

ACTION: Commission Member Gardner made a motion to approve the minutes for the January 11, 2011 Planning Commission meeting as presented, seconded by Commission Member/ Council Liaison Smith and carried unanimously.

6. Public Hearings:

There were no public hearings held.

7. Commissioner Comments

Commission Member Bonner recommended that the Planning Commission meet on the second Monday in April, May, and June at 6:00 pm as a trial phase.

ACTION: Commission Member Bonner made a motion that the Kilmarnock Planning Commission meet on the second Monday of April, May, and June at 6 pm; seconded by Commission Member/Council Liaison Smith; and carried unanimously.

8. Old/ Unfinished Business

Comprehensive Plan Review

Zoning Administrator/Planning Director Sebra apologized for having to move the meeting at the last minute to the library but stated that there were plumbing issues at the Town Office. Mr. Sebra advised that three maps were included in each Commission Member's Packet showing boundary comparison, current zoning and current land use. Mr. Sebra also provided each Commission Member with a blank map for land use mark-up. Mr. Sebra encouraged Commission Members to use this map to put in what they thought parcels should be classified as. Mr. Sebra commented that maps were a great tool and a big part of the Comprehensive Plan. Mr. Sebra stated that since the last meeting, he had received input from two people, the first being Dave Mower who provided several pages which were included in the packet regarding his thoughts, ideas, questions and points of interest regarding the Comprehensive Plan.

February 8, 2011

Vice-Chair Ludwig asked Mr. Mower why he had listed the Northumberland Comprehensive Plan as a point of interest.

Mr. Mower replied that he had included both Lancaster and Northumberland County's Comprehensive Plan because he felt that they might have an impact on the Town and gave an example of the Bluff Point Project and the impact that it would have on Kilmarnock. Mr. Mower said that his main question was what role did the Comprehensive Plan have, was it just a land use plan specifically for the Town itself or was it also going to take into consideration what the other entities were doing and how their actions would affect the Town.

Vice-Chair Ludwig commented that was an excellent question for everyone to consider and thanked him for his input.

Zoning Administrator/Planning Director Sebra commented that the idea of the Comprehensive Plan being a document that was put together by two different counties and several different towns was something that he didn't think had ever happened or would even work. Mr. Sebra said that the Planning Commission only needed to work on the Comprehensive Plan for the Town of Kilmarnock. Mr. Sebra stated that Lancaster County could incorporate Kilmarnock's Comprehensive Plan into theirs if they had a specific chapter that dealt with towns in their jurisdiction.

Town Attorney Stamm advised that the county did not have any zoning power at all over the Town. Mr. Stamm said the Code of Virginia gave that power to the Town and the county did not have anything to do with what was in the Town's boundaries.

Mr. Mower said that he mentioned Lancaster and Northumberland in his thoughts and questions just to show union.

Commission Member Bonner asked Mr. Sebra to speak with Northumberland County to see if they wanted to have a sub-chapter in their Comprehensive Plan regarding Kilmarnock since part of Kilmarnock was in their county.

Commission Member Gardner suggested that the Town get a copy of Lancaster and Northumberland's Comprehensive Plan to review so that any obvious conflicts could be avoided.

Town Attorney Stamm advised that if there were any conflicts in the county's Comprehensive Plan and the Town's Comprehensive Plan, the Town's plan would override them.

February 8, 2011

Commission Member Gardner replied that they might reveal something that the Planning Commission would need to be aware of right off the bat. Ms. Gardner said that they would just be for informational purposes only.

Town Attorney Stamm reiterated that the Code of Virginia stated that the county did not have any decision making power over anything in the Town's boundaries.

Mr. Sebra diverted the conversation to traffic which he said was a big part of the Comprehensive Plan. Mr. Sebra stated that VDOT conducted a study a while back regarding the Southern Lancaster sub-area. Mr. Sebra said that VDOT sat down with Lancaster County and the Town of Kilmarnock to see what peak development each entity expected to have. Mr. Sebra advised that they reviewed what vacant land the Town had for future development and what the Town had already approved for development and then conducted traffic counts. Mr. Sebra stated that they graded all of the intersections from Kilmarnock to White Stone and the study showed that by 2020 some of the intersections would no longer be sufficient if the growth predicted actually occurred.

Town Attorney Stamm said that the grade for Church Street, Main Street and Irvington Road intersections had already received a grade lower than F. Mr. Stamm said that they were not designed for the way that the Town was currently set-up.

Commission Member Bonner inquired about the 50 ft. stretch on Cralle Court which had the "Do Not Enter" Signs and said that since the building beside the street had been torn down could those signs be removed. Mr. Bonner noted that they couldn't be removed before the building was demolished because there was not enough width.

Zoning Administrator/ Planning Director Sebra stated that he could check with Town Manager Saunders who had been consulting with VDOT on that matter.

Commission Member Bonner said that he did not think that it was a VDOT road and commented that they would not even plow it.

Mr. Sebra advised that he was aware that a section of Cralle Court was controlled by VDOT and a section of it was not. Mr. Sebra said that Town Manager Saunders was more familiar with the situation than he was. Mr. Sebra added that he was aware that each jurisdiction was allowed a certain amount of road footage every year to be taken in by the state but commented that it wasn't a lot.

Town Attorney Stamm said that it was a quarter of a mile but noted that it had to meet VDOT standards.

February 8, 2011

Commission Member Bonner said that a few years ago the Town began requiring that every road leading to two dwellings or more had to be up to VDOT standards.

Town Attorney Stamm said that the roads had to comply regarding width, right-of-way, ditch, etc.

Commission Member Bonner said that the signs on Cralle Court were supposed to have been put back further than what they actually were but noted that because of the Rappahannock Record Office and the row of stores there, the signs got moved to where they were now.

Zoning Administrator/ Planning Director Sebra brought up that the Town was currently involved in trying to have the "No Thru Trucks" zone established on Main Street. Mr. Sebra said that the Comprehensive Plan still had the picture of the Route 3 and Route 200 bypass that ran around the Northeast side of Town and questioned if the Commission Members were still interested in that.

Commission Member Bonner said that if the Planning Commission wanted to see a lot of people upset than it should be kept in there and noted that he remembered the first time that subject came up.

Mr. Sebra replied that if something like that shouldn't still be in the Comprehensive Plan than it needed be taken out. Mr. Sebra commented that a majority of the land that the road was supposed to go through was now in conservation easement.

Vice-Chair Ludwig asked what chapter dealt with that proposed bypass road.

Commission Member Bonner replied that it was in Chapter 4 and stated that it should be pulled since it was no longer realistic.

Vice-Chair Ludwig commented that as Mr. Mower had mentioned earlier the proposed PUD in Bluff Point was definitely going to have an impact on the Town and noted that the amount of traffic coming from it the bridge wouldn't even be able to handle.

Town Attorney Stamm replied that VDOT was conducting studies regarding that issue but noted that the developers had their own consultants that would report back to them. Mr. Stamm said that they would have to put a stop light at Bluff Point and Route 200 not to mention they would have to widen the whole road all way down Bluff Point.

February 8, 2011

Commission Member Bonner said that the project should have built on Waverly Avenue.

Town Attorney Stamm commented that if it was put down on Waverly Avenue than traffic would never get out.

Commission Member Bonner replied that he meant Boys Camp Road.

Zoning Administrator/Town Planner Sebra said that there were plenty of options but the reality was the developer wanted to put it in Northumberland and it was going to affect the Town in several different ways with the obvious one being traffic and the other being groundwater. Speaking of groundwater, Mr. Sebra said that in Chapter 5, there were references to the Northern Neck Management Groundwater Plan. Mr. Sebra advised that it was a 2003 document that was still out there and had not been updated. Mr. Sebra stated that he felt it should be kept in the Comprehensive Plan. Mr. Sebra continued by saying that there was now also a Northern Neck Groundwater Supply Plan which had not been put out to the public yet. Mr. Sebra said that the Town would soon be asked to adopt an ordinance regarding this plan and noted that it would added to Chapter 5.

Vice-Chair Ludwig stated that Commission Member Bouslough had brought out some excellent points on this issue during their meeting.

Zoning Administrator/ Town Planner Sebra referenced an email that was sent from Mary Ellis and was included in each Commission Member's packet.

Commission Member Bonner advised that in reading the email it was obvious that Mrs. Ellis was very knowledgeable in this area.

Commission Member Gardner commented that she felt that Mrs. Ellis made a good point in the last paragraph on the second page of the email regarding whether or not public and semi-public uses and facilities were considered as mixed use. Ms. Gardner said that in one place of the Comprehensive Plan it seemed that it was and in another place it appeared that it was not. Ms. Gardner stated that clarification was needed. Ms. Gardner advised that in the vision statement of the Comprehensive Plan, new urbanism was referred to as a broad mix of various residential housing types and small commercial uses and noted that in another area it was also referred to like that. However, Ms. Gardner noted that an area in Chapter 3 referred to mixed use as public and semi-public uses such as churches, schools, playgrounds and things like that. Ms. Gardner finalized by saying that she felt mixed use needed a little clarification because of the inconsistencies.

February 8, 2011

Commission Member Bonner commented that was a good observation.

Zoning Administrator/ Planning Director Sebra asked if the Planning Commission had any further questions or concerns and stated that if either of them needed anything during the revision process to feel free to get up with him and he would do his best to help.

9. New Business

A. Zoning Log Report

Zoning Administrator/ Planning Director Sebra advised that the Zoning Log Report was included in each Commission Member's packet.

B. Update to Town Code Books

Zoning Administrator/Planning Director Sebra handed out a Town Code supplement to Commission Members regarding the Flood Plain Ordinance.

10. Adjournment

Action: Commission Member Bonner made the motion to adjourn, seconded by Commission Member/Council Liaison Smith; and carried unanimously.

Meeting adjourned at 6:44 PM

Prepared by:

Joan N. Kent

Jane Ludwig, Vice-Chair