

Joe Urban

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Sent: Tuesday, March 13, 2007 12:08 PM
Attach: PGA Analysis.xls
Subject: Re: Comprehensive Plan -- Chapter 8 and LD Issue Papers

Bill,

In your emails to the Planning Commission, you will also want to include Mr. Sorensen who is at ssbs@kaballero.com.

I have read the two attachments to your email as well as the additional questions posed by Mr. Fazzi. Our thoughts parallel each other perhaps as much as they diverge. I would like to focus on both aspects.

First, I agree with your point about a large inventory of currently approved developments and correspondingly large number of undeveloped building lots. To be entirely accurate, though, you should include all of the "onesies and twosies" subdivisions that have not been developed and your number will go up. On the other hand there has been some development that has already occurred in the ones you list that should be subtracted. Also, your premise that each will add 2.3 people to the population within the next five years is not supported by historical growth or is likely to reflect the way these properties develop. As has occurred in the past, many if not most properties will be developed as second homes which does not add to the full time population, but certainly makes the summer a busier place. Also, I do not see all 2,005 lots being developed within five years. Ten to twenty years would be more realistic. Additional comments on your Approved Development spreadsheet are as follows:

- 1) Bluff Point is a Northumberland County development that should not be counted as part of Lancaster County;
- 2) the "unnamed subdivision" to which you refer near Greenvale Creek is Whitehall Farms.
- 3) at least one of the subdivisions you list, Chinns Mill Wood, is not zoned R-1 but is actually zoned A-1 (you can add 46 lots to that by the way since the Phase II is in the works now).

Bottom line, we probably don't need density bonuses in the PGA or anywhere else unless it is to create truly affordable housing.

Addressing your questions in order, I think Don McCann very effectively answered Question 1 at the last meeting--it isn't rural now when you consider what is there and what has been approved. I do not agree with your assertion that it is 40% agriculturally zoned. I did the attachment a couple of days ago to document the remaining undeveloped property that is zoned A-2--the attachment does not include the Sowder property since it is, as you identified, already a development/subdivision. As you can see, it is in the range of 770 acres or 1.1 square miles (lots zoned A-2 under ten acres might add another total 20 acres). There are at least 6 square miles of area within the proposed PGA, making the percentage more in the 18% range. I also disagree with your statement of "that portion outside the three towns is considerable rural in nature." Hills Quarter, RWC, and the Golden Eagle as it presently exists (let alone what it will look like with the 400 new units) is not what I would think anyone would call "rural".

Question 2--I agree, let's protect the remaining 18% that is A-2 in the PGA by requiring it and every other piece of A-1 or A-2 property in the County to be rezoned residential before it can be developed as such (family subdivision excepted). In any rezoning consideration, we should require conservation development with lots of open space setaside and buffering. However, if we consider any such rezoning request at all, I think we

should look more favorably on such a request within the PGA than one at the other end of the County. The impact on our "rural character" and the environment of the 1200 acres of A-1 property subdivided into 64 lots at Chinns Mill Wood, one subdivision, under our current regulations bothers me far more than possible conservation development of the 770 acres in the PGA. In my judgment, we should forget about raising minimum lot size. The Planning Commission tried to do that several years back and got no where with it. It was viewed as making land too costly for those of limited means which is probably true given the \$70,000 asking price for ten acre lots with steep ravines at Chinns Mill Woods. More importantly, without incentivizing conservation development along with it, it wouldn't have worked to preserve the rural character ("the too big to mow, too small to farm argument").

Question 3-- Allowed increases in density and sewer/water probably will draw attention to the remaining properties zoned A-2 in the PGA for development. Given that development is going to occur anyway, I personally view that as desirable rather than another Hills Quarter, Golden Eagle, or even RWC somewhere else in the really rural portion of the County. However, we can control that simply by requiring rezoning to residential if that is the prevailing view. We don't have to also stop extension of wastewater treatment lines.

Question 4--I do not know for a fact that hookups on an individual basis would be a problem. I also do not know of too many existing residents who would want to pay a hook up fee and monthly charges if they had a perfectly functioning septic system. However, I do believe that they should have the possibility of that option, especially if their existing system fails and they have no area for a new system. That is especially true in the Weems area which is why I would like to see the authority for lines to be run down VSH 222 even if it is not part of the PGA. It is just a matter of time before those systems fail. If they are on the many very small lots such as at Wharton Grove, sewage treatment or abandoning the property will be the only options (long term pump and haul is not allowed and is not practical). If the capability is not already there, it will be too late to try to get it then.

Irvington and White Stone also figure into the picture in my mind. Both have big problems right now. White Stone businesses must do limited pump and haul in the summer just to stay open. The Shellfish Sanitation folks routinely find septic systems emptying directly into Carter's Creek in Irvington, never mind the ones that are 40-50 years old on the tiny lots for which the ground no longer provides adequate filtration before the effluent gets into the Creek or the subsurface water table. I would bet money that at least one of the protesters of the proposed RWC point discharge plant has a septic system that puts more coliform bacteria and other pollutants into Carter Creek by itself than the 80,000 gallon per day discharge plant would. Irvington and White Stone may never enter into an agreement with Kilmarnock for wastewater treatment, but they ought to have that option, and the County should not be in the way of it.

We had also better start worrying about what is going on east of VSH 3 from Kilmarnock to the bridge all the way to the Bay. That whole area is almost totally zoned R-1 with some really scary small-lot subdivisions such as Dyer Shores. It also has some of the worst soil in the County for septic. When you consider that the water table is just below the surface and probably rising, then it may be even worse than Weems in a lot of places. By-right development of these properties is occurring, largely through the use of engineered systems that are, in my view, problematic. They require maintenance which in many cases will not likely occur unless the stuff is backing up and coming out on the floor. Also, what happens when the very small drainfields they use fail and there is no more suitable soil on the property? The answer is the same as it would be for Weems.

Question 5-- Density bonuses are only proposed as a possible tool in the Comprehensive Plan. We are a long way from implementing that tool and may never do so. Sewer/water makes sense in the PGA, Weems, Irvington, and White Stone for what is there right now. Let's control growth with zoning.

Question 6-- The residents of the PGA can and have spoken for themselves. I am holding petitions to the Planning Commission with over 180 signatures supporting extension of the Kilmarnock lines to RWC. If they agree with you, then they can also petition for density neutral in the PGA. I would hope that they do not argue for the status quo, since that will simply result in 3/4 acre lots, probably with individual septic, on the remaining 18% A-2 land. If wastewater treatment lines are extended to RWC, then you are within about 200 feet of the town limits of Irvington.

Statement 7-- Previously stated. My reaction is also the same. Strongly recommend provisions in the comprehensive plan that allow extension of wastewater water treatment lines throughout the proposed PGA to the town limits of White Stone and Irvington and down VSH 222 to its end. Density bonuses--to be decided.

I would address Mr. Fazzi's questions as follows:

Question 1-- Perhaps the Planning Commission and the Board of Supervisors will levy a fee for use of County right of way;

Question 2-- Read Chapter 3, note the possible reservoir sites that will be shown on the Future Land Use Map, and stand by to help both the Planning Commission and the Board of Supervisors deal with the mountain of resistance that will come from a variety of sources when we do decide to propose a reservoir.

Question 3-- Is there a specific example of where this so called "stop loss protection" has occurred or is proposed to be supported?

We had a good run on the first six chapters of the Comprehensive Plan with input by folks such as yourself. Those chapters are a better product for that. I hope that we can achieve the same on this last chapter. I have my concerns, though. You state that attendees at the public input sessions put forth "real measures that protect/preserve our rural character, farmlands, and small town atmosphere". I think a better way of saying it is that attendees said they wanted rural character, farmlands, the waterfront, and small town atmosphere protected. We have already agreed to protect the waterfront by not modifying the Waterfront Overlay in any way, shape, or form. The other "real measures" are what is proposed in this last implementation chapter. You either agree with them or you don't. So far, the only thing I have heard is negative. There is room for give and take. There is no room for all give or all take such as what occurred with the PUD. An atmosphere that looks at every aspect of this chapter as "pro development" is not helpful, nor is one that does not consider reality along with a desire for the ideal. Come spend just a week with me as I sign "by right" subdivision plat after plat, each having lots with septic systems that are still another almost impossible to control nonpoint source of water pollutants. This status quo resulted from scrapping the proposed PUD and the R2, and it would likely scare you as bad as it does me if you saw it every day like I do.

Sincerely,
Jack

From: blwarren4690@netzero.net

To: connemara@kaballero.com ; tranqwlw@crosslink.net ; tcbooth@yahoo.com ; epalin@rivnet.net ; jlaron@lancova.com ; pastorrdwaller@aol.com ; dgill@kaballero.com ; rjsmart@kaballero.com ; ssbs@kaballero.com

Sent: Monday, March 12, 2007 5:10 PM

Subject: Comprehensive Plan -- Chapter 8 and LD Issue Papers

Guys,

Please consider the following questions re the proposed Chapter 8 and the LD Issue Papers.

All are reasonable questions that County citizens, particularly those in the proposed PGA, are likely to ask at Public Hearing on the proposed Chapter 8.

Thanks,

Bill

Comprehensive Plan – Questions/Observations re Concept Papers and the proposed “draft” of Chapter 8

1. Who can explain to the “public” how the proposed increased density (*defacto* “density bonus”) within PGA, plus proposed authorization of the extension of sewer/water into PGA will preserve the “rural character” of the PGA ?? Please note that *the PGA is now over 40% agriculturally zoned (A-2) and that portion outside the three towns is considerably “rural” in nature.*
2. Who can explain to the “public” what measures are proposed to protect/preserve the A-2 zoned farmland (40% of area) within the PGA ? With the proposed S/W and increased density and *without adequate protection measures, these parcels will be readily intensively developed at the allowed 1.3 unit per acre level (about 120 units per 100 acres when roads, etc. are considered according to LandDesign).* Why do we not listen to Mr. Gill’s Farmland Subcommittee and act to protect the farmland within the PGA ? *For example, we could protect/preserve these A-2 parcels by downzoning them to a maximum lot size of one (1) unit per 10 or 20 acres, and/or require a rezoning to R-1 for development on parcels zoned A-2.*
3. Who can explain to the “public” why the proposed density increases and S/W authorization will not

result in greatly accelerated growth within PGA ? Why will it not lead to a rapid loss of “rural” A-2 farmland within the PGA ? Why does it not enhance the economic feasibility of development within the PGA and actually encourage the development of farmland into cluster developments ?

- 4. Who can explain to the “public” how the proposed density increases and S/W authorization will help the average PGA resident who cannot practically negotiate with Kilmarnock for the hook-up of their individual residences ? Why does this proposal not solely benefit developers who have the numbers (of units) and the \$s to negotiate with Kilmarnock ? Does the County really think that it has any influence over Kilmarnock to cause the Town to even consider hook-up requests by individual residents as compared to those of developers ? If the County could find a means to ensure that the average resident within the PGA could realistically gain access to the Kilmarnock S/W system, then the proposal would have some attractiveness.**

- 5. Who can explain to the “public” why the small town atmosphere and rural character enjoyed by citizens living within the PGA is being jeopardized by the proposal to offer developers the twin economic incentives of “density bonuses” and municipal S/W just to induce them to build within the PGA, vice elsewhere in the County ?**

6. Who speaks for those citizens of the PGA who live within an area that most believe offers a highly desirable small town atmosphere and rural character ? Remember, “rural” is relative and those who came here from large cities and metropolitan areas all believe that even Kilmarnock itself is “rural” !! So, if you lived within the PGA, ask yourself if the proposed increased density and municipal S/W is what you would want to see as a means to preserve the “rural character” and “small town atmosphere” that you now enjoy.

7. As a consequence of the above and the fact that development is alive and well in Lancaster County, no additional “density bonuses” or economic incentives such as S/W are needed either within the PGA, or outside it !

What we need as voiced by attendees at the “public input sessions” are real measures that protect/preserve our “rural character”, farmlands, and small town atmosphere. The proposed S/W and density increases within the PGA will exacerbate the demise of both farmland and the rural character within the PGA – today, its over 40% by land “rural” and zoned A-2.

8. As an aside, the proposed density increases and S/W authorization will further enhance development in an area where it is already both alive and well. See the “List

of Approved Developments” (as attached) which provides evidence of:

- There are **25 recently approved and active developments** in the County (only the *shaded Tartan Development is planned, and not yet approved*)
- **Over 2,000+ building “units” are approved** and are largely not built.
- Assuming these “units” are built in 5 years, and that all occupants declare the County as their primary residence, we will see a **population increase of 5,100 (or 43%)**.