



PLANNING COMMISSION

Regular Meeting

Town Hall

March 4, 2014

At 6:00 p.m. in the Town Hall, Chairman Dennis McCoy, having established a quorum, called to order the Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Andy Buchholz, Dan Burke, Joan Natali, Bill Stramm and Mike Strub. Commissioner Sandra Salopek was not in attendance. Also present were Town Planner Rob Testerman and Assistant Town Clerk Amanda Hurley. There was one member of the public in attendance.

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

PUBLIC COMMENTS

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

CONSENT AGENDA

Dan Burke recommended adding an item for discussion under New Business, to allow any Commissioner to extend public comment by three minutes.

Motion made by Dan Burke, seconded by Mike Strub, to accept the agenda format as amended. The motion was unanimously approved.

The Commissioners reviewed the minutes for the February 4, 2014 Regular Meeting.

Bill Stramm noted a typographical error on page 2. Joan Natali noted a grammatical error on page 5.

Motion made by Mike Strub, seconded by Andy Buchholz, to approve the minutes from the February 4, 2014 Regular Meeting as amended. The motion was unanimously approved.

REPORTS

Rob Testerman reported the following: i) The Historic District Review Board met on February 18 and reviewed a prior decision on a single family home and approved removal of the chimney without replacement; ii) The Accomack-Northampton Planning District Commission (A-NPDC) had almost completed review of the Comprehensive Plan and the Planning Commission would be scheduling public meetings upon their completion; iii) Plans were received and reviewed for the Cape Charles Lofts project and a comment letter was sent to the applicant and architect citing necessary revisions that needed to be made; iv) The Planning Commission's Annual Report was presented to the Town Council at their February meeting; v) He attended the Virginia Working Waterfront Workshop at the Eastern Shore Community College on February 26 and several topics were discussed including how localities could protect waterfronts through zoning and comprehensive planning. Our Harbor District protected the working waterfront. The afternoon session of the workshop was geared more toward watermen and areas with undeveloped land; and vi) The JPA application had been received from the Army Corp of Engineers regarding the harbor dredging project and the Wetlands Board would be meeting March 24 to hold a public hearing on the application. Virginia Institute of Marine Science and Department of Game and Inland Fisheries would be involved for the protection of the tiger beetle.

OLD BUSINESS

A. *Backyard Chickens – Discuss Staff Report and Issues/Concerns*

The concerns regarding backyard chickens were as follows: i) Noise – difficult to enforce. Barking dogs could be louder than hens. Dominant hens that crowed like roosters would have to be removed; ii) Odor – difficult to police. Code Enforcement would have to enforce; iii) Disease – No health risks to the general public as long as facility was kept clean and sanitary methods were practiced. Simple hygiene practices would greatly reduce risk to those handling chickens; iv) Predators – Chickens wouldn't attract any new predators to the area. There was concern that (pet) dogs would kill chickens. State code allowed animal control to shoot a dog if they witnessed it attacking a chicken. There was much discussion regarding this issue and Rob Testerman stated that he would see how other localities handled it; v) Lot sizes – a 40x140 lot was feasible to house chickens. It was discussed that a minimum lot size would need to be put in place and the chicken owners would be required to reside on the same premises; vi) Chesapeake Bay Preservation Act impact – no requirements; vii) Fire concerns – properly insulated coops vs. heat lamps; viii) Other Towns on the Eastern Shore – some towns allowed; ix) Enforcement – zoning violations could be issued and necessary steps taken to correct the issue; and x) What's next – turkeys, goats, pigs, etc.? Town Council may direct staff to research and staff would present findings to Planning Commission for recommendation to Town Council.

Rob Testerman stated that he would prepare a draft ordinance for the next meeting and would create a community survey for the Planning Commissioners to review. After gaining public input through a survey, public input session or both, a public hearing could be scheduled.

B. *Comprehensive Plan Review – Identify key items in the remainder of the Comprehensive Plan that are in need of update*

Rob Testerman stated that they would begin with § 3.D.4.

In § 3.D.4, It was discussed that the less than optimum access from the Harbor to the Historic District was not addressed in the bullet points. There was discussion on the bullet point regarding the recycling program/drop off site in town and the cost and health issues.

In § 3.D.5, “park, beach, fishing pier and harbor” were added to the first paragraph under amenities. In the second paragraph, the move of the hospital should be addressed. In the third paragraph, community college was deleted and the third bullet point regarding the relocation of the Library to a larger space was deleted.

In § 3.D.6, the language in the first paragraph was updated to state “free public beach” and “Bay Creek Marina” was changed to “Kings Creek Marina.” The language “newly extended” was deleted from the Fun Pier. Visitors’ activities were updated to include “kayaking, canoeing, and personal watercraft.” There was discussion regarding the basketball court and whether the language should state “proposed” or if “basketball court” should be deleted. The “youth activities” deserved delineation. The bullet point regarding relocation of the ball fields was deleted. There was much discussion regarding the Fun Pier fishing license.

§ 3.E.3 Broadband Communications was deleted.

Under § 3.E.4 Civic Partnerships, “Cape Charles Christian School”, “New Roots Youth Garden”, “Our Town Grant”, “Cape Charles Yacht Club” and “Eastern Shore Eventacular Inc.” were added. A paragraph or mission statement about each would need to be included.

In § 3.E.4.1, “public restrooms” was added.

In § 3.E.4.2, it was clarified that the Cape Charles Renewal Program was doing business as the Cape Charles Business Association. “Subsidiary” was deleted from the second paragraph. The “...” would be removed from the second paragraph and a mission statement added in its place.

In § 3.E.4.8, there was discussion whether Concerned Citizens of Cape Charles was a viable organization because there had not been any recent activity.

§ 3.E.4.11 Cape Charles Committee on Children and Youth (CCCCY) was deleted.

Boat Builders might be able to be added to § 3.E.4 if it was confirmed that they were a Virginia Corporation.

There was discussion on whether the Friends of the Eastern Shore Waterman’s Memorial should be added.

In § 4.1, there was much discussion regarding number 13 “Establish a Town Community Center” and the purpose of the old library building. Under number 17, “Research more” was replaced with “Continue.” An introductory paragraph was needed under § 4.1.

In § 4.2, number 13, Rob Testerman would verify if the Rosenwald School was historic at the State level.

There was much discussion regarding § 4.3 Cape Charles Community Trail Master Plan.

There was discussion concerning referencing of the items under § 4.5 Current Comprehensive Plan and where they were addressed in the plan. There was a recommendation to delete the section because it seemed self-referential.

There was some discussion regarding § 5 – Appendices, and the items in need of update. Each item should include a reference to where they could be located and dates would be deleted.

NEW BUSINESS

A. Extending Public Comment

Motion made by Dan Burke, seconded by Bill Stramm, to amend the operating procedures to allow for any one commissioner to extend public comment by three minutes, not to exceed six total minutes for one member of the public. The motion was unanimously approved.

ANNOUNCEMENTS

The May 6th Planning Commission meeting coincided with the Town Council elections which affected Commissioner Joan Natali. The Commission agreed to change the meeting date to Monday, May 5th.

Motion made by Bill Stramm, seconded by Dan Burke, to adjourn the Planning Commission meeting. The motion was unanimously approved.

Chairman Dennis McCoy

Assistant Town Clerk