

**RICHMOND COUNTY PLANNING COMMISSION
MEETING MINUTES**

October 7, 2019

The Richmond County Planning Commission held its regularly scheduled meeting on Monday, October 7, 2019, in the Public Meeting Room, County Administrative Building, Warsaw, VA.

The following members were present:

Rick Cox
Glenn Bowen
J. R. Fidler
Harry Smith, Jr.
Brian Mothershead
Cassandra Jackson
Darnell Clayton
John W. Lewis

Members Absent:

Marion James Packett
Walter Ball

Also present:

Hope Mothershead, Director of Planning and Zoning
Liz Hylan, Administrative Assistant
Officer Nevell, Department of Game and Inland Fisheries
Officer Morris, Department of Game and Inland Fisheries

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Glenn Bowen called the meeting to order at 7:00 p.m. Mr. Bowen gave the invocation and Mr. Fidler led everyone in the Pledge of Allegiance.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES – SEPTEMBER 9, 2019 MEETING

Glenn Bowen asked if there were any additions or corrections to the minutes from the September 9, 2019 meeting. Mr. Cox made a motion to approve the minutes. Mrs. Jackson seconded the motion and they were approved unanimously.

DEPARTMENT OF GAME AND INLAND FISHERIES-UPDATES ON USE OF RIFLES

Mrs. Mothershead brought up for discussion the use of rifles in Richmond County specifically for those individuals over the age of 65 wishing to hunt their own property with the use of a rifle during general firearms deer season. Mrs. Mothershead noted Department of Game and Inland Fisheries (DGIF) is present for questions and information regarding this topic.

Officer Nevell with Department of Game and Inland Fisheries mentioned often she is asked if rifles are more dangerous than shotguns for hunting deer. Officer Nevell noted neither is dangerous if used properly. Officer Nevell also noted it is four times more likely to be injured with a shotgun than a rifle.

Officer Nevell reported Law Enforcement and DGIF investigates hunting related shooting incidents in Virginia, and each year deer hunters using firearms injure approximately 15 people. Officer Nevell noted there are estimated 225,000 licensed hunters in the State.

Officer Nevell stated all hunters should follow the basic safety rules such as always be sure of your target in your line of fire and keep the muzzle of your firearm pointed in a safe direction. Officer Nevell noted hunters should plan to use a safe zone of fire before their wildlife shows up.

Officer Nevell mentioned according to the National Shooting Sports Foundation hunting with firearms has an injury rate of .05%.

Officer Nevell noted Department of Game and Inland Fisheries offers Virginia Hunter Education programs teaching basic hunter safety classes, and workshops across the State.

Officer Nevell mentioned the State wide hunting injury involving firearms for deer hunting with shotgun and rifle averages 7 per year since 2014.

Mr. Cox asked how many Counties in Virginia hunt with rifles. Officer Nevell noted Essex and Hanover Counties recently opened it up to rifle hunting, only by elevated tree stands because it's only one projectile while rifles will travel low to the ground with further distance whereas shotguns have several pellets that open up and travel a short distance.

Officer Morris mentioned Essex County has an exemption that disabled individuals are able to shoot from the ground with a permit from the County and all others with the elevation of 12ft.

Officer Morris mentioned the State Law mandates for hunting deer it has to be larger than a .22 caliber.

Officer Morris noted hunting is a fairly safe recreational activity usually enjoyed by families and groups.

Officer Morris mentioned they monitor and scout the areas they work and areas known where the hunting clubs are located.

Mr. Smith noted he is not for rifle hunting from a tree stand, but would like to see a special permission permit for a disabled hunter individual to make DGIF officers aware if they are out in the field and not in an elevated stand if Richmond County agrees to proceed with this ordinance.

Mr. Mothershead stated he is strongly opposed to rifle hunting not for safety reasons, but for his strong passion for dog hunting.

Mrs. Mothershead noted there is only one request at this time from a disabled individual who would like to use a rifle.

Mr. Lewis mentioned he does not agree with rifle hunting for safety reasons.

The Commissioners gave consensus to table this discussion until there is more interest.

PUBLIC HEARING

Mrs. Mothershead read the following Public Hearing Notice:

In accordance with Section 15.2-2204 of the Code of Virginia, 1950 as amended and pursuant to Sections 15.2-2285 and 15.2-2310 of the Code of Virginia, 1950 as amended, the Richmond County Planning Commission hereby gives notice that a Public Hearing will be held starting at 7:00 p.m., Monday, October 7, 2019 in the Richmond County Circuit Court Room, 101 Court Circle, Warsaw, Virginia 22572 for the following:

- To receive public comment on proposed amendments to Section 157.103 K (Covered Slips) and Section 157.103 H13 (Boat Lifts) of the Richmond County Code of Ordinances
- Emanuel & Elsie Stoltzfus propose to rezone approximately 3 acres (a portion of Tax Map No. 32-7) located on History Land Highway, Farnham, VA, from Industrial, General (M-1) to Agricultural, General (A-1)

COVERED SLIPS

Mrs. Mothershead reviewed the recommended language change to covered slips.

Mrs. Mothershead noted the new ordinance language opens the opportunity to allow canvas style covered slips versus the traditional stick built cover. Mrs. Mothershead mentioned the change also gives property owners more leverage on construction of the covered slip while keeping the same height limit of 20ft above mean low water elevation.

Mrs. Mothershead noted since last meeting she has received two phone calls in regards to covered slips.

Chairman Bowen opened the floor to the public. With no further questions or comments, Chairman Bowen closed the floor to the public.

J.R. Fidler made a motion to adopt the changes to the covered slip ordinance as set forth in Exhibit I. Cassandra Jackson seconded the motion and the motion carried with a vote of 8-0 (*Rick Cox –aye; J.R. Fidler – aye; Glenn Bowen – aye; John W. Lewis –aye; Harry Smith, Jr. - aye; Cassandra Jackson – aye; Brian Mothershead – aye; Darnell Clayton- aye*).

BOAT LIFTS

Mrs. Mothershead mentioned last meeting Mr. English brought up the recommendation to change the Boat Lift ordinance by removing the wording saying “low profile”. Mrs. Mothershead noted this new language now allows property owners the ability to install boat lifts as they desire.

Chairman Bowen opened the floor to the public. With no further questions or comments, Chairman Bowen closed the floor to the public.

Rick Cox made a motion to accept the language changes as presented in Exhibit II. John W. Lewis seconded the motion and the motion carried with a vote of 8-0 (*Rick Cox –aye; J.R. Fidler – aye; Glenn Bowen – aye; John W. Lewis –aye; Harry Smith, Jr. - aye; Cassandra Jackson – aye; Brian Mothershead – aye; Darnell Clayton- aye*).

REZONING REQUEST

Mrs. Mothershead mentioned Emanuel and Elsie Stoltzfus proposed to rezone approximately 3 acres located on History Land Highway from Industrial (M-1) back to Agriculture (A-1).

Mrs. Mothershead noted Mr. Stoltzfus came to the County from Wisconsin thinking he was going to have a large volume style saw mill. Mrs. Mothershead mentioned once Mr. Stoltzfus got here and settled he realized it can be scaled back more to an Agricultural use and focus on bringing his dairy farm here.

Mrs. Mothershead noted adjoining property owners were notified but has not received any comments.

Chairman Bowen opened the floor to the public. With no further questions or comments, Chairman Bowen closed the floor to the public.

John W. Lewis made a motion to accept the rezoning request from M-1 back to A-1. Cassandra Jackson seconded the motion and the motion carried with a vote of 8-0 (*Rick Cox –aye; J.R. Fidler – aye; Glenn Bowen – aye; John W. Lewis –aye; Harry Smith, Jr. - aye; Cassandra Jackson – aye; Brian Mothershead – aye; Darnell Clayton- aye*).

OTHER BUSINESS

Chairman Bowen mentioned with it getting towards the end of the year a committee needs to be formed to select officers for next year. Chairman Bowen noted Mr. Cox has agreed to be Chairperson and Mrs.

Jackson along with Mr. Fidler has agreed to be on the committee. Mrs. Mothershead mentioned these recommendations will be brought back up to the Board at the November meeting.

Mr. Lewis expressed his concern of the excessive amount of horse manure left on the roadways from the Amish horse and buggies. Mrs. Mothershead mentioned this issue has been discussed with VDOT but no concrete answers have been received back in regards to this issue at this time.

Mr. Mothershead asked about Solar Power interest in the County. Mrs. Mothershead noted she has been contacted by one company in regards to Richmond County being in the second year of a two year study for a solar project within the County.

Mrs. Mothershead mentioned once the solar project applications come in it will be ran as a special exception and brought to the Commissioners attention before going any further.

Mrs. Mothershead noted there have been several residential solar projects that recently have come through the office.

Mrs. Mothershead mentioned the initial cost of a residential solar project have been estimated around \$20,000.

ADJOURNMENT

There being no further business, Glenn Bowen adjourned the meeting.

Respectfully submitted,

Liz Hylan
Commission Secretary

Exhibit I

(K) *Covered slips.*

(1) Covered slips may not be used for any purpose other than watercraft protection.

(42) No more than one covered slip is permitted per individual private, non-commercial pier.

(23) Two covered slips shall be permitted adjacent to a shared private, non-commercial pier that has been constructed upon the shared property line.

(34) The property's waterfront frontage must be a minimum of 100 feet in width; said width to be measured in a straight line from the intersection of the side property lines with the mean low water line. Waterfront properties that cannot meet the minimum 100 feet in width must be approved by a special exception considered in accordance with DMP-b as specified in § [157.060\(B\)\(2\)](#) and § [157.073](#).

(45) The covered slip shall not extend past the most channel ward limits of the owner's existing or proposed pier.

(56) The covered slip must be constructed on the interior side of the pier (towards the center of the lot) and away from the nearest neighboring riparian area **except for a covered slip upon a pier that is existing or proposed a minimum of 50 feet away from the nearest shared property line.**

(67) The covered slip shall not exceed 700 square feet.

(78) The covered slip **or attachment** shall have a roof that does not extend more than 20 feet above the mean low water elevation; as measured from the top of the roof ridge.

~~(8) All roofs shall have an "A" pitch of no less than four on 12, with eaves and soffits not exceeding 18 inches in width.~~

(9) Roofing material must be non-reflective.

~~(10) Nothing (flagpole, antenna, cupola, etc.) shall project above the top of the roof.~~

(1410) Except for the support pilings, top plates or headers, all sides of the covered slip shall be open, with an unobstructed view from the waterline to the bottom of the top plate or support header.

(1211) Catwalks five feet or less in width are permitted within the covered slip.

(1312) The covered slip must meet requirements of the Virginia Marine Resources Commission (VMRC) and the U.S. Army Corps of Engineers (CofE).

(1413) Covered slips or boathouses over the water for marinas may be considered as part of the application submittal for rezoning or general development plan (Richmond County Wetlands Permit may also be required).

Exhibit II

157.103 Waterfront facility standards

(H) Piers and docks.

(13) Boat lifts.

(a) Boat lifts may utilize davits, slings, cradles or similar devices to remove boats or personal watercraft from the water.

(b) Multiple boat or personal watercraft lifts may be allowed within a covered boat slip.

~~(c) Boat lifts positioned outside of a covered slip must be low-profile in design where structural elements of the lift devices do not extend more than six feet above the surface of the pier or dock.~~

(dc) Only three **low-profile** boat or personal watercraft lifts may be allowed on a pier or dock that is not served by a covered slip. Only two of these lifts may utilize pilings that are in addition to those that are part of the pier construction itself.

(ed) Only two **low-profile** boat or personal watercraft lifts, positioned outside of a covered slip, may be allowed on a pier or dock that is served by a covered slip. Only one of these lifts may utilize pilings that are in addition to those that are part of the pier construction itself.