



**PLANNING COMMISSION**  
**Regular Meeting**  
**Cape Charles Civic Center**  
**November 4, 2014**  
**6:00 PM**

At approximately 6:00 p.m. in the Cape Charles Civic Center, 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 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 comments submitted in writing prior to the meeting.

**CONSENT AGENDA**

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

The Commissioners reviewed the minutes for the October 7, 2014 Joint Public Hearing with the Town Council and the October 7, 2014 Regular Meeting.

Joan Natali noted that in the October 7, 2014 Joint Public Hearing minutes, the topic of the public hearing should have shown backyard chicken ordinance.

Mike Strub noted two items in the October 7, 2014 Regular Meeting minutes for clarification.

**Motion made by Joan Natali, seconded by Dan Burke, to approve the minutes from the October 7, 2014 Joint Public Hearing with the Town Council and the October 7, 2014 Regular Meeting as amended. The motion was unanimously approved.**

**REPORTS**

Town Planner Rob Testerman reported the following: i) This would be his last meeting. He had accepted the position of Director of Planning and Development for Kitty Hawk, NC and would be supervising a staff of four. His last day would be next Friday, November 14<sup>th</sup>; ii) No applications had been received yet for the Historic District Review Board although one was expected; iii) He incorporated the comments received from the Dept. of Conservation and Recreation (DCR) into the draft Floodplain Ordinance and resubmitted the draft to the DCR for a final review. If found acceptable by the DCR, the town could move forward with the scheduling of a public hearing. The ordinance needed to be adopted by May 18, 2015; iv) He was planning to attend the Cape Charles Business Association (CCBA) meeting on November 5<sup>th</sup>, but CCBA President Andrew Follmer suggested waiting for the new planner. Andy Buchholz, CCBA vice president, agreed with Mr. Follmer. The Tourism Zone draft just needed the numbers completed for the criteria and incentives. The Town Council wanted to have the Tourism Zone finalized prior to the 2015 tourism season; and v) There were issues relating to the erosion and sediment control (E&S) for the Bay Creek golf course area. This would be an ongoing project. Bill Stramm stated that Bay Creek was

planning to do work on holes 4 and 5. Rob Testerman stated that the details were still being worked out.

Joan Natali asked whether any applications had been received in response to the Town Planner advertisements. Libby Hume stated that to date, three applications had been received. The deadline for applications was November 14<sup>th</sup>.

Joan Natali asked about the Harbor dredging project. Rob Testerman stated that he had not received any updates. E&S control and stormwater management permitting was underway for the cleanup of the uplands spoils site in preparation for the dredge. Because the project was being done by a federal entity, all site plan review, inspections and enforcement for the uplands site was being handled by the Dept. of Environmental Quality (DEQ).

### **OLD BUSINESS**

There was no Old Business to review.

### **NEW BUSINESS**

#### **A. *Parking – Discuss parking plans for lots behind the library***

Rob Testerman stated that at the October 16, 2014 meeting, Town Council directed staff and the Planning Commission to discuss potential parking plans for the Town-owned lots behind the library. Two conceptual plans were developed and included public parking, accessible dumpsters to serve nearby commercial properties, access to an alleyway to the buildings between Mason and Randolph Avenues and appropriate screening. Site specific challenges included stormwater management needs, maintaining access for a garage on an adjacent property, and consideration of the existence of a fully mature pecan tree on the property. Council requested that the Commission also consider possible alternative locations for the dumpsters and underground tank, if feasible.

Interim Town Manager Bob Panek explained the two conceptual plans. Concept Plan A did not attempt to preserve the existing pecan tree and Plan B attempted to do so. To compensate for the major root disturbance that would be caused by construction, significant tree canopy trimming would be required and it was estimated that due to the disturbance, the tree would likely die within a few years. Both concept plans provided locations for three dumpsters and an underground tank for used cooking oil. Both plans also provided access for the private garage. Plan A would provide 34 parking spaces and Plan B would provide 30 spaces.

An email from Mr. Jed Jackson, a property owner on Randolph Avenue across from the Pine Street lots, along with the Town's response was reviewed. (Please see attached.)

There was much discussion regarding the following: i) location of the dumpsters and a possible location for an additional dumpster if needed for future growth; ii) the viability of the pecan tree which was a signature tree that was historic in nature; iii) the buffer area and drainage.

**Motion made by Andy Buchholz, seconded by Joan Natali, to hire a licensed arborist to look at the pecan tree to determine its viability and whether it would survive the construction as shown in Plan B. A proper decision could not be made until the trees viability was determined. The motion was unanimously approved.**

Bill Stramm asked where the Town stood regarding the reverse angle parking on Mason Avenue. Joan Natali read the June 2, 2014 Planning Commission Comprehensive Plan Meeting minutes where it stated that reverse angle parking should be considered on Mason Avenue and if, once implemented and if successful, reverse angle parking would then be considered for Bay Avenue.

**Motion made by Bill Stramm, seconded by Andy Buchholz, to present the concept of reverse angle parking on Mason Avenue to the Town Council. The motion was unanimously approved.**

**B. *Water Discussion***

Rob Testerman stated that in a previous meeting with the Accomack-Northampton Planning District Commission (ANPDC), there was discussion regarding water usage and there were some questions and confusion regarding the statistics provided by Ms. Elaine Meil of the ANPDC, the capacity of the water plant and average usage.

Bob Panek explained that the water plant was designed with a capacity of 500K gallons per day (GPD) but the Town was currently limited to 360K GPD due to the water supply from two production wells. Two future production wells were drilled on the former Keck property. The pipeline was being designed but the DEQ had not yet approved the connections. Once these two wells were connected, the production of the water plans could be maximized and with proper filtration, it could possibly produce 600K GPD. The current groundwater withdraw permit allowed for 250M gallons per year (GPY) and the Town currently used an average of 110K GPD which equated to about 40M GPY. The DEQ had been reviewing the groundwater withdraw permit for about four years and were looking to reduce the permit to about 60M GPY. The Town's usage peaked on July 4<sup>th</sup> and other holidays with an average of 250K GPD. With the addition of the Keck Wells, the peak could be doubled to 500K GPD. If the Town were to experience an influx of full-time residents, the water usage would be affected and all the numbers would change.

There was some discussion regarding issues with the aquifer. Bob Panek stated that the Town was monitoring the issues and options were available such as adding wells to the east along the railroad right-of-way. The water plant could also be outfitted for desalinization for about \$1M.

**ANNOUNCEMENTS**

- November 22, 2014, 10:00 AM – Comp Plan Public Input Meeting
- December 2, 2014, 6:00 PM – Comp Plan Public Input Meeting
- January 6, 2015, 6:00 PM – Comp Plan Meeting with ANPDC
- January 19, 2015, 6:00 PM – Regular Meeting was scheduled but needed to be changed since the Town offices would be closed for Martin Luther King Jr. Day. The meeting date was changed to January 12, 2015.

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

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Chairman Dennis McCoy

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Town Clerk

**From:** Bob Panek [mailto:bob.panek@capecharles.org]  
**Sent:** Friday, October 17, 2014 4:44 PM  
**To:** 'Jed Jackson'  
**Cc:** grproto1@gmail.com; 'Chris Bannon'; 'Joan Natali'; 'Steven Bennett'; 'Thomas Godwin';  
Medic1910@verizon.net; 'Frank Wendell'; 'Libby Hume'; 'Robert Testerman'  
**Subject:** RE: Pine Street Parking Lot

Dear Mr. Jackson,

Thank you for your input and also for those kind words. I've discussed this with Mayor Proto and he asked that I respond to you as he is currently out of town.

As you may be aware there were two conceptual plans for the proposed parking lot prepared by our consultant. At last night's meeting, Town Council voted to refer both plans to the Planning Commission for review and consideration. There were a number of questions and ideas from Council which were discussed and Joan Natali, our Council representative on the Planning Commission understands that we are looking for recommendations relative to both plans.

Both plans include a planting buffer zone between the parking lot and the sidewalk on Randolph Avenue. The width of this zone will depend on the concept selected and other factors, such as final storm water management calculations. Additionally, there is a nine foot wide area between the sidewalk and the curb that can be utilized for screening vegetation. While the parcels proposed for the parking lot are zoned commercial, we realize they abut a residential area and will ensure that appropriate screening is included in the construction plan.

Thanks again for taking the time to write.

Bob Panek  
Interim Town Manager

**From:** Jed Jackson  
**Sent:** Thursday, October 16, 2014 5:05 PM  
**To:** [mayor@capecharles.org](mailto:mayor@capecharles.org); [bob.panek@capecharles.org](mailto:bob.panek@capecharles.org)  
**Subject:** Pine Street Parking Lot

Dear Mayor Proto and Mr. Panek,

Thank you for all the time and work that you both devote to the Town of Cape Charles. It has been exciting to observe the many positive changes that have been happening in our beautiful town.

I own a home on Randolph Ave across the street from the proposed Pine Street Parking Lot. The field adds to the beauty of the street, but I understand the need for more parking options as the number of spaces in other parts of town decrease. I reviewed the two options that are currently being considered for the future parking lot. I appreciated certain aspects of the plan such as the use of pervious pavers as opposed to concrete slabs or standard pavement. However, I was concerned to see the lack of a buffer between Randolph Ave. and the parking lot. I think there is a need for a larger buffer between the Randolph Ave. and the parking lot. The proposed bioretention zone from Pine Street or the buffer running along the alley should be extended to flank either side of the Randolph Ave. entrance. Having a natural buffer is essential to preserving the beauty and residential character of Randolph Ave.

Thank you for reading my thoughts on this project.

Best,  
Jed Jackson