



PLANNING COMMISSION

Regular Meeting

Town Hall

May 5, 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 Dan Burke, Joan Natali, Sandra Salopek, Bill Stramm and Mike Strub. Commissioner Andy Buchholz was not in attendance. Also present were Town Planner Rob Testerman 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.

PUBLIC COMMENTS

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

CONSENT AGENDA

Motion made by Bill Stramm, seconded by Joan Natali, to accept the agenda format as presented. The motion was unanimously approved.

The Commissioners reviewed the minutes for the April 1, 2014 Regular Meeting.

Motion made by Joan Natali, seconded by Mike Strub, to approve the minutes from the April 1, 2014 Regular Meeting as presented. The motion was unanimously approved.

REPORTS

Rob Testerman reported the following: i) He attended the Transportation Advisory Committee meeting on April 16th at the VDOT Residency office where VDOT's long-range plan for roads needing repair was reviewed; ii) The ANPDC was continuing their work regarding the Bike Trail along the shore. Funding had been obtained for a feasibility study and construction drawings; iii) The State changed their Stormwater Management requirements effective July 1, 2014 and certain counties could not opt out and choose to fall under the plan for the State and DEQ. In the past, this option was only available to towns which could choose to fall under their county's plan. If Northampton County decided to opt out, the Town had the option of following suit or developing its own Stormwater Management Plan. There was some discussion regarding the Town's option and the effect on staffing, etc.; and iv) He attended a Living Shoreline Workshop at Camp Occohannock on May 1st. Environmental agencies expressed a preference to living shorelines with regards to wetlands management but he learned that in Cape Charles, living shorelines would not work as well due to the wave action and energy produced.

OLD BUSINESS

A. *Backyard Chickens – Discuss draft ordinance language*

Rob Testerman stated that the Backyard Chicken Survey had been extended through the end of May in order to get a better response rate from property owners. Notice of the survey was included on the May utility bill in order to ensure that all property owners were aware of its existence. As of April 30th, 62 responses had been received with the number of responses in favor and against backyard chickens about even. One issue that was raised was the effect on vacation rentals which were next door to a property with backyard chickens. It was stated that this could be a possible deterrent for renters. Rob Testerman went on to state that he had

checked with Code Official Jeb Brady regarding fire hazards and safety issues of lighting and heating elements used in chicken coops as brought up last month. Jeb Brady did not think it would be an issue as long as the lighting/heating element was rated for outdoor use.

The Commissioners reviewed the revised language for Section 3.2 as drafted by Rob Testerman after the April meeting and discussed the following: i) Item 8.b. was changed to state that the person raising the hens must be a full-time resident of the property; ii) Item 8.d. would state that no person shall slaughter any hens outdoors or in public view; iii) Item 8.e.2. – There was some discussion regarding the requirement of two square feet vs. cubic feet as well as a possible maximum height restriction. No changes were made at this time; iv) Items 8.g. and 8.h. were discussed for clarification but no changes were made; and v) Item 8.i. was changed to state that eggs or meat shall not be sold.

The survey responses would be reviewed in June. There was some discussion regarding scheduling a public hearing for June, but no decision was made.

B. *Tourism Zone – Discussion*

Rob Testerman stated the Planning Commission had begun discussion and work on a Tourism Zone. At the January 28, 2011 Town Council Retreat, Council agreed that Technology and Tourism Zones should both be adopted by the Town. Both zones would encompass the entire Town and a list of targeted businesses needed to be developed as well as appropriate incentives. The Technology Zone was adopted by the Town Council on March 8, 2012, but no further work had been done on the Tourism Zone. A Tourism Zone allowed for qualifying businesses to receive tax credits or other incentives that would not be available to that business elsewhere, thus encouraging the business to locate within the Town and increasing employment opportunity and economic growth. Creation of a tourism zone was authorized by VA Code § 58.1-3851. The language of the Tourism Zone would be similar to that of the Technology Zone and would be adopted into the Town Code if approved. The qualifying businesses and incentives would differ from those existing in the Technology Zone. Rob Testerman added that he had included the State Code section, information from the State and other localities as well as the Town's Technology Zone language.

Bill Stramm stated that he liked the language included in the ordinance from the Town of Pocahontas.

Rob Testerman stated that the first step would be to identify the types of businesses that would qualify for the Tourism Zone. The following businesses were cited:

- Miniature golf
- Golf cart, boats, jet ski, bicycle rentals
- B&Bs, hotels and other lodging
- Restaurants
- Outdoor sporting goods merchandisers and rentals
- Gift shop
- Harbor-related businesses, water taxi
- Art gallery
- Farmers market
- Health related/Fitness center (not medical offices)
- Grocery/convenience stores
- General retail merchandising
- Used/antique merchandising
- Bowling alley
- Theaters
- Arcades

- Museums
- Conference and event services/centers
- Air, land and water-based excursions

Bill Stramm noted that the Town of Onancock recently built a kayak launch area at their harbor.

Businesses that would not qualify included churches, appliance store, gun shop, banking, and auto repair facility.

Rob Testerman stated that he would try to contact a representative from the Town of Pocahontas as well as Northampton County Economic Development Director Charles McSwain for more information and ideas regarding possible incentives for review at the June meeting.

Joan Natali stated that the Technology Zone required the business to initially pay the appropriate tax. The Town would review the businesses' accomplishments relating to the requirements of the Technology Zone and would rebate the appropriate amount as outlined in the ordinance.

NEW BUSINESS

There was no new business to review.

ANNOUNCEMENTS

- Tomorrow, May 6, was Election Day.
- On May 12, beginning at 6:30 PM, the County and FEMA representatives were holding a public information meeting at the Social Services Building in Eastville regarding the new flood maps.

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

Chairman Dennis McCoy

Town Clerk