



CITIZENS FOR A BETTER EASTERN SHORE
SHORELINETM

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Northampton County Comprehensive Plan Update:

The Disappearing Public Hearing

By Mary Miller

First, there was an announcement on the Northampton County website that a Public Hearing on the proposed Comprehensive Plan document, produced by the county Planning Commission, would be held on July 11. Drafts of the Plan and the Future Land Use Map were available for download and review. A few days later, a tersely worded announcement said that the Public Hearing had been cancelled. Commission Agendas indicate that Plan revisions are still ongoing. County Staff confirmed that no public information meetings in advance of a Public Hearing are scheduled.

Here are some of the highlights of significant changes and deficient process in the last draft available:

Process and Input:

- Fails to justify sweeping and arbitrary changes, especially to land use, with supporting data or documented public input
- Proposes massive residential density increases in spite of projected population decline of 20% over 3 decades
- Organized public input at least 6 years old – little input from recent Stakeholders Group incorporated
- Excessive reliance on conclusions from a 6-year-old limited telephone survey – part of a report funded by the real estate industry
- No evidence in the draft of

professional planning personnel used by the Planning Commission

- No community information meetings scheduled in advance of the Public Hearing
- Conclusions supporting changes often appear to reflect Planning Commissioners’ personal concepts

Some Significant Changes Proposed:

Land Use Plan

Eliminated: 28 Hamlets – small historic residential settlements

Eliminated: 2 Waterfront Villages and 2 Waterfront Hamlets

Proposed: 36 Villages, all with Residential, Commercial, Industrial, and Institutional Uses, single- and multi-family, 4 units per acre – incorporates all former Hamlets (Jamesville, Weirwood, Franktown, Cherrystone, Pat Town, etc.) – several are enlarged/reconfigured, with increased densities, on parcels currently zoned Agricultural

Eliminated: Existing Subdivision District, with its underlying protections

Proposed: Residential District, single- and multi-family, up to 4 units per acre, mostly waterfront, spot-zoned, especially on the bayside and along creeks – a Residential Zoning District would permit more Agricultural parcels to be rezoned to Residential

Economic Plan

Aquaculture: Plan notes “increasing conflicts...with waterside residential use over issues of noise and aesthetics”; also, “Aquaculture is not a major source of employment and is unlikely to become so.”

The Data: Aquaculture firms are among the county’s top 30 employers. (*VA Employment Commission*)

Tourism: Plan states that it’s “...difficult for this sector to be the bedrock of an economic plan.”

The Data: “Eastern Shore was Virginia’s fastest growing tourism region last year, continuing a recent trend.” (*VA Tourism Commission*)

Entrepreneurship: Plan questions entrepreneurship as a viable economic concept.

The Data: “Sole proprietorships account for 26.4% of total employment in the County.” (*p. 46 of Plan draft*)

See Comp Plan, cont’d on p. 5

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In Memoriam

Steve Parker, True Champion of the Shore

By Denard Spady, former CBES Executive Director, and Bo Lusk, CBES Board member

After careers in big-city advertising and urban area residential development, Steve Parker seemed to find his nirvana on the Eastern Shore when, in the early 1990s, he took a job with the Virginia Coast Reserve of The Nature Conservancy (TNC). According to the Lower Shore Land Trust, “Parker’s particular interests [lay] at the nexus of preserving the health and productivity of large working ecosystems, while providing for the needs of human communities.”

It was a time when CBES was at a peak of activity, focusing on low-income housing (much of which had no indoor plumbing), job development (1,200 jobs had been lost when the sea clam industry left Northampton County) and seaside conservation (chicken and sea clam processing were rapidly polluting the seaside). Steve, with his business background, was put to work by TNC on economic development and job creation. By 1996, CBES was working with Alice Coles and the Bayview community, and Steve was involved there, too, representing TNC. Steve



was also working with Cape Charles on the Sustainable Technologies Industrial Park. The meetings were endless, and progress was slow, but Steve was always there supporting the work and keeping the various players on track.

By the early 2000s, Steve was asked to join the CBES Board – a significant move, since CBES enjoyed the support of TNC but was also adamant about maintaining its independence from such a major player in the community. But Steve fit right in with the CBES Board. Having been on the Shore for most of a decade by then, he had come to know everybody. He soon joined the CBES Executive Board as an at-large member and proved to be a substantial resource with his business and non-profit background. He was a strong, stable voice as CBES bought a building, moved its office, and entered a period of uncertainty when its major grantor closed its doors and the national economic climate became so difficult.

Through this same period, Steve suffered major health problems, but he never wavered in his commitment to the Shore – or CBES. He spearheaded the development of the Eastern Shore Land Trust and supported the startup of Virginia Eastern

Shorekeeper – “TNC is going to work on the Land Trust, and you [CBES] are going to have to get the Keeper group going” – and the two organizations worked together to get those organizations established.

Bo Lusk, a colleague from TNC and a CBES Executive Board member, recalls, “It was Steve who helped encourage me to study Environmental Science while I was at the University of Virginia. I was home working aquaculture for the summer with Steve’s high-school-age son, Gabe. Somehow the conversation turned to what I should study in order to be able to return home and live on the Shore. Steve helped make me confident that an Environmental Science degree would help.

“A few years later, I returned home to help start SouthEast Expeditions and soon joined Steve on the CBES board. Seven years later Steve called to let me know about a job opening with TNC. That call led me to working with Steve at TNC for the rest of his career. As Director of the Virginia Coast Reserve, Steve made sure that he involved himself in our community as a whole, because he recognized the interdependence between happy, productive human communities and effective conservation.”

Steve loved the Shore, its people, its marshes, fishing the seaside, walking its woods. He became Director of the Coast Reserve project of TNC and eventually left the CBES Board – but he could always be counted on for solid, thoughtful advice when needed. Over two decades, he quietly made substantial contributions to his adopted community and became a valuable ally to his many friends here. Steve passed away in May of this year, and will be greatly missed. 

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Suzanne Wescoat Award Given to Mary Miller

At the CBES Annual Meeting & Picnic@the Barn, held on June 3, new Board members Norman Colpitts & Laurie Zittrain Jones were introduced, and a Suzanne Wescoat Award was given. The late Suzanne Wescoat was a founder of CBES, an ardent supporter of the community, and a Northampton County Supervisor for many years.

From CBES President, Arthur Upshur:

“I have the distinct honor today of awarding the Suzanne Wescoat Award to Mary Miller. I have a long introduction of Mary to make. She will be nervous about it. First, she is not sure what I will say about her. And second, I am quite sure that being in the limelight is not her favorite spot to be.

“Let me first recognize her talent. She and her husband moved their textile business to the Shore over 30 years ago. They are a remarkable couple, exhibiting work all over the country, including several years at the Smithsonian. Mary started writing and researching for *ShoreLine* within a few years of moving her business. For nearly 30 years, she has been a foundation stone for *ShoreLine* – one of a handful of people that truly have kept that publication relevant and useful, and by extension have played a huge role in keeping CBES also relevant and useful.

“Mary served for 10 years on the Northampton County Planning Commission (PC), 8 of those years as Vice Chair. The PC in her day was certainly no less controversial than it is today. I have memories of my father serving on that commission with her and coming home exhausted at the controversy. Mary certainly has always believed passionately in the value of local planning in protecting and nurturing the character of our community. Mary served 5 years on the Community Housing committee. She was a founding member of the Artisans Guild, and organized the Artisans Guild Tour as chair of the tour for 10 years. She has been such a contributor to our community – truly an example of what we mean in the name “Citizens” for a Better Eastern Shore.

“I want to share a personal story about Mary that I think shows her character. When I first became President of CBES, there was a little controversy surrounding the Edit Board of *ShoreLine* and the Board of CBES. My predecessors’ advice was that I had to get “control” of the Edit Board. My first meeting was a little bumpy – here were these pillars of CBES history – past Presidents of CBES, long-time Directors and contributors, and of course, the famous Mary Miller. Their clear position was that the Edit Board controlled *ShoreLine* content – period. They really did not need additional input from Presidents of CBES, thank-you. But Mary was more sanguine and more nuanced in her response – “write us an article,” she said, “and then we can decide if you should be on the Edit Board.” It was vintage Mary – speaking truth to power. But what she also said without



Mary Miller of Eastville received a Suzanne Wescoat Award at the CBES Annual Meeting & Picnic@the Barn. Photo by Cecil Watts.

saying it was that, if you show me that we can respect each other, then we will happily have you join the debate on *ShoreLine* as a fellow member of the Edit Board. My first article for *ShoreLine* apparently passed – and I have valued my service there with Mary and the others ever since.

“It’s funny, Mary is one of those people whom I often disagree with – I know our politics are different, I know our philosophies are often different. But I also know that Mary is the genuine article. She believes in her arguments and they are always based on her research, never for self-gain, or self-aggrandizement. I have a common theme in my talks about CBES – many of you who have heard me before have heard it – that CBES members are diverse and often disagree on how to make the Shore “better.” But we all love this place, and we all genuinely want it to be better. That is the commonality that allows us to discuss differences without, hopefully, splitting into the partisan tribalism that exists so many other places in life. Mary does not know it perhaps, but when I talk to people about this, I almost always think of her. I do not think I know anyone that I enjoy disagreeing with more than Mary Miller, or certainly that I respect more than Mary Miller. That is why I am so happy to award a Suzanne Wescoat award to her today.

From Award Recipient Mary Miller:

“When I first learned of this award, I was almost speechless. For anyone who’s known me for a while, that’s a pretty rare thing.

“Then I felt overwhelmed – honored? For what, I wondered? I’ve been around here more than 30 years now. And just like a lot of you I see here today, I’ve shown up at meetings, shown up at forums and rallies, shown up to

See Wescoat Award, cont’d on p. 5

Privatization of Well and Septic Services from Department of Health

By Sue Mastyl

During the last General Assembly session, bill HB888 was passed “to direct the Department of Health to take steps to eliminate evaluation and design services for onsite sewage systems and private wells provided by the Department.” The bill includes the following stipulations:

- Beginning July 1, 2018, the Department will –
 - “Accept private evaluations and designs for private wells”
 - “Cease providing onsite sewage system evaluations and design services that are not associated with a building permit or the repair of a failing sewage system,” with no hardship exceptions
 - “Cease providing new construction evaluation and design services for an application that is not a principal place of residence,” with no hardship exceptions
- By July 1, 2019, the Department will “establish guidelines to maintain the Department as a provider of last resort.” The proposed guidelines will be posted on the Department’s website by November 1, 2018.
- Beginning July 1, 2019, the Department will “provide evaluation and design services only to ... applicants whose household income does not exceed 400% of the federal poverty guidelines.” This threshold will be reduced to 300% as of July 1, 2020, 200% as of July 1, 2021, and 100% as of July 1, 2022. After July 1, 2023,

“The Health Department acts in the best interest of the public health and the environment; the private sector is profit-driven.”
 – Jon Richardson, Eastern Shore Health District

the Department will only provide services to those who meet the hardship requirements under the guidelines established by the Department.

As discussed in the January 2017 issue of *ShoreLine* (“Groundwater Forum Highlights

Challenges for Wells and Septic Systems”), Jon Richardson, Environmental Health Manager Senior for the Eastern Shore Health District (ESHD), expressed concerns about the impact of this bill for the Eastern Shore. The review of an average of 660 well and septic permits and approximately 540 building permits each year, currently handled by 3 dedicated staff members, will transfer to 2 private Authorized Onsite Soil Evaluators (AOSEs) on the Shore. Fees will increase significantly for these services, as shown in the table below. The risk is that repairs, which are critical to protect water resources, will be postponed or not done at all, especially in low-income areas. In addition, Richardson had expressed concern that the 2 AOSEs will not be able to keep up with the workload, leading to a backlog, and could approve permit applications that are questionable. “The Health Department acts in the best interest of the public health and the environment,” he noted; “the private sector is profit-driven.”

For these reasons, the Eastern Shore of Virginia Ground Water Committee expressed their concerns with this bill’s impact on the Shore, including 8 letters written to Gov. Northam’s office.



Estimated Fees for Well and Septic Services

	<i>Current ESHD Fee</i>	<i>Estimated AOSE Fee</i>
Review of repair or upgrade	up to \$100	\$1,150 to \$1,550 (septic) \$565 (well)
Review of new well or septic	\$325 to \$850	\$600 to \$1,200
Building permit review	free	\$750

2018 CBES Between the Waters Bike Tour

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Comp Plan, cont'd from p. 1

Real estate development: Plan states that the real estate industry contributes to the economic growth of the County. “Seasonal housing is then becoming a significant source of outside investment in the county by non-residents, as well as providing what are often upscale rental units to tourists.”

Support for: Yet another Economic Development Director, commercial development along Route 13, further expansion of sewer systems, and more high-end residential development

Housing Plan

Failed: To designate “areas and implementation of measures for the construction, rehabilitation and maintenance of affordable housing...” as Virginia Code requires – Increasing density and permitting multi-family units, unless affordable housing is mandated, is more likely to result in high-end vacation rentals than lower-profit, low-cost housing.

Environmental Plan

Proposed: To “Define and identify sensitive areas...” in need of protection

Eliminated: The longstanding *Northampton County Sensitive Natural Resources Area Report and Recommendations*, which does exactly that

Proposed: Designate large areas of waterfront as a Residential District, and add Planned Unit Developments, with no density criteria, almost anywhere in the county

Warning: The county must be aware of potential risks of investing development efforts “in areas that will be subject to inundation in the future.”

It now appears that no matter when the Planning Commission’s Public Hearing is held, the Commission will schedule no advance public meetings to help residents understand the changes. Residents are on their own in finding the information they need to frame comments for the Hearing.

The Board of Supervisors has made it clear that once a recommendation for Comprehensive Plan changes comes to them from the Planning Commission, the Board will make *all* further decisions. Within 90 days the Supervisors will hold a second Public Hearing – then they can adopt the recommendation, with or without changes, or disapprove the whole Plan. (*VA Code § 15.2-2226*) The public will get a chance to comment at the Supervisor’s Public Hearing.

For more information see “Northampton County Comprehensive Plan...Is the Planning Commission Reviewing – or Rewriting?” in the April 2018 *ShoreLine*. *ShoreLine* will inform its readers as dates are set for Comprehensive Plan Public Hearings. 

Wescoat Award, cont'd from p. 3

serve breakfast at Community Unity Day, shown up to set up chairs at firehalls and church basements, shown up for voter registration, shown up in Richmond to annoy those legislators, shown up for jury duty, shown up to help at the polls. Then a light went on – that must be it – I kept showing up!

But I am truly honored that the folks at CBES invited me to sit at the same table with my old friend Suzanne Wescoat, and to accept this award honoring her and all she accomplished. Working with Suzanne, both in CBES and in county government, were some of the most challenging and rewarding times of my years here on the Shore. I’ll cherish this day, and this recognition from you.

All of us who do public service, sit on committees, take notes at meetings, volunteer for community efforts – we all know it’s a family and friends effort. Someone else stands in to cook dinner, fields the phone calls, does the late-night meetings – so whatever I’ve done, I’ve had the best support in the world from my family at home and from my CBES family. And we all know that the good place CBES holds in our community is because of the support we’ve given to each other and to the community, the partnerships we’ve made, and the mentoring that happens as the generations work together for a better Eastern Shore.

So as long as you keep wanting to read what I have to write about, I promise you this – I’ll keep poking into those shadowy places, I’ll keep yanking those doors open, I’ll keep asking those annoying questions – and I’ll keep sharing all that with you.

It’s times like this, when we spend time together at this lovely spot, that it’s great to know – we’re all in this together. Thank you again.

Ed. note: Mary Miller, in lieu of an “award,” asked that memberships to CBES be given out. Mike and Lee Peirson donated the funds for 10 memberships. 



Local band, Sonic Ukes, donated their music to attendees at this year’s Annual Meeting & Picnic@the Barn. The party rocked the house – er, barn! Photo by Cecil Watts.

Keeping Track



Onancock's houses will be beautifully decorated during the Christmas season.

CBES to Receive Onancock Christmas Homes Tour Proceeds

CBES was selected as the recipient of the 2018 Onancock Christmas Homes Tour funds. Over the past 18 years, the Tour has hosted thousands of visitors in houses decorated for the holidays, while donating close to \$125,000 to local non-profits.

The Onancock Christmas Homes Tour is coordinated by the Onancock Business and Civic Association (OBCA). This year's event will be held Saturday, December 8, and features 6 homes on Onancock Creek. Each year, OBCA selects a non-profit organization to receive event proceeds. Applicants must demonstrate their prospective use of the funds to enhance the quality of life in Onancock and/or increase the success of the Onancock business community.

"For 30 years, CBES has worked to protect this special place we call home," said Donna Bozza, CBES executive director. "We are honored that OBCA has chosen to support our work through this year's Christmas Homes Tour."

CBES' signature annual event, the Between the Waters Bike Tour, will be based in Onancock this year. Now in its 26th year, the event draws more than 1,000 cyclists and their support teams, and brings significant economic impact to the host town. Almost 90 percent of the riders are from off the Shore and are often repeat visitors to the area.

The Onancock Christmas Homes Tour, as well as the Music Festival held at Historic Cokesbury Church, are the centerpieces of a weekend of holiday festivities in Onancock that includes a special theater production, a Holiday Open House at Ker Place, and Santa's arrival at the town dock. The weekend concludes with a Christmas parade through town.

More details about the event will be posted as they become available at <http://www.onancock.org>. For questions, email Onancockholidays@gmail.com.

Cape Charles Beach Closures

In 2017, Cape Charles had 4 beach day closures – 1 in June, 1 in August, and 2 on consecutive days in August/September. So far in 2018, there have already been 2 beach day closures – 1 in May and 1 in June. The Virginia Department of Health (VDH) maintains beach monitoring data by year. These records show that the Cape Charles beach had no advisories and no closings between 2004 and 2016 (www.vdh.virginia.gov/environmental-epidemiology/beach-monitoring/monitoring-and-advisory-data-by-year/).

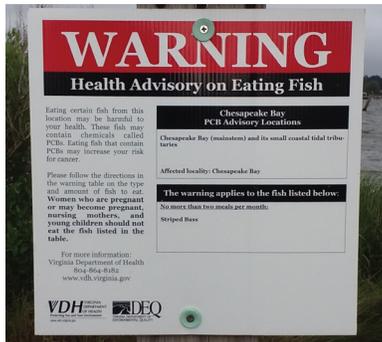
Local Health Departments collect water samples weekly for laboratory analysis for fecal indicator bacteria and will issue a swimming advisory if bacteria levels exceed Virginia's Water Quality Standard for enterococci bacteria. VDH monitors beach water quality during the swimming season (May through September). Water samples are analyzed by laboratories for fecal indicator bacteria. If bacteria levels exceed safe levels, a swimming advisory is issued.

The Health Department gives no information about the source of the beach contamination – pet or wildlife excrement, stormwater runoff from farms, sidewalks or roads, discharge from a wastewater treatment plant, failed septic systems? These possible sources have all been present during the years when the beach had no closures as a result of beach monitoring. One significant change in the area is the presence of parked container cargo ships in the Bay, west-southwest of Cape Charles. On one recent day, 22 ships were anchored within sight of the Cape Charles beach.

The EPA publishes guidelines for discharges from vessels (www3.epa.gov/npdes/pubs/vgp_permit2013.pdf). Guidelines include once-weekly visual inspections by the ship's master, including visual monitoring of the water around and behind the vessel. In other words, self-regulating and self-monitoring, with no timely reporting requirement – only that, "The records of routine visual inspections must be made available to EPA or its authorized representative upon request."

Weekly beach testing will continue through the summer months. A continued pattern of beach closures not only affects public health but could also have an impact on the growing tourism economy in the county.

The Coast Guard will hold 2 public meetings in July to receive comment on moving current anchorages farther offshore or elsewhere on the southern part of the Chesapeake Bay. Meetings are Tuesday July 10, 1-3 PM and 6-8 PM at the Cape Charles Civic Center, 500 Tazewell Avenue.



Sign posted at Harborton dock.
Photo by Sue Mastyl.

PCB Warning for Striped Bass

Warnings have been posted at bayside boat ramps, including Onancock and Harborton, that striped bass (rockfish) in the Chesapeake Bay and its tidal tributaries may contain polychlorinated biphenyls (PCBs), which could increase the risk for cancer, and that these fish should not be eaten more than twice a month. In addition, pregnant women, women who may become pregnant, nursing mothers, and young children should not eat these fish.

Although PCBs were once widely used in electrical apparatus and other devices, manufacture was banned in the U.S. in 1978; however, many rivers and buildings remain contaminated. During the State of the Waters forum on May 31 (co-sponsored by Virginia Eastern Shorekeeper and Congressman Scott Taylor), Dr. Mark Luckenbach, Associate Dean of Research and Advisory Services, Virginia Institute of Marine Science, noted that these warnings are a result of more targeted sampling, and that he was not aware of any new sources for the contamination. Matt Strickler, Secretary of Natural Resources, added that unpublished data “paints a pretty ugly picture,” especially with the larger striped bass. Luckenbach added, “this is about large, long-lived animals,” and the Western Shore has an advisory on all large fish.

30th Annual Clean the Bay Day



On Saturday, June 2, Team Nature Conservancy and Team CBES cleaned 1,880 pounds of trash from the shorelines of Oyster, and joined approximately 6,000 reported volunteers in cleaning over 344 miles of stream and shoreline in Virginia.



Celebrating 30 Years of *ShoreLine*

1993

Five years into publishing a monthly journal, *ShoreLine* had become a reliable news information source for the community. 1993 was the start-up year for several CBES initiatives, and *ShoreLine* articles brought clarity to many issues that are still in the news today.

- CBES moved to its first official office, on Willow Oak Road in Eastville.
- The first Bike Tour meeting was held.
- Accomack and Northampton CBES groups agreed to merge.
- First Eastern Shore Birding Festival was held.
- Virginia Secretary of Economic Development advised Shore counties that tourism, especially eco-tourism, would be the best bet for future economic development.
- Both Counties' Supervisors battled over secrecy of railroad financial records. Railroad officials claimed they could receive taxpayer subsidies and tax exemptions because they were public, but they were exempt from Freedom of Information requests because they were private. Secrecy won after the Boards' votes – and remains the practice.
- After months of community protests, state and local officials closed down an unpermitted importer of tons of oil-soaked contaminated soil in Nassawadox.
- After over a year of debate and conflict, Cape Charles approved a massive residential development (then Brown and Root, now Bay Creek). Much opposition came from the African-American community, which feared it would be displaced. Developers promised that the project would “eliminate the horrendous poverty” in Cape Charles.
- Brown and Root proposed a 494-slip marina in Kings Creek – and promised 1,000 full-time jobs. The Virginia Marine Resources Commission, the National Oceanic and Atmospheric Association, and the Virginia Department of Health voiced concern for water quality. Working watermen would need to relocate to spare the resident retirees and vacationers the watermen's “pre-dawn clatter and noise,” said the developers. 

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Community Calendar - July 2018

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

CBES and Other Activities		Accomack County		Northampton County	
July 10	Coast Guard Meeting 1-3 PM & 6-8 PM, Cape Charles (<i>See p. 6</i>)	July 11	Planning Commission 7 PM, Sup. Chambers	July 3	Board of Zoning Appeals 1 PM, Conference Room
July 11	VIMS Public Seminar 7:30 PM, Wachapreague	July 17	School Board 6:30 PM, Sup. Chambers	July 3	Planning Commission (PC) 7 PM, Sup. Chambers
July 12	Shorekeeper Meeting* 3 PM, Barrier Islands Center	July 18	Board of Zoning Appeals 10 AM, Sup. Chambers	July 10	Board of Supervisors (BOS) 7 PM, Sup. Chambers
July	ES Ground Water Committee No meeting in July	July 18	Board of Supervisors 5 PM, Sup. Chambers	July 18	Wetlands Board TBA, Conference Room
July	CBES Board Meeting No meeting in July	July 19	Wetlands Board 10 AM, Sup. Chambers	July 18	PC Work Session 7 PM, Sup. Chambers
				July 23	BOS Work Session 7 PM, Old Courtroom
				July 24	School Board 6:00 PM, Machipongo

* Alternating between the ES Chamber of Commerce in Melfa and the Barrier Islands Center in Machipongo

For Memberships & Information: www.cbes.org