

Planning Commission

Regular Session

February 7, 2006

7:30 P.M.

At approximately 7:30 p.m. in the Town Council Chambers, Chairman Tom Bonadeo called to order the Regular Session of the Planning Commission. In addition to Chairman Bonadeo, present were Cela Burge, Joan Natali, Ken Kuttler, Bruce Evans, ~~Irene~~ Eileen (3/07/06) Cobb and Karen Jolly Davis. Also present were Town Planner Jason Pruitt, Town Clerk Joy Pelletier and three members of the Public.

A moment of silence was observed and all joined in the Pledge of Allegiance.

Public Comments

No one had signed to speak.

Consent Agenda

- A. Approval of Agenda Format

Add item C under new business "proposal from Randy Keck"

Motion made by Ken Kuttler, seconded by Karen Jolly Davis and unanimously approved to accept the agenda format as amended.

- B. Approval of Minutes of January 3, 2006 (Public Hearing and Regular Session and Work Session January 24, 2006)

Motion made by Cela Burge, seconded by Karen Jolly Davis and unanimously approved to accept the Public Hearing minutes of January 3, 2006 as modified.

Motion made by Cela Burge, seconded by Bruce Evans and unanimously approved to approve the minutes of the Regular Session of January 3, 2006 with the corrections and alterations as presented with the exception of that passage dealing with item I Trees in the Historic District which will be revisited by Commissioner Evans.

Motion made by Bruce Evans, Seconded by Ken Kuttler and unanimously approved to accept the minutes as modified.

Old Business

- A. *Trees in the Historic District – Zoning Ordinance Section 8.18 A*

Jason Pruitt recapped the events of the last Planning Commission meeting and the course of action taken at the last Town Council meeting. Karen Jolly Davis summarized her understanding of the Mayor's proposed ad-hoc tree committee.

During the discussion, it was suggested moving the tree ordinance to Section 4 of the Zoning Ordinance in the area of Landscaping and screening regulations. The section was read and discussed and it was agreed that a minor modification to that section might accomplish task rather than changing the definitions to significant tree or specimen tree. For clarification, Ms. Burge restated as a result of the Public Hearing of February 7, 2006, the recommendation to Council would be to draft strengthening language to add to Section 4.4 B-5 and to strike the significant tree language from the Historic District Overlay.

Motion made by Cela Burge, seconded by Karen Jolly Davis and unanimously approved to report to Town Council the Planning Commission is not prepared to make a full recommendation for a definition but the Commissioners are inclined to remove “significant tree” from the Historic District Overlay section of the Zoning Ordinance and to strengthen language in Article 4.4, 5-B.

- B. *Review of Meeting with Northampton County Planning Commission Subcommittee*
All agreed the meeting was beneficial. Bruce Evans indicated that Mary Miller had prepared a summary of the meeting which she presented to her Planning Commission; the Planning Commission agreed to present the ideas to the County Board of Supervisors. It was agreed a report would be presented to our Town Council at their next meeting. Discussion also revolved around composing the 184 corridor overlay and how to fit it in the current schedule with the Comprehensive Plan being of prime importance.
- C. *Review of Past and Upcoming Planning-Related Town Council Items*
Jason Pruitt proposed submission of this review each month to keep the Planning Commissioners abreast of actions by the Town Council.
- D. *Comprehensive Plan Draft Section – Community Facilities and Services*
Suggestions for additions to the Section were made as follows such as inclusion of the migrant worker’s children for the school and library. Other corrections were considered as to acreage in the Coastal Dune Natural Area Preserve and corrections to the marina and boating area.
- E. *Population Study Status Report*
Agreement was made to give another 30 days to complete the Washington/Jefferson area of the Historic District. Eileen Cobb related that several of the people with whom she had spoken liked the idea of having a Historic District Review Board to keep the flavor of the Town intact. Cela Burge pointed out how important it is to get input from the non-resident property owners who have invested time and money to own property in Town. Chairman Bonadeo indicated with the Town growth it may be time to hire an IT person whose other responsibilities would be to continually update the Town’s website with information such as the progress on the Comprehensive Plan. Chairman Bonadeo also mentioned taking a community preference survey from property owners who do not live in Cape Charles full time asking questions such as what do they like about Cape Charles, what do they not like, what they would like to see, etc.
- F. *Historic District Demolition Regulations – Zoning Ordinance Section 8.21*
It was agreed to table this item until the following month to give all members ample time to absorb the changes.

New Business

A. *Preserving Historic Landmarks – Rosenwald School*

Mr. Pruitt reviewed the actions on this issue of the Historic District Review Board. He also mentioned he had been in touch with the Virginia Department of Historic Resources for guidance on preserving the school and possibly naming the location as a Historic Landmark. Chairman Bonadeo suggested Planning Commission send a message to Town Council and to the Historic District Review Board recommending the Historic Overlay be enlarged to cover the school. Mr. Pruitt relayed a recommendation from the Town Manager Tim Krawczel that the designation as a landmark be pursued to give additional credence to the reasoning behind expanding the Historic District.

B. *Projections in Setbacks – Heating and Cooling Equipment; Patios*

Jason Pruitt mentioned the Building Officials are experiencing some problems in the North tract of Bay Creek in regards to not allowing heating and cooling equipment in side yard setbacks. Discussion followed on the differences between the PUD guidelines and the guidelines which govern the Historic District. Chairman Bonadeo offered to speak with the necessary parties at Bay Creek informing them of the potential problems and report his findings at the next Planning Commission meeting.

C. *Proposal from Randy Keck*

Commissioner Cela Burge recused herself from this segment to avoid a potential conflict of interest.

Randy Keck presented a proposal to develop ~~the~~ his (03/07/06) farm property by dividing the thirty-four plus acres into four separate plats with four wells and four septic systems. Mr. Keck presented documents to initiate a more restrictive Zone titled RRE (Rural Residential) and asked if possibly an exception could be made to the current Ordinance concerning private wells on properties over a certain size. Concern was raised over setting a precedent; if private wells were allowed on these tracts, how could you prevent future private wells on other large tracts. Mr. Keck pointed out the expense of infrastructure for water and sewer lines along with the pump house would necessitate the need for increased density on the property – possibly thirty homes versus the four proposed. The Commissioners agreed to read the proposal and initiate additional discussion to cover all circumstances. A joint work session with Town Council was suggested.

Announcements

A. *Waterfront Design Guidelines and Master Plan Public Input Session February 23, 2006 at 6:30pm in the Cape Charles Council Chambers*

Jason Pruitt indicated the date had changed to February 28, 2006 and the place had changed to the Palace Theatre.

Motion made to adjourn the meeting made by Joan Natali seconded by Ken Kuttler and unanimously approved.

Chairman

Town Clerk