

Planning Commission

Regular Session

July 3, 2007

6:00 P.M.

At approximately 6:00 p.m. in Town Council Chambers, Chairman Tom Bonadeo called to order the Regular Session of the Planning Commission. In addition to Chairman Bonadeo, present were Bruce Evans, Joan Natali, Ken Kuttler, Cela Burge, Karen Jolly Davis and Eileen Cobb. Also present were Town Planner Jason Pruitt, Town Clerk Joy Pelletier and Steve Bennett representing Bay Creek.

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

PUBLIC COMMENTS

Steve Bennett thanked the Commissioners for revisiting the process of approval for development in the new Historic Harbor District.

Motion made by Joan Natali, seconded by Ken Kuttler and unanimously approved to accept the agenda format as presented.

Motion made by Bruce Evans, seconded by Eileen Cobb and unanimously approved to accept the minutes of the Public Hearing of June 5, 2007 as presented.

Motion made by Bruce Evans, seconded by Ken Kuttler and unanimously approved to accept the June 5, 2007 Regular Session minutes as amended.

Motion made by Joan Natali, seconded by Eileen Cobb to accept the June 16, 2007 Regular Session Reconvened as presented.

REPORT PRESENTATIONS

A. Town Council

Jason Pruitt shared the agenda from the last Town Council meeting. For details, please see the Town Council minutes from June 12, 2007.

Chairman Bonadeo asked for an update on the multi-use trail. Karen Davis indicated a report had been generated and was posted on the internet. Mr. Pruitt interjected the next meeting was scheduled for July 18, 2007.

B. Planning Commission

Chairman Bonadeo announced that the terms of several of the county Planning Commission members would be expiring soon, and stated if anyone was interested in serving on the commission they should contact the County offices.

Bruce Evans announced that the last County Planning Commission meeting agenda had been led by Mike Chandler and had been devoted entirely to a workshop on relationships. He mentioned that although the meeting had been open to the Public, only the Planning Commissioners had attended.

OLD BUSINESS

A. Comprehensive Plan/Population Study Status Report

Mr. Pruitt presented the draft report to the Commissioners. Chairman Bonadeo reiterated the findings that the town was growing not by full time residents, but by second home buyers. He pointed out that the Town was catering to a different market than before; a seasonal market. He complimented the work accomplished on the draft and stated it was a good look at how the Town was changing.

Other items discussed were the perception that there were a higher number of smaller children with younger parents in Town, the draft showed: 1) a limited number of ethnic groups as residents; 2) education statistics; 3) a quarter of the households have no vehicle; 4) and 50% of the employed residents were employed in Town.

Joan Natali asked how hotels and B&B's might affect the study. It was suggested that would be an economic development topic. It was agreed this was an important issue and might better be directed towards the economic development portion of the Comprehensive Plan.

B. Harbor District Revisions

Jason reviewed with the Commissioners the updates made at the last meeting. The definition of "Commercial Look" was discussed. It was determined a clarification would be covered in the pattern book. Other various clarifications, including variances to the ordinance were discussed.

Motion made by Ken Kuttler, seconded by Bruce Evans and unanimously approved to move forward Zoning Ordinance Section 3.9 Harbor District to Public Hearing for August 10, 2007.

C. Historic Harbor Area Overlay District

Jason covered the recent updates with the Commissioners. Items were fine tuned.

Motion made by Joan Natali, seconded by Karen Davis and unanimously approved to move this item to Public Hearing for August 10, 2007 after reviewing the final document.

D. Fence Regulations

The discussion of how to measure fence height was discussed in detail with the crown of the road being a measuring point. It was pointed out that in many instances the crown of the road is higher than the yard, and in others the yard is several feet higher than the roadway.

Two specific "problem" situations were discussed with the major focus being side yards and corner lots. The question arose of how to determine the difference between a side yard and a back yard. The problem was discussed and suggestions were made for modification to be reviewed at the next meeting. It was also mentioned that the Historic District Review Board should be reviewing fencing requests for appropriateness.

NEW BUSINESS

A. Penalties for Zoning Ordinance Violations

Town Planner, Jason Pruitt presented his findings regarding different types of penalties that can be included in the Zoning Ordinance for violations of the Ordinance. He compared the current verbiage of the ordinance to what would be allowed by the Code of Virginia.

Mr. Pruitt pointed out that the Town works with the residents to abate violations. In cases where the owner is unaware they have committed a violation no notice of violation is prepared. He stated it is only when repeated attempts to work with the resident have failed that penalties would be charged.

Chairman Bonadeo mentioned adding civil penalties to the ordinance to get the attention of the public. Karen Davis mentioned if one civil penalty was charged for violating the sign ordinance, there would be initial talk around town, but the result would be compliance. If there are no consequences, there is no adherence to the ordinance.

Chairman Bonadeo suggested replacing the current wording with that of the State Code. After a brief clarification he asked that modifications be made to the ordinance for discussion at the next meeting.

ANNOUNCEMENTS

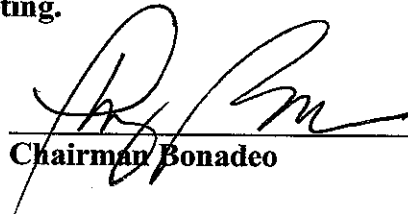
Chairman Bonadeo complimented Jason Pruitt on the work he performed and accomplished during his employment with the Town. On behalf of the Planning Commissioners he thanked Mr. Pruitt and wished him luck in law school.

Joan Natali asked that signage control be addressed at a future meeting.

Motion made by Joan Natali seconded by Karen Davis and unanimously approved to adjourn the Planning Commission meeting.



Town Clerk



Chairman Bonadeo