



# PLANNING COMMISSION

## Regular Meeting

### Town Hall

### August 2, 2011

At 6:00 p.m. in the Town Hall, Chairman Bruce Brinkley, having established a quorum, called to order the Regular Meeting of the Planning Commission. In attendance were Commissioners Malcolm Hayward, Dennis McCoy, Joan Natali and Mike Strub. Commissioner Roger Munz was not in attendance. It was noted that there was one vacancy on the Commission. Also present were Town Planner Tom Bonadeo and Town Clerk Libby Hume. There were no members of the public in attendance.

A moment of silence was observed followed by the Pledge of Allegiance.

#### REGULAR MEETING PUBLIC COMMENTS

There were no comments from the public nor any written comments submitted prior to the meeting.

#### CONSENT AGENDA

**Motion made by Joan Natali, seconded by Dennis McCoy to accept the agenda format as presented. The motion was approved by unanimous consent.**

The Commissioners reviewed the minutes for the July 12, 2011 Regular Meeting.

Mike Strub noted a typographical error under Reports on the first page.

**Motion made by Joan Natali, seconded by Dennis McCoy, to approve the minutes from the July 12, 2011 Regular Meeting as amended. The motion was approved by unanimous consent.**

#### REPORTS

Tom Bonadeo reported that the new Mason Avenue force main was into the final phase of construction. The contractor had promised that Mason Avenue would be open by this coming weekend for the parade and 125<sup>th</sup> Anniversary festivities.

Joan Natali asked about the status on the Harbor dredging project. Tom Bonadeo explained that the Town had not lost hope. This was a huge project (estimated around \$20M – \$30M) and the Federal government was not able to earmark any funding for this project. Bayshore Concrete was planning to float the concrete sections, for the tunnel projects across the bay, by barge.

#### OLD BUSINESS

##### *Sign Ordinance Review – New Intent Statement*

Tom Bonadeo informed the Commissioners that the Town Council had reviewed the Intent Statement and was in support of the Planning Commission working to improve the overall effectiveness of the ordinance. Tom Bonadeo stated that the language for the new “Intent” statement was taken from the “Purpose” statement from the City of Portsmouth’s ordinance. The Commissioners were in agreement with the modifications to the “Intent” statement and proceeded to review the “Definitions” section of the current ordinance. The Commissioners agreed as follows: i) The definition of “Sign” duplicated itself within the definition and would be modified for additional clarity; ii) The definition of “Sign, Billboard” would be rewritten and a size would be added; iii) There was some discussion regarding the definition of “Sign, Construction” and it was agreed not to add sizes because in some cases, larger signs would be

preferred; iv) It was agreed that a size needed to be added to the definition of “Sign, Freestanding” and Tom Bonadeo would do some research of other localities’ ordinances to draft language for review at the next meeting; v) Reference to “dark sky” would be added to the definition of “Sign, Illumination;” and vi) There was some discussion regarding the definition of “Sign, Portable” which was defined but was not used in the current ordinance and whether this type of sign could be considered a “Temporary Sign.” Tom Bonadeo stated that he would revise the “Definition” section, using the City of Portsmouth ordinance as a guide, for review by the Commissioners at the next meeting.

Malcolm Hayward stated that he had talked to Town Manager Heather Arcos and thought that his signage was permitted. Tom Bonadeo explained that banners could be considered as “Grand Opening” signs and were permitted for 30 days, which had expired. The banner was also on a vehicle which was not permitted. If the Town permitted one company to do this, others would follow suit. There was some further discussion regarding options for Malcolm Hayward’s signage and much discussion regarding “signs” vs. “vehicles.”

Tom Bonadeo reviewed the City of Portsmouth’s ordinance regarding permitted signage and stated that, for the next meeting, he would place the information into a matrix to be reviewed by the Commissioners.

Malcolm Hayward stated that he had heard that the Town of Chincoteague had a seasonal sign ordinance. Tom Bonadeo stated that he would contact the Town Manager of Chincoteague regarding this issue adding that it would be feasible to allow certain types of signage during the summer months.

#### *Aircraft Ordinance – Review and Comment*

Tom Bonadeo explained that the Code of Virginia made some changes in relation to heliports which prompted the creation of a model ordinance for helicopter landing areas. Tom Bonadeo added that he had spoken to several individuals who have owned helicopters and to Oral Lambert of Bay Creek and the consensus was that the Town did not have a problem with helicopters and there was not much point in working on an ordinance of this nature until the Town had more frequency of helicopter landings. Tom Bonadeo suggested that this information be kept on hand until the time came when the Town would need such an ordinance.

Dennis McCoy stated that he was concerned that the Town and Planning Commission were not planning for the future. Tom Bonadeo stated that from a planning perspective, it would be appropriate to keep this information on hand until it became an issue. Once you told someone they could land a helicopter at any given location, it would become a liability issue.

After further discussion, the Commissioners were in agreement that Tom Bonadeo would create a file for this information. If this issue ever became a problem for the Town, this model ordinance would be revisited.

#### **NEW BUSINESS**

There was no new business to review.

#### **OTHER BUSINESS**

Tom Bonadeo stated that the Planning Commission meetings were scheduled for the first Tuesdays of each month and there were several instances where this date conflicts with elections and falls on the day after a holiday. The scheduled September meeting falls on the day after Labor Day. Tom Bonadeo asked the Commissioners whether they wanted to reschedule the September meeting. The Commissioners were in agreement to keep the September meeting as scheduled.

Tom Bonadeo went on to state that at the July meeting, the Commissioners approved the scheduling of joint public hearings with the Town Council to hear comments regarding the proposed modifications to the zoning ordinance relating to Home Occupations and the definition of Agriculture. This recommendation was on the August 11<sup>th</sup> Town Council agenda and the proposed date of the joint public hearing was September 22<sup>nd</sup>, which was the date reserved for the Town Council Work Session. Action would then be taken in October.

Malcolm Hayward asked about the status of the bath houses at the Town Harbor. Tom Bonadeo explained that a Design-Build Request for Qualifications had been advertised and 10 responses were received, one response stated that the job was too small. The remaining nine responses were being reviewed by a committee and would be scored to determine the best qualified contractors to whom a Request for Proposal would be provided. Tom Bonadeo went on to explain the scoring system. Malcolm Hayward asked whether there were any regulations regarding giving preference for local companies. Joan Natali stated that if all other criteria were equal, the Town could lean toward a local company. Tom Bonadeo stated that the Town had to follow Federal guidelines because of the Federal Grant Funding received and added that to his knowledge, there was no Federal law regarding the use of local contractors. Bruce Brinkley added that he did not feel this issue was within the Planning Commission's purview.

**ANNOUNCEMENTS**

There were no announcements.

**Motion made by Dennis McCoy, seconded by Mike Strub, and unanimously approved to adjourn the Regular Meeting of the Planning Commission.**

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Chairman Bruce Brinkley

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Town Clerk