

# **PLANNING COMMISSION**

## **Regular Session Agenda**

**November 1, 2005**  
**7:30 P.M.**

**At approximately 7:30 P.M. Chairman Bonadeo called the regular session of the Cape Charles Planning Commission to order. In addition to Chairman Bonadeo, present were Commissioner Burge, Natali, Evans, Davis, Cobb and Kuttler. Also present were Town Planner Jason Pruitt and Town Clerk Joy Pelletier. There was one member of the Public present.**

**All observed a moment of silence and recited the Pledge of Allegiance**

### **Public Comments**

No one chose to speak.

### **Consent Agenda**

**Motion made by Joan Natali, seconded by Cela Burge and unanimously approved to amend the agenda adding items D (quick recap of the Yorktown Tour) and E (recap of Historic District overlay) under New Business.**

**Motion made by Karen Jolly Davis, seconded by Eileen Cobb and unanimously approved to accept the minutes of October 4, 2005 as amended.**

### **Old Business**

- A. Proposed Revisions to Zoning Ordinance – Section 3.12, Planned Unit Developments  
Town Planner, Jason Pruitt recapped the Public Hearing and the subsequent Town Council meeting held October 11, 2005. Mr. Pruitt indicated the Public had no comments and the Council did not discuss any changes. The Commissioners discussed the flexibility Section K offers.

**Motion made by Karen Jolly Davis, seconded by Ken Kuttler and unanimously approved to forward proposed section 3.12, Planned Unit Developments to Town Council with the recommendation to accept the section as a substitute for the existing section.**

- B. Accessory Buildings

Mr. Pruitt opened this topic with a brief review of the approved revisions and size regulations. He reminded the Commissioners their next task towards accessory buildings would be to address “accessory apartments”. Discussion was held to

strengthen the wording of the height of the structure. Also discussed was vacating lot lines when the situation arises regarding a primary structure spanning one or more lots.

**Motion made by Joan Natali, seconded by Karen Jolly Davis and unanimously approved to move the proposed changes to Section 4.2 E, Accessory Buildings to Public Hearing.**

C. Comprehensive Plan Status Report

Mr. Pruitt described the progress on the Housing section of the Comp. Plan. Detailed discussion followed on how the figures were derived and their possible uses. The Commissioners agreed to take their own census going door to door to obtain updated information.

D. 213 Mason Avenue Update

Jason Pruitt reported to the Commissioners the outcome of the Historic District Review Board meeting concerning the replacement window at 213 Mason Ave. The new window did not comply with the Town's Zoning Ordinance and Historic Guidelines; however the HDRB decided not to make the applicant replace the new window. It was their contention the error was not the fault of the applicant, therefore it would not be reasonable for the Town to cause the applicant to suffer a hardship. The applicant was willing to consider painting the aluminum or try to modify the window trim in order to work towards compliance. An awning had been planned which would also help understate the modern appearance of the window. The Planning Commissioners considered appealing the decision with Town Council but instead decided to have Mr. Pruitt write a letter to the HDRB indicating the Commissioners' respectful disagreement with the decision and to encourage the HDRB to work out a solution with the owner.

E. Demolition of 551 Mason Avenue

Mr. Pruitt opened the discussion by detailing the difficulties in replacing the structure. The conversation included: the footprint of the building, possible encroachment to the lot lines and the Zone being commercial /residential. The conversation concluded with a note that there were a number of difficulties in replacing the structure vs rehabilitating the structure.

**New Business**

A. Planning Documents Available in the Library

Mr. Pruitt reported to the Commissioners he had created a binder of Planning documents to be housed in the Library. The information would be continually updated.

B. Land Disturbing Activity on Randolph Avenue

Mr. Pruitt summarized the recent history of the removal of trees from the corner of Pine and Randolph. To help mitigate the impact the removal of these trees created, the property owner had agreed to plant several new trees amenable to the area.

C. Subdivision Ordinance Revisions

While revising Section 3.12 of the Zoning Ordinance, the Planning Commission decided revisions to the Subdivision Ordinance may also be necessary. The suggestion was made to use part of the text previously included in Section 3.12.

Limited discussion was held, and it was decided further study and debate should be held at a later date.

D. Yorktown vs Cape Charles

The Commissioners held a brief discussion of their picture of the Harbor which included the entire area including BayShore Concrete, the Harbor and the beach front. They all agreed the entire waterfront needed continuity.

E. Historic District Overlay

A brief discussion was held warrenting further discussion was needed.

**Announcements**

Mr. Pruitt reminded the Commissioners about an IDA meeting that was to be held at the STIP at 8:30 a.m. on November 2, 2005. He urged the Commissioners to attend if possible.

**Motion made to adjourn the Regular Meeting of the Planning Commission made by Cela Burge, seconded by Joan Natali and unanimously approved.**

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**Chairman**

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**Town Clerk**