



**PLANNING COMMISSION**  
**Regular Meeting**  
**Cape Charles Town Hall**  
**August 1, 2017**  
**6:00 p.m.**

At 6:00 p.m., Chairman Dennis McCoy, having established a quorum, called to order the Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Andy Buchholz, Dan Burke, Keith Kostek, Sandra Salopek and Bill Stramm. Commissioner Michael Strub was not in attendance. Also in attendance were Town Planner Larry DiRe and Town Clerk Libby Hume. There was one member of the public in attendance.

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

**PUBLIC COMMENTS:**

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

**CONSENT AGENDA**

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

The Commissioners reviewed the minutes from the July 17, 2017 Planning Commission Regular Meeting.

**Motion made by Bill Stramm, seconded by Andy Buchholz, to approve the minutes from the July 17, 2017 Planning Commission Regular Meeting as presented. The motion was approved by unanimous vote.**

**REPORTS**

Larry DiRe updated his written report as follows: i) The July 20, 2017 Town Council Regular Meeting was canceled due to the lack of a quorum; and ii) Dennis McCoy asked for more details regarding item 6. A new chairman was elected at the July 25 Transportation Technical Advisory Committee meeting. The next phase of the bike trail, which was scheduled to run from Kiptopeke to Cape Charles, was discussed. There was no funding to do the work at this time. They were in the process of securing rights-of-way and an access point to cross Route 13. There was some discussion regarding the Food Lion corridor, but a traffic light was not expected to be installed at the crossover at Food Lion. There were possible improvements regarding the turning lane and a possible traffic signal at Parsons Circle. This was the only commercial area along Route 13 that did not have a reduced speed limit.

**OLD BUSINESS**

A. *Harbor Development Certificate Process Article III, Section 3.9 – Proposed Draft Text Amendments for Review and Set Public Hearing Date on October 3, 2017:*

Larry DiRe stated that, as discussed last month, the proposed draft text amendments were to streamline the process for applicants who had modifications to a previously approved Harbor Development Certificate. The Commissioners reviewed the proposed text amendments.

**Motion made by Bill Stramm, seconded by Dan Burke, to accept the proposed text amendments as written and schedule a public hearing for October 3, 2017. The motion was approved by unanimous vote.**

**NEW BUSINESS**

A. *Proposed Text Amendments to Town Zoning Ordinance – Review and Set Public Hearing on October 3, 2017:*

Larry DiRe stated that the proposed text amendments included in this item had all been previously reviewed by the Planning Commission and a public hearing needed to be held prior to Town Council adoption of the modifications.

**Motion made by Dan Burke, seconded by Andy Buchholz, to schedule a public hearing on October 3, 2017 for the proposed text amendments. The motion was approved by unanimous vote.**

**OTHER**

There was additional discussion regarding the following: i) The Historic District Review Board had an idea to require performance bonds for projects in town to ensure their completion. Larry DiRe added that the process would need legal review and a determination needed to be made for the appropriate amount for the performance bonds; ii) Dan Burke asked staff for an update of all incomplete conditional use permits (CUP). Larry DiRe stated that there were three outstanding CUPs: a) 1 Fig Street, which was issued in January, for a second-floor apartment. There was still five months remaining for work to begin; b) the Cunningham lot which had already completed demolition and land clearing. The Board of Zoning Appeals approved a building height variance for the project; and c) The CUP for residential units at 207 Mason Avenue was officially revoked by the Town Council earlier this year since no work had been done on the property. No residential use would be permitted at this location. There was further discussion regarding the safety of the building; iii) the appearance of sidewalks on Mason Avenue and the amount of sidewalk controlled by the property owner vs. the VDOT right-of-way. Andy Buchholz expressed his concern about the sidewalks on Bay Avenue as well, adding that he was trying to get the sidewalk issue on a future Council agenda so the town could do something to clear the sidewalks to improve the appearance of the town; and iv) Dan Burke asked about oversight of the food trucks. Larry DiRe stated that the food trucks were governed by the Town Code. As long as they were in compliance with the business license, distance requirements from the brick and mortar establishments, and the noise ordinance, it was legal for the food trucks to be in town. There was one truck with a loud generator but to date, no complaints had been received. It appeared that the residents and visitors had welcomed the various food trucks.

**ANNOUNCEMENTS**

There were no announcements.

**Motion made by Dan Burke, seconded by Bill Stramm, to adjourn the Planning Commission Regular Meeting. The motion was approved by unanimous vote.**

The meeting adjourned at 6:31 p.m.

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Chairman Dennis McCoy

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Town Clerk