



TOWN COUNCIL & PLANNING COMMISSION

Joint Work Session

Cape Charles Civic Center

September 25, 2014

6:00 PM

At approximately 6:00 p.m., Mayor George Proto, having established a quorum, called to order the Town Council Work Session. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett, Brown and Wendell. Councilman Godwin and Councilwoman Natali were not in attendance. Also present were Town Planner Rob Testerman and Town Clerk Libby Hume. There was one member of the public in attendance.

Planning Commission Chairman Dennis McCoy, having established a quorum, called to order the Planning Commission Work Session. In addition to Chairman McCoy, present were Commissioners Dan Burke, Sandra Salopek and Mike Strub. Commissioner Andy Buchholz arrived at 6:02 p.m. Commissioners Joan Natali and Bill Stramm were not in attendance.

Mayor Proto announced the business for the evening would be to review and discuss the draft chicken ordinance.

Town Planner Rob Testerman presented the background of the project as well as the following: i) benefits of backyard chickens; ii) concerns regarding backyard chickens; iii) how other Eastern Shore towns regulated chickens; iv) enforcement; and v) an overview of the urban chicken survey. (Please see attached.)

There was much discussion regarding the proposed ordinance and survey results. There was some concern regarding requiring tie downs for the chicken coops to meet wind load restrictions in case of hurricanes. Since the draft ordinance required conditional use permits to raise backyard chickens, a standing condition could be the tie down requirement.

There was also some concern regarding obtaining approval from adjacent property owners. Rob Testerman stated that legal counsel advised against this requirement, but notification would be sent to all adjacent property owners as part of the conditional use permit application process and the property owners would have the opportunity to speak or submit their comments for the public hearing.

Council requested that the survey responses from the residents and property owners in the Historic District be extracted and sent to them prior to the scheduled October 7th Joint Public Hearing.

Mayor Proto polled the Council members. Vice Mayor Bannon and Councilmen Bennett and Wendell stated that they were opposed. Councilman Brown stated that if the majority of respondents living in the Historic District were in favor of allowing chickens, Council would need to review this issue closer.

Concern was expressed regarding i) Heating the coops during the winter months could pose a fire hazard; ii) Annual inspections might not be enough; and iii) Enforcement issues.

Mayor Proto stated that he felt the ordinance was well written and appreciated the opportunity to have this discussion. Council now had a good understanding of the draft ordinance and the research and discussion that went into drafting the language. The joint public hearing was

scheduled for October 7th. Council would hear the public comments and discuss the issue further at the October 16th regular meeting.

Motion made by Councilman Bennett, seconded by Councilman Brown, to adjourn the Town Council Work Session. The motion was unanimously approved.

Motion made by Commissioner Dan Burke, seconded by Commissioner Mike Strub, to adjourn the Planning Commission Work Session. The motion was unanimously approved.

Mayor George Proto

Chairman Dennis McCoy

Town Clerk