



# Town Council

## Public Hearing

April 10, 2007

6:30 p.m.

At approximately 6:30 p.m. in Town Council Chambers, Mayor Dora Sullivan called to order the Public Hearing of Town Council. In addition to Mayor Sullivan, present were Councilwoman Mary Harris, and Councilmen Chris Bannon, John Burdiss, and Bruce Evans. Absent were Charles "Sambo" Brown and Gerald Elliott. Also present were Town Manager Bob Panek, Town Planner Jason Pruitt, Town Clerk Joy Pelletier, several members of staff and approximately 25 members of the public.

Mayor Sullivan announced the purpose of the hearing was to hear public comment on the following items:

- Adoption of the Master Tree Plan as an addendum to the Comprehensive Plan;
- Adoption of the Tree Conservation and Preservation Ordinance as an amendment to the Zoning Ordinance; and
- Proposed lease of property at the old Cape Charles High School by the U.S. Army Corps of Engineers for placement of a GPS antennae.

The Mayor stated the item concerning the T & W Block lease of property on the south side of the Town Harbor had been removed from the agenda.

### **PUBLIC COMMENTS**

*Melvin Dudley –303 Madison Ave*

Mr. Dudley complimented the tree survey put together by Eileen Cobb and Scott Walker. He went on to mention that with the demise of the railroad boom in Cape Charles, residents planted trees where ever it suited them as evidenced by the broken sidewalks in Town. He also pointed out the poorly pruned trees that straddle the power lines. Mr. Dudley indicated that if the Town took out all the offending trees, then a tree ordinance would be in order.

Mr. Dudley pointed out the median strips running east to west on Monroe Avenue and how dangerous it was for emergency vehicles to travel that street. He stated if the Town would show good stewardship in taking care of the medians and Town property, residents will follow the lead.

*Jo Ann Warren – 8 Madison Avenue*

Mrs. Warren expressed the pride she and her husband Randy had taken in their yard for the past 50 years. She mentioned they had planted and replanted trees on their small lot. She mentioned the last two trees that had died had not been replanted, and at this stage in their lives, they did not want to plant new trees. She indicated the resentment she felt that she must replace those trees or have the Town replace the trees.

*Jan Neville – Randolph Ave*

Mr. Neville stated he liked the intent of the ordinance. He expressed, however that a better solution would be to have volunteers plant donated trees in the right of ways and on Town property. He suggested encouraging residents to plant trees rather than order them to plant trees.

Mayor Sullivan asked Town Planner Jason Pruitt to present an overview of the proposed ordinance so the participants could have a clearer understanding of the purpose and guidelines.

Mr. Pruitt imparted how the Master Tree Plan and Ordinance came to be; then answered specific questions. In response to Mrs. Warren's concern over replacement of dead or dying trees, he stated the tree would not necessarily have to be replaced.

Clarification was made by Councilman Evans that a certain percentage of coverage of lot is required by the Ordinance; therefore, if a tree dies and is removed, the resident may have to replace it to maintain the percentage of canopy coverage.

It was also clarified that existing residents were "grandfathered" and did not have to meet the restrictions until an addition was made to the primary structure or an additional structure was built on the lot. At that point, the Tree Ordinance would come into play.

Motion made to adjourn the Public Hearing made by Councilman Bannon, seconded by Mary Harris and unanimously approved.

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Mayor

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Town Clerk