



**PLANNING COMMISSION**  
**Regular Meeting**  
**Cape Charles Civic Center**  
**April 5, 2016**  
**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 Vice Chairman Michael Strub, and Commissioners Andy Buchholz, Joan Natali, Sandra Salopek and Bill Stramm. Commissioner Dan Burke arrived at 6:03 p.m. 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:**

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

**CONSENT AGENDA**

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

The Commissioners reviewed the minutes for the March 1, 2016 Planning Commission & Town Council Joint Public Hearing and Regular Meeting.

**Motion made by Bill Stramm, seconded by Sandra Salopek, to approve the minutes from the March 1, 2016 Planning Commission & Town Council Joint Public Hearing and Regular Meeting as presented. The motion was unanimously approved.**

**REPORTS**

Larry DiRe reported that the following: i) The Town was awaiting completion of the detailed map of the downtown area for the wayfinding signage. Once the map was completed, it would be forwarded to the printer; and ii) The contract for the next phase of the US Army Corps of Engineers Federal Harbor Dredge Project was awarded on March 29<sup>th</sup>. The Town was still waiting to hear about the issuance of the Notice to Proceed.

**OLD BUSINESS**

- A. *Review of Northampton County Proposed Town Edge-1 and Town Edge-Commercial General.*  
The Commissioners reviewed the proposed land use map showing the Town Edge-1 and Town Edge Commercial General District proximate to Cape Charles. Larry DiRe noted that the current zoning had approximately 112 acres of commercial property. The proposed Town Edge equated to approximately 61 acres, which was a decrease in commercial property, but allowed for a variety of uses. The uses were reviewed by the Commissioners. In regards to the property in the proposed Town Edge, the railroad and Virginia Port Authority's spoils site as well as the cemetery served as natural blocks to hinder development. There was much discussion regarding individual parcels within the area.

Larry DiRe added that the Board of Supervisors reviewed some of the issues at their March 28<sup>th</sup> meeting and sent the document back to the Planning Commission. Larry DiRe read a memorandum dated March 17<sup>th</sup>, which was included in the County's Planning Commission packet, which stated:

"Town Edge – Section 154.2.081(H) states "The intent of this primary district is to provide potential development areas adjacent to incorporated towns which may, in the future, be served by extensions of public water and sewer services from the towns. Growth and increased development are intended to occur simultaneously with the provision of public infrastructure, including, but not limited to, public sewer and water, to support such growth and development." Only two of the towns have both sewer and water, which would provide them with an unfair advantage. Consideration of the Town Edge District should be deferred until a consistent policy is uniformly beneficial to all of the towns in Northampton County."

A copy of the memorandum would be emailed to the Commissioners later this week. The Commissioners expressed their concern that Cape Charles was being disadvantaged due to the County Commission's narrow view.

B. *Consideration of Dog Beach.*

Larry DiRe reviewed Cape Charles Town Code § 50-191 – Animals on the beach and other public places, which prohibited animals on the "public sand beach, the boardwalk or the grassy area west of the boardwalk during the period from 9:00 a.m. through 9:00 p.m. between April 1 and Labor Day of each year..." The regulations from Kiptopeke State Park, Colonial Beach, Urbanna, Poquoson and Virginia Beach were also reviewed. Kiptopeke did not allow dogs on the north beach but allowed them on-leash on the south beach; Colonial Beach did not allow pets on the beach at any time but allowed them on the boardwalk from October through April; Urbanna did not have a beach but allowed pet on-leash year-round in the marina; Poquoson allowed pets on their waterfront on a leash; and Virginia Beach allowed dogs on the beach at certain times of the year.

There was some discussion regarding well-socialized dogs, dog parks and dog beaches and that in most times, the issues were with the pet owners, not the pets themselves. The City of Chesapeake offered a dog park and limited the number of dogs in the area at any given time. A sign was posted and the park was monitored. There was much discussion regarding i) dog owners in Town who did not clean up after their dogs, especially in Central Park and on vacant lots. There were issues regarding bacteria from the feces even if it was picked up, bacteria could remain on the ground; ii) policing and enforcement issues; iii) whether there was a need to establish a dog beach or dog park as a tourism incentive and whether it would be beneficial to the Town and in the Town's best interest; iv) possible locations for a dog beach and fencing to contain the dogs; v) If an on-leash requirement was instituted, would there be a limit to the length of the leash? There were big differences between a fixed-length leash and an extendable leash. If in a contained area, dogs should be permitted to be off-leash to give them a freedom to exercise; vi) Offering a dog beach possibly on a one-year trial basis with close monitoring of the usage; vii) possible issues of breed-specific legislation for aggressive dogs. Most owners knew if their dogs were able to be off-leash and how they would be around other dogs or people. If their dog was aggressive, they wouldn't bring them to a dog beach or park; viii) possible insurance liability for the Town and whether signage regarding usage at their own risk would suffice. It was suggested that Larry DiRe obtain input from the Town's insurance carrier; and ix) it was up to the Town Council to make the decision regarding a possible dog beach or dog park and funding to install fencing, etc.

**NEW BUSINESS**

A. *May 3<sup>rd</sup> Regular Meeting Date*

May's Regular Meeting date would fall on May 3<sup>rd</sup> which was Election Day for Town Council seats. In previous years, the date had not been changed when it coincided with Election Day, but this year, several Commissioners were running for Council and most likely would not be able to attend the Planning Commission meeting. Michael Strub added that he would also be out of town.

The May meeting was rescheduled to May 16<sup>th</sup> which was the Planning Commission's alternate meeting date.

**ANNOUNCEMENTS**

There were no announcements.

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

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Chairman Dennis McCoy

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Town Clerk