



Harbor Area Review Board

Regular Meeting

Town Hall

January 2, 2014

6:00 p.m.

At 5:56 p.m. in the Town Hall, Chairman Ralph Orzo, having established a quorum, called to order the Harbor Area Review Board (HARB) Meeting. In attendance were Board members Joe Fehrer, Laurie Klingel, Dennis McCoy, Joan Natali and Mike Sullivan. Board member Steve Michel was not in attendance. Also present were Town Planner Rob Testerman, Assistant Town Clerk Amanda Hurley, Harbor Master Smitty Dize, Ed Lewis of The Virginia Waterman's Memorial on The Eastern Shore and Jon Dempster of The Shanty. There was one member of the public in attendance.

Ralph Orzo offered the invocation and led the Pledge of Allegiance.

CONSENT AGENDA

Motion made by Mike Sullivan, seconded by Joe Fehrer, and unanimously approved to accept the agenda format as presented.

The Board members reviewed the minutes from the March 19, 2013 Regular Meeting.

Joan Natali noted a typographical error on page two.

Motion made by Joan Natali, seconded by Ralph Orzo, and unanimously approved to accept the minutes from the March 19, 2013 Regular Meeting as amended.

OLD APPLICATIONS

There was no Old Business to review.

NEW BUSINESS

The Shanty

Rob Testerman stated that The Shanty restaurant had applied for a review by the Harbor Area Review Board (HARB) for modifications to the exterior of the building which included the following: i) Extending, covering and enclosing the front entrance to maintain temperatures inside the building; ii) Addition to the front of the building to the right of the entrance which would house a market; and iii) Cover the existing deck area on the rear of the building to provide protection from the sun and rain.

Rob Testerman stated that the recommendation would be changed to read that staff suggested the HARB make a recommendation to Town Council for approval if they deemed each item appropriate.

Laurie Klingel asked for clarification on the existing landing on the front of the building and if it was within the existing post railings. Jon Dempster stated that the existing 5ft ramp landing was sloped and there was about 8ft which was not sloped. The landing may have to extend 2ft at the bottom to comply with handicap accessibility. The restaurant was originally presented with a seafood market in mind and written consent from the landlord would be required, as stated in the lease. However, this use was permitted in the zoning district.

Dennis McCoy asked if there would be an issue with run-off and open space when the roof was extended. Rob Testerman stated that there was no encroachment on open space, but he would need to see building plans for the run-off issue.

Mr. Dempster stated that the rear roof would be completed in the current off-season, but the front hallway and market would most likely not be done for the 2014 season. Joan Natali asked if there would be an issue if the Certificate of Appropriateness expired. Rob Testerman stated that COAs were valid for one year, but building permits were valid for 180 days. It was agreed that Mr. Dempster could apply for a building permit before the one year expiration date of the COA in order to suffice that the project was moving forward.

Motion made by Joan Natali, seconded by Dennis McCoy, to recommend Town Council approval of The Shanty modifications as presented. The motion was approved by unanimous consent.

Waterman's Memorial

Rob Testerman stated that at the December 19, 2013 Town Council meeting, Town Council granted an easement for the placement of a Virginia Waterman's Memorial to be located in the Harbor Area just east of The Shanty restaurant. The memorial was proposed to be constructed within a 38' diameter circle which would contain a bronze statue of a boy next to a pair of empty boots, a 16' tall replica of the Cape Charles Lighthouse atop a 3' tall pedestal and a three section black granite wall to display the name of the memorial and all the names of lost Virginia watermen. At the highest point the wall would be 6' tall. There would be a continuous burning light at the top of the lighthouse.

Joan Natali expressed her concern about the wall height for plazas and stated that if it was going to be approved it should be approved with the condition that it was an exception to the rule.

Laurie Klingel expressed her concerns as follows: i) Safety was a major concern. The memorial had to be accessed through a parking lot where there was a restaurant and bar and no sidewalks or pedestrian crossing. The Design Standards stated that Mixed Use area should be connected by sidewalks and pedestrian use should be integrated with parking and businesses; ii) The ingress and egress from the harbor did not match up with the memorial and access points would need to be altered; iii) The benches needed to harmonize with existing so seating should be approved in advance. Black and grey granite benches were suggested as illustrated in the model photo and; iv) Seating areas should be sufficiently illuminated.

There was much discussion regarding pedestrian crossing signs. Smitty Dize stated that there was a 4ft wide deck off the boardwalk and there were plans to tie it into the memorial. There would also be a 6" VDOT curb and a series of steel posts or bollards with decorative chain around the memorial. As a temporary measure, Bayshore Concrete benches were acceptable, but should be removed and replaced in a timely fashion. Mike Sullivan suggested placing a semi-permanent ingress and egress across from the Shanty entrance and out the other side which would connect with the harbor boardwalk. These areas would be marked with pedestrian crossing signs.

There was much discussion regarding lighting at the memorial and dark sky compliance. There would be one continuous burning light as well as lighting for the walk area and seating which was all planned to be solar powered.

Motion made by Joan Natali, seconded by Dennis McCoy to recommend Town Council approval of the Waterman's Memorial with the review and clarification of the following five conditions: i) Wall height. Wall was proposed at 6ft, but guidelines stated a wall couldn't be over 3ft. Town Council could grant an exception; ii) Safety concern; iii) Clear delineation of entrance and egress; iv) Bench type approval and; v) Lighting concern. The motion was approved by unanimous consent.

OTHER BUSINESS

There was no other business to discuss.

ANNOUNCEMENTS

Rob Testerman gave a brief update on South Port projects and there was some discussion.

Smitty Dize announced that Blessing of the Fleet was scheduled for April 25, 2014.

Mr. Dempster stated that parking was delineated on both sides and the front with boards and over the past year, there had been multiple injuries involved with people stepping out of their vehicles onto the boards. Smitty Dize stated that he had looked into the issue and would be removing the side boards over the winter as only the front ones were needed.

Motion made by Mike Sullivan, seconded by Joan Natali and unanimously approved to adjourn the Harbor Area Review Board meeting.

Chairman Ralph Orzo

Town Clerk