



**PLANNING COMMISSION**  
**Joint Public Hearing with Town Council &**  
**Planning Commission Regular Meeting**  
**Cape Charles Civic Center**  
**October 3, 2017**  
**6:00 p.m.**

At 6:03 p.m., Chairman Dennis McCoy, having established a quorum, called to order the Joint Public Hearing with the Town Council and Regular Meeting of the Planning Commission. In addition to Chairman McCoy, present were Commissioners Dan Burke, Joan Natali, Sandra Salopek and Michael Strub. Commissioners Keith Kostek and Bill Stramm were not in attendance. Also in attendance were Town Planner Larry DiRe and Town Clerk Libby Hume. There were three members of the public in attendance.

Mayor George Proto, having established a quorum, called to order the Joint Public Hearing with the Planning Commission. In addition to Mayor Proto, present were Vice Mayor Bannon, Councilmen Bennett and Buchholz, and Councilwoman Natali. Councilman Brown and Councilwoman Sullivan were not in attendance.

Town Planner Larry DiRe read the public hearing notice as advertised.

**PUBLIC HEARING COMMENTS – PROPOSED TEXT AMENDMENTS TO SEVERAL SECTIONS OF THE CAPE CHARLES ZONING ORDINANCE:**

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

**Motion made by Dan Burke, seconded by Michael Strub, to close the public hearing portion of the Planning Commission meeting. The motion was approved by unanimous vote.**

**Motion made by Councilman Buchholz, seconded by Councilman Bennett, to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.**

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 Joan Natali, 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 September 5, 2017 Planning Commission Regular Meeting.

**Motion made by Michael Strub, seconded by Sandra Salopek, to approve the minutes from the September 5, 2017 Planning Commission Regular Meeting as presented. The motion was approved by unanimous vote. Joan Natali abstained from the vote stating that she was not in attendance at that meeting.**

## REPORTS

Larry DiRe reported that the RAFT Report was included as part of his report. RAFT was a tool developed to study sea level rise and resilience. The report outlined the town's strengths and areas for improvement. The town scored 56 which was not a failing grade. Some areas affecting the town fell under the County's control. RAFT looked at land use, community health and wellness. The RAFT team partnered with the town to provide technical advice for a year. The report included a one-year prioritized checklist that should be reviewed to help the town improve its resilience regarding sea level rise, storm surges, etc. The priority list was developed by the participants. Many of the items should be done on a regional level. A lot of information was contained in the report and he urged everyone to review it and to contact him with any questions.

There was some discussion regarding the requirement for permeable surfaces vs. cement or blacktop, green rooftops, air conditioner condensation and promoting the use of rain barrels.

## OLD BUSINESS

### A. *Proposed Text Amendments to Several Sections of the Town Zoning Ordinance – Review and Make Recommendation to Town Council:*

Larry DiRe stated that there were no comments received at the public hearing and went on to review the proposed text amendments to the Zoning Ordinance and one for the Town Code. The Planning Commission's recommendation would be presented to the Town Council at their regular meeting on October 19.

**Motion made by Dan Burke, seconded by Sandra Salopek, to recommend Town Council approval of the proposed text amendment to the Cape Charles Zoning Ordinance and Town Code as presented. The motion was approved by unanimous vote.**

### B. *Accessory Dwelling Units – Density Issues:*

Larry DiRe reviewed the item specifics and there was much discussion as follows: i) Town Council was provided with a status update regarding accessory dwelling units at their September 7 special meeting. The issue of density came up and Council requested Planning Commission consideration regarding accessory dwelling units and density; ii) Northampton County allowed accessory dwelling units by right but the town's proposal would be by conditional use; iii) Staff recommended the Planning Commission consider the number of bedrooms per residential lot of record on the principal dwelling as the method to determine density of any accessory dwelling unit under conditional use. Staff further recommended that no more than six bedrooms be permitted in any combination between all dwellings on a residential lot of record. Limiting the number of bedrooms would limit the number of people living on a lot. There was much discussion regarding this issue; iv) Too much density could affect health and safety of the neighborhood. Everything in Article IV would apply; and v) The burden would be on the applicant to meet the standards. This information would be presented again to the Town Council at a future work session.

### C. *Update on Northampton County Comprehensive Plan Revision Process:*

Larry DiRe provided an informational report regarding the Northampton County Comprehensive Plan review process as follows: i) Staff was invited to participate in the Comprehensive Plan stakeholders group as reported in August. The stakeholder meeting was held on September 13 and participants were assigned to certain sections of the draft plan to read and comment upon. His submitted worksheet was included in the agenda report for the Commissioner's review. The county planned to have a final draft ready by December. He also attended the September 5 County Planning Commission meeting. All participation in the County plan revision process was public in nature and would be treated as such; ii) The "town edge" designation remained in the County's Zoning Ordinance but was absent from the draft comprehensive plan; iii) The draft plan, part 1, featured Goals and Implementation Strategies sections at the end of chapters three through seven and the

following sections addressed matters relevant to towns: a) Page 51, strategy 3.1.4 extended availability of public water and sewer infrastructure; b) Page 60, strategy 4.1.8 addressed the need for more street lights and sidewalks in residential neighborhoods; c) Page 60, strategy 4.2.2 allowed multi-family housing by-right in designated residential districts around towns and villages; d) Page 61, strategy 4.2.4 incentivized the reuse repurposing of vacant structures as multi-family housing; and e) Page 89, strategy 7.3.2 supported efforts to maintain harbors and waterways through depth maintenance and channel markers; and iv) While the entire draft plan document was deserving of critical reading and consideration by every resident of the county, focus here was on those sections that specifically cited towns as either “responsible agencies” or “stakeholders.” Also deserving of consideration by the Commissioners were those specific references to working cooperatively with the towns. Processes involved in this cooperative working relationship needed to be defined, agreed upon and scheduled.

There was much discussion regarding this information, the potential loss of the town edge designation and cooperative working relationship between the town and county, etc. Dennis McCoy suggested that rather than have the entire Commission attend the county Planning Commission meetings, that one Commissioner be named to participate in the county meetings along with Larry DiRe. Dan Burke volunteered to attend future county comprehensive plan meetings with Larry DiRe. Dennis McCoy suggested having a short meeting next month to allow Dan Burke and Larry DiRe to attend the County Planning Commission meeting, which was held on the same night, beginning at 7:00 p.m.

There was further discussion as follows: i) The town edge references in the Cape Charles comprehensive plan needed to be identified and reviewed. Larry DiRe stated that he would pull the references out for review at a future meeting; ii) The town’s objective should be to get the town edge language back into the county’s comprehensive plan; and iii) A page could be added to the town’s website regarding the County’s comprehensive plan process and an article would be included in the next Gazette.

**NEW BUSINESS**

There was no New Business to review.

**ANNOUNCEMENTS**

There were no announcements.

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

The meeting adjourned at 7:08 p.m.

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Chairman Dennis McCoy

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Town Clerk