

Planning Commission

Regular Session

June 6, 2006

7:30 P.M.

At approximately 7:30 p.m. on June 6, 2006 in the Town Council Chambers, Chairman Bonadeo called to order the Regular Session of the Planning Commission. In addition to Chairman Bonadeo, present were Bruce Evans, Eileen Cobb, Karen Jolly Davis, Joan Natali and Cela Burge. Absent was Ken 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 then recited the Pledge of Allegiance.

Public Comments

No one had signed to speak

Consent Agenda

Motion made by Joan Natali seconded by Karen Jolly Davis and unanimously approved to accept the agenda format as presented.

Motion made by Karen Jolly Davis, seconded by Eileen Cobb and unanimously approved with one modification to accept the minutes of April 4, May 2, and May 22, 2006.

Report Presentations

A. Town Council

Jason Pruitt provided a brief summary of items related to the Planning Commission's goals. Please see attached.

B. Northampton County Joint Local Planning Commission

Jason Pruitt offered the agenda for the upcoming meeting. Cela Burge asked if anyone had any information on Item A under old Business. There was no firm answer to the question. Karen Jolly Davis asked about item B under Old Business. Bruce Evans explained the issue was over disclosure of clam beds, etc. in the area of homes being sold.

Old Business

A. Historic District Demolition Regulations – Zoning Ordinance Section 8.21

Chairman Bonadeo asked if there were any further questions prior to moving the item forward. Jason Pruitt reported Town Council seemed satisfied with the changes made. Bruce indicated he had a concern over the four points of criteria in Section A and how it might affect the overall character of the Historic District. He suggested

that by changing small things one at a time could over time change the entire flavor of the Town.

Motion made by Karen Jolly Davis, seconded by Eileen Cobb and unanimously approved (jap 7/6/06) to recommend item 6.A Historic District Demolition Regulations – Zoning Ordinance Section 8.21 to Town Council for approval.

B. Comprehensive Plan Draft Subsection – Surrounding Land Use

Jason Pruitt explained this new section was meant to be inserted in the Land Use and Community Character section of the Comprehensive Plan. Areas of the Map were discussed for clarification and inclusion in the Plan. Cela Burge suggested including what the total capacity around the Town Edge could be. Two additional maps were requested to round out the area.

Mr. Pruitt introduced a report that had been prepared by the Utility Department. He requested the Commissioner's look through the data and correct any discrepancies of which they may be aware.

C. Population Study Status Report

The discussion covered the remaining sections to be surveyed and whether the summer intern would have time, in the midst of his other duties, to finish the study.

D. Historic Landmark Preservation – Rosenwald School

Jason Pruitt reviewed with the Commissioners the additional research completed as to how the railroad property would be affected by any Historical Overlay. He reported any property leased from the railroad (office buildings, carnival rides, etc.) would have to adhere to our Zoning and Historical Guidelines; however, any property developed for the use of the railroad would not be subject to our guidelines.

Mr. Pruitt also stated the Town Council seemed to think alternative #2 would be worth considering. It was mentioned the Town would not exist if the railroad had not come through the area. The statement was made that the Historic Town was built around and for those people who worked and "lived" for the railroad; therefore, due to the unique heritage, the rail road property should be included.

Discussion also revolved around the area surrounding the Harbor and how it would be governed under the Harbor District Guidelines.

Motion made by Cela Burge, seconded by Joan Natali and unanimously approved to recommend to Town Council alternative #2, extending through and including the Town owned property to the bend on Old Cape Charles Road.

E. Route 184 Corridor Overlay District

Cela Burge mentioned the old overlay was deleted and encompassed into the existing zoning. The old overlay stopped at the eastern Town boundary line rather than extending further down Route 184; therefore there never had been a view of the outside of Town. The question was raised as to what components were hoped for in the Boundary Overlay. An example used as explanation was the County's Overlay for the Route 13, i.e. reducing the number of curb cuts and intersections. Items the Town may want to consider for the Overlay would be landscaping, architecture, setbacks, curb cuts, pedestrian and bicycle right of ways, storm water planning, etc.

Traffic control and commercial curb cuts which may block traffic were heavily discussed. Comparisons were made to other localities such as Raleigh, NC and Hilton Head, South Carolina. The type of commercial entities wanted were discussed, "Big Box" versus "Mom & Pop". Discussion was introduced over clustering residential homes with a common entrance way or creating secondary roadways to reduce curb cuts. The Commissioners agreed they don't want to see commercial business grow along the corridor that would take business away from the Downtown area.

F. Accessory Apartments

As the hour was growing late and there were a number of items to cover, this item was tabled until the July meeting. It was agreed affordable housing would take priority in this discussion. Joan Natali presented an article which she would bring to the next meeting which covered affordable housing in accessory apartments.

7. **New Business**

A. Conditional Use Permit Application – 2 Bay Avenue

This item had been discussed following item 6B in order to accommodate the applicant. Mr. Pruitt briefly described the application and indicated the Town attorney had also reviewed the application and had suggested additional research be conducted on other local B&B's. The attorney surmised with the number of bedrooms proposed, the application looks as though the primary use of the structure would be a Bed & Breakfast, and the secondary use would be a primary residence which is in conflict with the Town's current Zoning Regulations

Significant discussion between the applicant and the Commissioners took place. Items discussed included: 1) the application was not complete; 2) the size of the house appears to be three stories rather than being in compliance with the two and one half story regulation in R-1 zoning; 3) The primary use of the structure versus the secondary use of the structure; and 4) the definition of Bed & Breakfast as to number of available rental units.

The Commissioners asked Mr. Wagner to have the drawings corrected and to include a letter of intent showing that he and his family would be using the structure as their primary residence.

B. Date of Planning Commission regular session in July

Chairman Bonadeo announced the regularly scheduled meeting would fall on the July 4th holiday and opened discussion for moving the meeting.

Motion made by Joan Natali seconded by Bruce Evans to move the regularly scheduled meeting to Thursday, July 6, 2006 and advertise the change.

Motion made by Joan Natali seconded by Bruce Evans and unanimously approved to adjourn the meeting.

Chairman

Town Clerk