

# Planning Commission

## Regular Session

April 4, 2006

7:30 P.M.

At approximately 7:30 p.m. on April 4, 2006 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 Eileen Cobb, Cela Burge, Joan Natali, Ken Kuttler, Bruce Evans, and Karen Jolly Davis. Also present were Town Planner Jason Pruitt, Town Clerk Joy Pelletier and one member of the Public.

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

Joan Natali interjected a question concerning fencing around homes that have been raised above the flood level. She indicated the fencing height cannot exceed four feet, yet the HVAC equipment is on a platform of three and one half feet, therefore is visible above the fencing. She asked this be addressed. A brief discussion followed with no action taken.

**Motion made by Cela Burge, seconded by Ken Kuttler and unanimously approved to accept the agenda format with the modification to add an item to new business.**

**Motion made by Bruce Evans, seconded by Eileen Cobb and unanimously approved to accept the minutes of January 3, 2006 as corrected.**

**Motion made by Ken Kuttler, seconded by Joan Natali and unanimously approved to accept the minutes of March 7 and 14, 2006 as amended.**

### **Report Presentations**

#### *A. Town Council*

Jason Pruitt reviewed with the Planning Commission the items that had been covered at the Town Council Regular Session and the Town Council Retreat in March, 2006. (See attached Staff Report.)

Mr. Pruitt also reported the Town Manager and Mayor had attended an informational meeting with the Mayor of the Town of Cheriton which is in the

early planning stages of preparing to offer water and sewer service to their residents.

**B. *Northampton County Joint Local Planning Commission***

A question was posed concerning the County's position in regards to vegetative buffers. Bruce Evans responded indicating there has been quite a bit of discussion on more stringent buffers on subdivisions, but no agreements had been reached.

The Boundary Adjustment concept was also discussed in that the Town Manager and Mayor had drafted letters and spoken to officials at the County. It was determined no formal request had been sent to the County.

See attached for additional information.

**Old Business**

**A Tree Preservation – Zoning Ordinance 4.4**

Jason Pruitt briefly reviewed with the Commissioners the revisions made and referenced excerpts from the books *Preparing A Landscaping Ordinance* and *Aesthetics, Community Character, and the Law* both published by the American Planning Association.

Mr. Pruitt also mentioned three members of the Planning Commission are members of the Town's tree committee. He mentioned the work they were accomplishing through the committee should be taken into account as additional revisions were made to Section 4.4. It was also mentioned the education of Town residents was lacking – people are not aware of the guidelines. It was suggested brochures and public forums be created to educate the residents.

**Motion made by Cela Burge, seconded by Ken Kuttler and unanimously approved to recommend to Town Council the changes made to the intent language in Section 4.4, A, and changes made to Section 4.4, B - 5 and 6.**

**B. Historic District Demolition Regulations – Zoning Ordinance Section 8.21**

Jason Pruitt began the discussion of this item by defining, per the State Code, the terms appraiser and appraisal and clarifying that these terms were sufficient to use to describe the qualifications and acceptability of the work. He indicated Section 8.21 was changed to accommodate this revision.

**Motion made by Joan Natali seconded by Eileen Cobb to move forward to Town Council the recommendation of the changes to the text change.**

**C. Comprehensive Plan Draft Section – Transportation**

Jason Pruitt briefly updated the Commissioners on the progress made to this point. He indicated he was waiting for information from VDOT on the capacity of public roads and on the speed limits in the area of the Harbor. Chairman Bonadeo reported he had spoken with Will Cummings who suggested the Town initiate a letter to him outlining their concerns. He would then officially research the item and repost the appropriate limits. Cela Burge interjected we should also

request the speed limit to be researched to determine the limit is appropriate for the transportation methods. The Board then focused on the Draft Section and made a few suggestions towards minor changes to the draft. A discussion on street crossings at railroad tracks and the value of the “hump” followed. Cela Burge reminded the Board members of the VDOT funded study for the round – about to replace the three way stop at Fig and Mason coming into Town and asked for their consideration in relation to the Comprehensive Plan. Parking, alleys and the old sidewalk assessment study were also discussed.

Mr. Pruitt explained the next draft section would be Land use and Community Character. Tom Bonadeo indicated to all it would be a help if all Board members prepared a list of their own goals and implementation strategies.

D. Population Study Status Report

Mr. Pruitt presented the maps which showed which areas remained to be surveyed. Bruce Evans opened the discussion as to the most appropriate manner in which to handle the areas including Sea Breeze Apartments and Heritage Acres. No specifics were determined.

E. Historic Landmark Preservation – Rosenwald School

Mr. Pruitt indicated his recent research designated there was a need for strong public support if the Town decided to initiate the Zoning Map amendment. Without the support it would seem more likely the Town would face a “takings claim” and the owner may try to demolish the building in an effort to avoid inclusion in the Historic District. The history of the property was discussed which included the Town’s ownership of the property and its subsequent sale. It was suggested the item be added to the Comp Plan as a significant resource.

F. Projections in Setbacks

Chairman Bonadeo explained in the Historic District, certain items are allowed to extend into the setback, i.e. steps, air conditioning units. These same items are not allowed in Bay Creek based on the Accawmake Plantation PUD amendment. Our Zoning Officials had been allowing these items in the set back based on the feeling that the Zoning Ordinance applies to all zones. Bay Creek has agreed they are not opposed to allowing these items in the set back; therefore, to correct the situation, the language of their ordinance must change. Chairman Bonadeo displayed to the Commissioners for review a letter from Steve Bennett of Bay Creek showing their support of changing the Zoning Ordinance. Mr. Pruitt also mentioned the Building Officials fully support the changes.

Mr. Pruitt brought up the issue of structures, such as decks or catwalks, less than 16 inches in height, encroaching on the set backs. He indicated there had been several of these requests all of which had been denied. Based on the amount of discussion this particular issue might take, it was decided to table this revision until a later date.

**Motion made by Cela Burge, seconded by Karen Jolly Davis and unanimously approved to send the Zoning Ordinance text changes in Section 9.8 forward to Public Hearing for the May 2, 2006 meeting.**

**New Business**

None

**Announcements**

The Town Council Candidates Forum will be April 24, 2006 at 7:00 pm. Until 8:00 p.m. at the Palace Theatre.

Karen Jolly Davis requested two items to be put on a future agenda: Corridor Overlay District and Accessory Apartments.

**Motion to adjourn made by Cela Burge, seconded by Joan Natali and unanimously approved.**

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Chairman

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Town Clerk