



# PLANNING COMMISSION

## Regular Meeting

### Town Hall

### April 1, 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, Sandra Salopek, Bill Stramm and Mike Strub. Also present were Town Planner Rob Testerman and Assistant Town Clerk Amanda Hurley. There were two members 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**

Bill Stramm recommended adding an item for discussion under New Business; commercial parking.

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

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

**Motion made by Joan Natali, seconded by Andy Buchholz, to approve the minutes from the March 4, 2014 Regular Meeting as presented. The motion was unanimously approved.**

#### **REPORTS**

Rob Testerman reported the following: i) The Historic District Review Board (HDRB) met on March 18 and reviewed and approved three applications. No HDRB applications had been received this month; ii) He and Heather Arcos met with Elaine Meil of the Accomack-Northampton Planning District Commission (A-NPDC) on March 20 to discuss Ms. Meil's findings in her review of the Comprehensive Plan. The A-NPDC was ready to facilitate the public kick-off meeting. The Commissioners agreed on April 28 for the date of the meeting; iii) Staff would be compiling the notes that had been made over the past months and would provide them to the A-NPDC for inclusion into the plan; iv) The Wetlands Board hearing which was scheduled for March 24 was cancelled. Due to environmental concerns (Tiger Beetle habitat, sub-aqueous vegetation and nearby oyster leases), the Army Corps of Engineers decided not to pursue the Bay Creek beach as a spoils site for the dredging. They were currently exploring new options which would likely delay the dredging project by a month or two; v) Site plans for Cape Charles Lofts had been provided to VDOT for comment and staff was awaiting their response; and vi) He had signed up for a living coastlines workshop for wetlands management later in the month.

#### **OLD BUSINESS**

##### **A. *Backyard Chickens – Discuss draft ordinance language***

Rob Testerman had prepared a draft ordinance for backyard chickens that was formatted to be inserted into existing zoning district regulations under permitted uses in Sections 3.1, 3.2 and 3.3.

Rob Testerman spoke with Dr. Brigid McCrea, State Poultry Specialist for the Cooperative Extension of Delaware State University and a Professor for the Department of Agriculture and Natural Resources.

There were concerns raised previously regarding chickens and Dr. McCrea recommended the following: i) the local 4-H would be able to set up a program to handle hens from residents who may no longer want them. There were also swaps and auctions for this issue. Dennis McCoy commented that it would be up to the owner to handle this issue; ii) infrared heaters were recommended for the coops; iii) owners should be required to register their flock with Virginia Department of Agriculture and Consumer Services in case of disease and for tracking purposes; iv) larger chickens each required 2-2.5 square feet of space in a coop; and v) chicken waste would not be an issue in reference to the water quality of the bay. Dennis McCoy asked if water quality of the bay could be measured before and after introduction of chickens to determine if there were any changes.

Rob Testerman stated that if the Commissioners were interested, Dr. McCrea could come speak and the Commissioners were in agreement that a professional who was not vested here would be beneficial. Dennis McCoy stated that the Commission would think about that once public comment feedback was received.

Rob Testerman stated that the backyard chickens survey was online and several responses had been received so far. Names and addresses were required to be provided. The survey data would be separated into four categories including residents of the historic district, residents of Bay Creek, property owners who lived outside of Town and those who did not answer the question. The survey would be included in the next Gazette and it would close before the next Planning Commission meeting so that Rob Testerman had time to collect the data and include in the packet for review.

Rob Testerman was waiting to hear a response from the Northampton County Sheriff regarding his opinion on dogs and chickens.

There was much discussion regarding the size of the coops and fences and if permits or zoning clearance would be required.

Joan Natali pointed out that there needed to be language under the Permitted Uses section regarding dominant hens taking on characteristics of roosters.

Dan Burke suggested adding language that the enclosure and fence must be in accordance with existing Town Code.

Dan Burke asked Rob Testerman to confirm with Dr. McCrea if chickens could fly eight feet in the air. Rob Testerman stated that enclosures would need to be covered by a solid surface anyway because of the threat of disease from feces of other birds.

It was noted that rodent proof containers should be metal.

There was some concern regarding setting standards and how to enforce. Rob Testerman stated that it would be primarily complaint driven.

Rob Testerman suggested annual permits and stated that they could add language that a permit could be revoked for an owner who received a certain number of substantiated complaints in a given time or for safety reasons.

B. *Tourism Zone – Refresher*

Rob Testerman stated the Tourism Zone had not been reviewed by the Planning Commission since 2010 and it had never been adopted and went on to state that the Commission would resume more in depth discussions after they finished with the chicken ordinance.

Joan Natali commented that the Planning Commission had not clarified what types of businesses would qualify for incentives in the Tourism Zone.

There was much discussion regarding the similarities as well as the differences between the Technology and Tourism Zones.

Joan Natali read excerpts from information she researched on the internet and noted that the Commonwealth of Virginia had implemented a tourism development financing program. See attached.

**NEW BUSINESS**

A. *Commercial Parking*

Bill Stramm commented that there was a commercial parking problem in Town and asked about the Town owned lots behind the Library.

Rob Testerman stated that he had been reviewing and calculating parking standards around Town.

Bill Stramm pointed out that at one time there were diagonal parking spaces on Mason Avenue and he wanted to know what VDOT's rationale was for not allowing this again and suggested revisiting it. There was some discussion regarding reverse parking and Bill Stramm stated that it was in the Eastern Shore Healthy Communities Walkability Study.

Dan Burke suggested reviewing reverse parking options for Bay Avenue. Joan Natali commented that there had been discussions of closing the west side lane to create parking spaces and opening the east side lane to two-way traffic.

**ANNOUNCEMENTS**

There were no announcements.

**Motion made by Bill Stramm, seconded by Joan Natali, to adjourn the Planning Commission meeting. The motion was unanimously approved.**

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Chairman Dennis McCoy

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Assistant Town Clerk