



PLANNING COMMISSION
Regular Meeting
Cape Charles Civic Center
December 5, 2017
6:00 p.m.

At approximately 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Vice-Chair Joan Natali and Commissioners Dan Burke, Keith Kostek, Dennis McCoy, Sandra Salopek and Michael Strub. Also in attendance were Town Planner Larry DiRe and Town Clerk Libby Hume. There were two members of the public in attendance.

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

PUBLIC COMMENTS:

Joe Fehrer, 114 Peach Street, Chairman of the Historic District Review Board

Mr. Fehrer addressed the Planning Commission stating that he would like the opportunity to engage the Commissioners during the review and discussion of Zoning Ordinance Article VIII.

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

CONSENT AGENDA

Motion made by Joan Natali, seconded by Michael Strub, to approve the agenda format as presented. The motion was approved by unanimous vote.

The Commissioners reviewed the minutes from the November 7, 2017 Planning Commission Regular Meeting.

Joan Natali pointed out a typographical error on page 2 of the minutes.

Motion made by Michael Strub, seconded by Dennis McCoy, to approve the minutes from the November 7, 2017 Planning Commission Regular Meeting as amended. The motion was approved by majority vote with Joan Natali abstaining.

REPORTS

Larry DiRe stated that he did not have any additions to the monthly report included in the agenda packet. There were no questions from the Commissioners.

OLD BUSINESS

A. *Proposed Draft Text Amendment to Zoning Ordinance Article III, Section 3.2.F.2 Establishing Maximum Total Area for Single-Family Dwelling – Set Public Hearing Date*

The Commissioners reviewed the proposed language addressing maximum dwelling unit size on lots of various sizes in the R-1 district. There was much debate regarding the use of FAR (Floor Area Ratio) and a static square footage. Several Commissioners felt that using a set percentage would be easier for the property owners to understand and there wouldn't be a perception of discrimination against larger lots. Other Commissioners objected to the use of a set percentage stating that it would permit houses to be built in the historic district that were too large for the surrounding area. There was also much discussion regarding the parking standards which were detailed in another section of the ordinance and based on the number of bedrooms in a proposed house.

The Commissioners discussed the inclusion of attached garages and covered porches, decks and patios in the square footage at length.

Motion made by Michael Strub, seconded by Dan Burke, to use a static square footage vs. a percentage, and excluding garages, porches, and decks from the square footage calculation. The motion was approved by majority vote with Dennis McCoy and Joan Natali opposed.

Larry DiRe would present the proposed modifications and Planning Commission recommendation to the Town Council in January in preparation for a public hearing potentially in February.

- B. *Proposed Draft Text Amendment to Zoning Ordinance Article VIII – Historic District Overlay:*
Larry DiRe stated that Article VIII was not a good piece of legislation as it was taken verbatim from other localities. There were particular areas of vulnerability with arbitrary and ambiguous language, especially regarding economic hardship. There was much discussion regarding Article VIII.

Historic District Review Board (HDRB) Chairman Joe Fehrer stated that the HDRB would be reviewing the proposed modifications at an upcoming meeting. He would not be in attendance at the HDRB December 12 regular meeting and wanted to be able to lead the discussion with the board. Joe Fehrer requested that the Commission postpone any discussion regarding Article VIII until the after the HDRB’s review at their January regular meeting or a special work session. Michael Strub agreed that it would be beneficial to have the HDRB’s input prior to review by the Commission. Larry DiRe added that the goal was to schedule an HDRB work session in early January.

Joan Natali added the following: i) She noted a correction to § 8.1 changing “insure” to “ensure;” and ii) She suggested that wind turbines be added to § 8.16.D since a property owner was permitted to install a wind turbine on their roof. Bill Stramm expressed his concern regarding satellite dishes being permitted on roofs where visible. Joe Fehrer responded that the HDRB discussed this issue as well but there were federal laws in place prohibiting certain regulation impeding installation of telecommunications equipment.

The Commissioners agreed to postpone further discussion regarding this issue as requested by HDRB Chairman Joe Fehrer.

NEW BUSINESS

There was no New Business to review.

ANNOUNCEMENTS

Joan Natali stated that she heard there had been discussion regarding changing the Planning Commission’s meeting dates. Libby Hume explained that there was discussion at the December meeting to change the January meeting date since it fell on a holiday. Several Commissioners had conflicts with the alternate meeting date, so it was decided to change the January meeting from January 2 to January 3.

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

The meeting adjourned at 7:27 p.m.

Chairman Bill Stramm

Town Clerk