



# PLANNING COMMISSION

## Special Meeting

Cape Charles Civic Center

August 25, 2014

### Immediately Following the Comprehensive Plan Work Session

At 7:25 p.m. in the Cape Charles Civic Center, Vice Chairman Mike Strub, having established a quorum, called to order the Special Meeting of the Planning Commission. In addition to Vice Chairman Strub, present were Commissioners Dan Burke, Joan Natali and Sandra Salopek. Chairman Dennis McCoy and Commissioners Andy Buchholz and Bill Stramm were not in attendance. Also present were Town Planner Rob Testerman and Town Clerk Libby Hume. There were no members of the public in attendance.

#### PUBLIC COMMENTS

There were no comments from the public nor any comments submitted in writing prior to the meeting.

#### CONSENT AGENDA

**Motion made by Joan Natali, seconded by Sandra Salopek, to accept the agenda format as presented. The motion was approved by unanimous consent.**

#### ORDER OF BUSINESS

##### A. *Floodplain Ordinance*

Rob Testerman stated that he had revised the draft ordinance based on comments from the July meeting. Additional "higher standards" were included as follows: i) Manufactured homes (mobile homes) – none shall be constructed within the Special Flood Hazard Area (SFHA); ii) Critical facilities – no critical facilities shall be constructed in the SFHA; and iii) Building foundations – Building foundations in the AE flood zone must be built to the standards of those within a V zone.

Previously, the Commissioners asked whether the wastewater treatment plant was in a flood zone. The wastewater treatment plant was not within a flood zone on either the current or proposed flood maps. The majority of the Town would be outside the flood zone on the proposed flood maps. For the Historic District, the AE zone mostly stopped at the boardwalk but there were several areas in the Town which would still be in the AE zone as follows: i) In Bay Creek, there was only one area, which included several livable lots; and ii) An area by the Harbor and around the location of the old wastewater treatment plant.

The Commissioners reviewed the draft Floodplain Ordinance and made a number of minor changes for consistency and clarity as follows: i) In § 2.1(A), the reference to chief executive officer was changed to Town Manager or designee; ii) § 2.2(R), "Community" was deleted from the Floodplain Administrator title and "Community" at the top of page 6 was changed to "Town of Cape Charles." There were several variations of the title throughout the document and all were changed to Floodplain Administrator for consistency; iii) In § 3.1.A.2, the reference to "wood-lattice work" was changed to "lattice work" since there were lattice products on the market made from materials other than wood which would be acceptable. This would be changed throughout the document; iv) In § 4.2.L.3., a comma was added; and v) In § 4.3.A, the elevation of the lowest floor, including the basement, was changed to two foot or greater for

consistency. All references to the minimum elevation was changed to two foot throughout the document.

The building requirements would affect all new construction and any improvement(s) to existing structures in which the cost of the improvement(s) exceeded 50% of the market value of the structure before the start of construction of the improvement(s).

Rob Testerman stated that the draft ordinance needed to be submitted to the Department of Conservation and Recreation (DCR) prior to scheduling a public hearing and added that he would make the changes as discussed and forward to the Commissioners and the DCR for their review. The Commissioners were in agreement.

Dan Burke asked about penalties for violating the ordinance. Rob Testerman explained that any violations under the Floodplain ordinance would be covered under the enforcement section in the Town's Zoning Ordinance.

**ANNOUNCEMENTS**

There were no announcements.

**Motion made by Dan Burke, seconded by Sandra Salopek, to adjourn the Planning Commission Special Meeting. The motion was approved by unanimous consent.**

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Vice Chairman Mike Strub

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Town Clerk