



**PLANNING COMMISSION**  
**Public Hearing & Regular Meeting**  
**Cape Charles Civic Center**  
**March 5, 2019**  
**6:00 p.m.**

At 6:01 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Diane D'Amico, Paul Grossman, Dennis McCoy, Sandra Salopek and Michael Strub. Keith Kostek was not in attendance. Also, in attendance were Town Manager Larry DiRe, Town Planner Zach Ponds, Deputy Clerk Tracy Outten and the applicants. There were four members of the public in attendance.

**PUBLIC HEARING PUBLIC COMMENTS:**

Bill Stramm read the Notice of Public Hearings and opened the floor for comments.

There were no public comments to be heard nor any written comments submitted prior to the meeting.

**Bill Stramm closed the public hearing portion of the Planning Commission meeting.**

A moment of silence was observed which was followed by the recitation of the Pledge of Allegiance.

**PUBLIC COMMENTS:**

*Steve Loomis, 628 Washington Avenue*

Mr. Loomis stated that he was speaking for his parents on agenda item 6C. He said they did not agree with the proposed rezoning at 238 Randolph Avenue because it would not fit in with the area.

Tracy Outten read submitted comments into record regarding the Conditional Use Permit for a residential unit above a first floor commercial in the Commercial – 1 District at 209 Mason Avenue. (Please see attached.)

There were no other comments.

**CONSENT AGENDA**

**Motion made by Sandra Salopek, seconded by Dennis McCoy, to approve the agenda format as presented. The motion was approved by unanimous vote.**

The Commissioners reviewed the minutes from the February 5, 2019 Planning Commission Meeting.

Bill Stramm said Public Hearing should be removed from the heading.

**Motion made by Paul Grossman, seconded by Michael Strub, to approve the minutes from the February 5, 2019 Planning Commission Regular Meeting as amended. The motion was approved by unanimous vote.**

**REPORTS**

Zach Ponds stated that he had nothing to add to the written report.

**UNFINISHED BUSINESS**

- A. *Application for conditional use permit: accessory dwelling unit on a property in the Residential – 1 district at 615 Monroe Avenue – review and make recommendations to Town Council.*

Zach Ponds gave an overview of the application.

Dennis McCoy abstained stating he was not in attendance at last month's meeting.

**Motion made by Paul Grossman, seconded by Diane D'Amico, to recommend Town Council approval of the Conditional Use Permit for an accessory dwelling unit on a property in the Residential – 1 District at 615 Monroe Avenue as presented. The motion was approved by majority vote with Dennis McCoy abstaining.**

- B. *Proposed text amendments to Town Zoning Ordinance Article IV Sections 4.5.f.1.k and 4.5.1 – review and make recommendations to Town Council.*

Zach Ponds briefly read through the amendments.

**Motion made by Paul Grossman, seconded by Michael Strub, to accept and recommend Town Council approval of the proposed text amendments to the Town Zoning Ordinance Article IV Sections 4.5.f.1.k and 4.5.1 as presented. The motion was approved by unanimous vote.**

#### **NEW BUSINESS**

- A. *Application for conditional use permit: residential unit above first floor commercial in the Commercial – 1 district at 209 Mason Avenue – review and set public hearing date.*

Larry DiRe presented this application due to the applicant being Zach Ponds' landlord. There was much discussion on the condition of the alley that would be used for the rear access. Diane D'Amico wanted to be sure the alley would be repaired and maintained by the town so the parking spaces were accessible.

**Motion made by Paul Grossman, seconded by Michael Strub, to set a public hearing for April 2, 2019 for the Conditional Use Permit for a residential unit above first floor commercial in the Commercial – 1 District at 209 Mason Avenue. The motion was approved by unanimous vote.**

**Motion made by Diane D'Amico, seconded by Paul Grossman, to recommend Town Council ensure that the applicant has sixteen accessible parking spaces in approving the Conditional Use Permit. The motion was approved by unanimous vote.**

- B. *Application for conditional use permit: convert an existing two-and-one-half story detached garage to a garage on the first floor and an accessory dwelling unit on the second floor at 649 Randolph Avenue – review and set public hearing date.*

Zach Ponds summarized the application and added all requirements were met.

**Motion made by Paul Grossman, seconded by Dennis McCoy, to set a public hearing for April 2, 2019 for the Conditional Use Permit to convert an existing two-and-one-half story detached garage on the first floor and an accessory dwelling unit on the second floor at 649 Randolph Avenue. The motion was approved by unanimous vote.**

- C. *Application for zoning map amendment: rezone 238 Randolph Avenue from R-1 to C-1 – review and set public hearing date.*

Zach Ponds informed the commissioners the applicant had withdrawn this application.

- D. *Application for zoning map amendment and text amendments: request to add a Cottage Overlay District to the Harbor District tax map parcels #83A3-A-17, #83A3-A-19, #83A3-A-20 and #83A3-11-1 – review and set public hearing date.*

Zach Ponds read the application and staff report. Eyre Baldwin, applicant, gave a brief history of work he had done in the harbor area. After much discussion, Bill Stramm would recommend a joint work session with the Town Council and Harbor Area Review Board.

**Motion made by Paul Grossman, seconded by Michael Strub, to schedule a Joint Work Session with the Town Council and the Harbor Area Review Board. The motion was approved by unanimous vote.**

E. *Proposed text amendments to Town Zoning Ordinance Article IV, Section 4.5 and Section 4.6 – review and set public hearing date.*

Zach Ponds suggested the commissioners split the review of the proposed text amendments into two sections; A through F and G through O and to hold off setting a public hearing date. The commissioners agreed.

**Motion made by Paul Grossman, seconded by Dennis McCoy, to review the proposed text amendments for Town Zoning Ordinance Article IV Sections 4.5 and 4.6 in two sections: A through F on April 2, 2019 and G through O on May 7, 2019. The motion was approved by unanimous vote.**

#### **OTHER BUSINESS**

- Bill Stramm informed the commissioners that Paul Grossman drafted a letter about the discussion on the six areas the Planning Commission was focused on and he reviewed it and forwarded to the town manager to provide to Town Council.
- Paul Grossman showed his Certified Planning Commissioner certificate to the commission.

#### **ANNOUNCEMENTS**

There were no announcements.

**Motion made by Paul Grossman, seconded by Dennis McCoy, to adjourn the Planning Commission Public Hearing and Regular Meeting. The motion was approved by unanimous vote.**

The meeting adjourned at 7:05 p.m.

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Chairman Bill Stramm

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Deputy Clerk

*Blue Heron Realty Co.*  
113 Mason Ave  
Cape Charles, VA  
23310

February 28, 2019

Larry DeRi  
Town Manager  
2 Plum Street  
Cape Charles, VA 23310

Ref: Parsons Building  
209 Mason Ave  
Cape Charles, VA 23310

Dear Mr. DeRi,

Thank you for the opportunity to comment on the conditional use permit for the above referenced property. As an active Real Estate professional, specializing in sales of Cape Charles's Town properties, we are in favor of this conditional use permit being approved, as submitted.

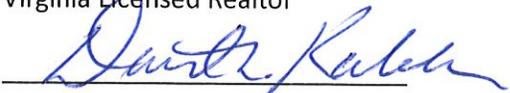
As we understand it, the benefits of the restoration of the Parsons Building as planned, are diverse and in keeping with the historical character of Cape Charles. First, approving the mixed use of the building for residential and commercial would be compatible with many other of the Town's buildings and will add to the economic strength of Cape Charles. Second, plans for the handicap accessible units will serve the special needs of future residents, by providing units offering the capability of an "aging in place lifestyle" much needed in Town. Thirdly, as one of our most prominent historical buildings, it will finally be faithfully restored, returning to service one of the town's grandest buildings that has long been in a state of dilapidation and vacancy.

Please give this conditional use permit your approval. We ask that this letter be read into the public record. Thank you, for your consideration in this matter.

Sincerely,



Barrett Cree  
Virginia Licensed Realtor



David Kabler  
Virginia Licensed Realtor-Broker

March 4, 2019

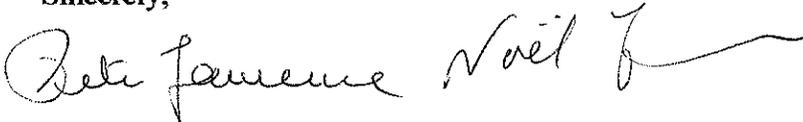
Larry DeRi  
Town Manager  
2 Plum Street  
Cape Charles, VA 23310

Dear Mr. DeRi,

We learned recently that Dan Meyer of Dallan Construction is looking to develop the Parson Building on Mason Street. We've heard about his plans to have retail and apartments or condos in the building and feel this would be a great addition to the Town. Adding businesses and residents in the "downtown" area will help continue the revival taking place in our wonderful Town and we imagine it would improve tax revenue too.

We support this initiative.

Sincerely,

A handwritten signature in cursive script that reads "Peter & Noel Lawrence". The signature is written in black ink and is positioned to the left of the typed name.

Peter & Noel Lawrence  
7 American Ct.  
Cape Charles, VA 23310

Larry DeRi  
Town Manager  
2 Plum Street  
Cape Charles, VA 23310

March 5, 2018

Dear Mr. DeRi

Recently we have become acquainted with Mr. Dan Meyer of Dallan Construction INC. He has shown us the Parson's Building and has expressed his vision of developing and rehabbing the building. We are very excited about his plans for retail spaces and condos/apartments in the location. As business owners (Love Letters) and residents, this would be very beneficial for future tax revenues, residential accommodations and business opportunities. We fully support his initiative in completing this project.

Sincerely,

Handwritten signatures of Terry Carney and Nansey Cardone in cursive script.

Terry Carney,  
Nansey Cardone

1 American Court,  
213 Mason Avenue. Love Letters  
Cape Charles, VA 23310

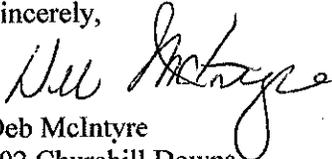
March 5, 2019

Larry DeRi  
Town Manager  
2 Plum Street  
Cape Charles, VA 23310

Dear Mr. DeRi

I have become aware that there is a business opportunity with the Parson's Building. I understand that the plan is to create retail spaces and resident spaces. As Cape Charles continues to thrive (grow), I feel this is a positive for our town's business and housing opportunities.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deb McIntyre".

Deb McIntyre  
102 Churchill Downs  
Cape Charles, VA 23310