

**UNAPPROVED MINUTES OF THE JULY 10, 2006 MEETING
OF THE PLANNING COMMISSION**

2006 Agricultural and Forestal District (AFD) Renewals

1. AFD-2-86 Croaker
2. AFD-3-86 Hill Pleasant Farm
3. AFD-5-86 Barnes Swamp
4. AFD-6-86 Cranston's Pond
5. AFD-7-86 Mill Creek
6. AFD-9-86 Gordon Creek
7. AFD-6-86 Christenson's Corner
8. AFD-11-86 Yarmouth Island
9. AFD-12-86 Gospel Spreading Church

Mr. Jason Purse presented the staff report stating currently 9 of the 14 Agricultural and Forestal Districts are up for renewal. Mandated by State Code, at the end of each District's term length a public hearing must be held to re-establish the districts for an additional term. This renewal period allows landowners to continue participating in the program, or allows them to withdraw all or some of their parcels. Property owners removing their land are subject to 5 years of roll-back taxes however, if the land-use of their parcel is not a forestal or agricultural use. At all other times, withdrawals must be approved by the Board of Supervisors, which has established withdrawal policies.

Staff is making an effort to synchronize the district's renewal times, and thus have suggested renewal of these 9 districts at a term length of 4 years and 3 months in order to put them on the same time frame as a majority of the other districts.

Staff reviewed all of the districts individually, and presented them both individually and in summary form in the Planning Commission packet. Staff found that overall, before the renewal period the combined size of the districts was approximately 18,080 acres. All of the subsequent additions and withdrawals totaled 755.36 acres, leaving the total acreage in an AFD at 17,354.

Based on the information available to staff at this time, staff recommends that the Planning Commission recommend renewal of all 9 districts at a term length of 4 years and 3 months with their attached conditions.

On June 27, 2006 the AFD Advisory Committee recommended approval by a vote of 8-0.

Mr. Hunt stated that he would like to recuse himself from the vote on AFD-3-86 Hill Pleasant Farm but would participate in the vote for all others.

Mr. Fraley opened the public hearing.

Ms. Vivian Morgan, 156 Bush Spring Road, spoke on behalf of the residents of the Bush Springs Road community in reference to case number AFD-6-86 Cranston's Pond. The residents would like to see 268, 275, 282, 290, 291 and 308 Bush Springs Road and all other properties included in this case remain as in the AFD and undeveloped. The residents believe these properties should not be developed into any type of housing subdivision, project or any other type of huge development.

Hearing no other requests the public hearing was closed.

Mr. Fraley separated item number two (AFD-3-86 Hill Pleasant Farm) and called for action on the case individually.

Mr. Kennedy motioned to approve item number two (ADF-3-86 Hill Pleasant Farm).

Mr. Obadal seconded the motion.

In a roll call vote the application and attached conditions were recommended for approval (5-0). AYE: Jones, Hughes, Kennedy, Obadal, Fraley (5); NAY (0); ABSTAIN: Hunt (1). (Billups absent)

Mr. Fraley called for discussion on the remaining AFD applications.

Ms. Hughes commented that Ms. Morgan spoke against the withdrawal of the six Marston properties within AFD-6-86 Cranston's Pond.

Mr. Purse explained that as part of the renewal process an owner is allowed to withdraw their property and if they were to develop the properties in a non-agricultural and forestal use they will be subject to a five year roll back tax penalty. Staff was not given a development plan for these parcels at this time.

Mr. Fraley commented that the Planning Commission could not deny someone the right to withdrawal their property from the AFD.

Mr. Purse stated that was correct.

Mr. Sowers stated that this was a voluntary program.

Mr. Obadal stated that the withdrawal does not give the owner of the property the right to develop the property other than what is specified in the zoning ordinance covering this land.

Mr. Purse stated that was correct.

Mr. Kennedy motioned to approve items: (1)AFD-2-86 Croaker; (3)AFD-5-86 Barnes Swamp; (4)AFD-6-86 Cranston's Pond; (5)AFD-7-86 Mill Creek; (6)AFD-9-86 Gordon Creek; (7) AFD-6-86 Christenson's Corner; (8) AFD-11-86 Yarmouth Island; (9) AFD-12-86 Gospel Spreading Church.

Ms. Jones seconded the motion.

In a unanimous roll call vote the applications and attached conditions were recommended for approval (6-0). AYE: Jones, Hughes, Kennedy, Hunt, Obadal, Fraley (6); NAY (0). (Billups absent)