



# PLANNING COMMISSION

## Regular Meeting

### Town Hall

### August 6, 2013

At approximately 6:00 p.m. in the Town Hall, Chairman Dennis McCoy, having established a quorum, called to order the Regular Meeting of the Planning Commission. In attendance were Commissioners Andy Buchholz, Joan Natali, Sandra Salopek, Bill Stramm and Mike Strub. Commissioner Dan Burke arrived at 6:02 p.m. Also present were Town Planner Rob Testerman and Town Clerk Libby Hume. There was one member of the public in attendance.

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

#### PUBLIC COMMENTS

There were no comments from the public nor any written comments submitted 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 unanimously approved.**

The Commissioners reviewed the minutes for the July 9, 2013 Regular Meeting and the July 29, 2013 Special Meeting.

Dennis McCoy noted a typographical error on page 2 of the July 9, 2013 Regular Meeting minutes. Joan Natali and Mike Strub noted several other areas which were amended for clarification.

**Motion made by Joan Natali, seconded by Mike Strub, to approve the minutes from the June 9, 2013 Regular Meeting as amended and the minutes from the July 29, 2013 Special Meeting as presented. The motion was unanimously approved.**

#### REPORTS

Rob Testerman reported the following: i) He received a copy of the 2013 model flood plain ordinance from the Department of Conservation and Recreation (DCR). He had not had a chance yet to review the ordinance but was informed by Mr. Charley Banks of DCR that it was quite a bit different from the existing ordinance. FEMA neglected to let the Town know of the meeting regarding the revised flood maps. The meeting was held on July 31, 2013. The comment period for non-technical changes was still in effect. He was assured by DCR and Northampton County representatives that the Town would be included in all future correspondence. Joan Natali suggested that the information received by the Town be posted on the website so citizens could view the information as well. Dan Burke asked where he could go to view the information. Rob Testerman explained that the information was what was reviewed at the July 9<sup>th</sup> Planning Commission meeting and asked Dan Burke to come see him if he needed to review the maps again; ii) He was working on updating the Zoning Map with the corrections noted by the Commissioners at the July meeting and was hoping to have it available for review again at the September meeting; iii) A letter was sent to the Northampton County Planning Commission requesting a joint work session. Northampton County Planner Peter Stith was taking the request to the County Planning Commission at their meeting this evening; and iv) At their July 20, 2013 meeting, the Town Council voted to set a joint public hearing prior to the September Planning Commission meeting regarding

the draft Harbor District modifications. The proposed language had been forwarded to legal counsel for review and no response had been received as yet.

## **OLD BUSINESS**

### **A. *Sign Ordinance***

Rob Testerman stated that the draft Sign Ordinance had been updated from last month's discussion and he had gone back to review some of the items still needing discussion. Rob Testerman added that even though it was made clear at the last meeting, he wanted to reiterate that the sign regulations, and possible removal of signs, would not apply to the content of the signs as that was protected by the Freedom of Speech. It was discussed that signs that could be removed would include signs that were in violation of the regulations set forth in the ordinance, or signs that did not have a permit. Most localities authorized the Zoning Administrator to remove the sign(s) in violation of the ordinance, send notification to the sign owner, store the sign(s) for 30 days, then dispose of them if unclaimed. Rob Testerman also stated that the Commissioners should continue discussion on sign permit display, adding that in his opinion, the Town should not require the permit to be displayed on the sign itself as it could distract from the sign; and whether the requirement of displaying the sign permit should be applied only to businesses.

The Commissioners reviewed and discussed the following: i) Definition of Sandwich Board. Rob Testerman's suggested language was reviewed and additional language was added for clarification (§ 4.1.B); ii) Table H.1.b. There was much discussion regarding the permitted size for "Commercial and industrial" with Andy Buchholz stating that a standard sign for this area was 64 Sq. Ft. Joan Natali noted that this item also included Mason Avenue and the Commissioners agreed that another line be added for "Mason Avenue Commercial" with a maximum height of 6' and area of 12 Sq. Ft; iii) Permit number (§4.1.G.5). Rob Testerman stated that it was discussed last month to issue permits with numbers but the Commissioners had not determined how the permits were to be displayed. Andy Buchholz stated that it would be good for the Town to issue permits for all existing signs so all signs would be permitted. This would make it easier to track unpermitted signs. There was much discussion regarding the display of the permits and Mike Strub suggested that the requirement to display the permit number on the signs be deleted and add language stating that the "Permit must be made available upon request." The Commissioners were in agreement; iv) § 4.1.H.1.a. – Wall Signs. The Commissioners noted that the language in the second sentence was confusing and agreed to delete the last portion of the sentence. The sentence was changed to read "For shopping centers, planned industrial parks or other multiple occupancy nonresidential buildings, the building face or wall shall be calculated separately for each separate occupancy;" v) § 4.1.H.2.c.(2) – Special promotion, event and grand opening signs. There was some discussion regarding this item and the Commissioners felt that permitting the special promotion sign to be displayed only on weekends was too restrictive and agreed to put the language back to the original language but allowing the signs to be displayed "no more than 7 days prior to the event or grand opening;" and vi) § 4.1.H.2.c.(3). The sizes needed to be determined for special promotion signage in single-family residential, multi-family residential and commercial or industrial districts. The Commissioners agreed that 4 Sq Ft would be permitted for all areas. The beginning of this item stated that the total number of all such signs was limited to 5 in any single-family residential district, but not stated for multi-family residential, commercial or industrial districts and the Commissioners agreed that the limitation of 5 signs be applied to multi-family residential, commercial and industrial as well; vii) There was much discussion regarding permitting for temporary signs (yard sale, real estate, political, etc.) and the difficulty in tracking the permits especially with political election signs during the election season. After further discussion, the Commissioners agreed to add to § 4.1.E, an exemption for "Political signs during the election season" as long as the sign owner adhered to the requirements shown in § 4.1.H.2.f.; and viii) The Commissioners also agreed that it would be beneficial to invite the

business owners to a meeting to discuss the new sign ordinance prior to taking the ordinance to public hearing.

## **NEW BUSINESS**

### **A. *Planning Commission Work Plan***

Rob Testerman stated that the topic of a work plan came up at the July 29<sup>th</sup> meeting adding that it was a good idea that the Commission develop a plan and timeframe to tackle tasks in the upcoming months. Town Council priorities, land use applications such as conditional use permit, rezonings, etc. would always take precedence. Heather Arcos was going to get direction from the Town Council regarding the Comprehensive Plan update and the Corridor Overlay as priority projects. Some items on the horizon for the work plan included: i) The proposed Harbor District language needed to go to public hearing; ii) completion of the Sign Ordinance and taking it to public hearing; and iii) Flood Plain Ordinance modifications. The Town had a 6-month period to adopt a revised flood plain ordinance after adoption of the new flood plain maps by FEMA. A model ordinance was provided by Charley Banks of DCR which Rob Testerman would forward to the Commissioners for their review. Other items to keep in mind for a longer term plan were to continue review of the Zoning Ordinance sections, possibly developing a list of sections most in need of review and revision, and the evaluation of other districts regarding use of floor area ratio (FAR). Rob Testerman added that once the work plan was completed and agreed upon by the Planning Commission, it would be forwarded to the Town Council for their review.

Bill Stramm asked about the Capital Improvement Plan (CIP) and his request last month that the Planning Commission be able to review it. Rob Testerman stated that the CIP was part of the Comprehensive Plan and would be reviewed at that time. Libby Hume added that the Town Council had a CIP for the current fiscal year which was reviewed during the budget discussions. It could be shared with the Commissioners once it had been updated. Bill Stramm stressed that the Planning Commission needed to have input on the CIP and page 49 of the Comprehensive Plan stated that a rolling 5-year CIP would be developed. Joan Natali stated that the Town Council had a CIP each year which could be provided to the Commissioners for review.

There was some discussion of various priorities for the work plan and Bill Stramm stated that the Commissioners could send their priorities to the Chairman, Dennis McCoy, and the items could be reviewed at the next meeting to be prioritized.

There was some discussion regarding a boundary adjustment to Route 13. Joan Natali stated that several years ago, the Town Council had considered a request to the County for a boundary adjustment. Libby Hume added the property owners in Kings Creek Landing and Tower Hill signed a petition in opposition of a boundary adjustment. Council then considered a boundary adjustment for the corridor along Stone Road (Route 184) to Route 13, but the Town did not meet the County's criteria to move forward with the request.

Dan Burke stated that the Town should obtain a right-of-way from the Town to the Harbor. Joan Natali stated that the property containing what appeared to be a road, was owned by Landmark Holdings and was not actually road. The railroad had an easement to get to their property. The railroad owned the land between the Landmark Holdings property to the Harbor and currently allowed the Town to build a path for pedestrian and golf cart traffic only.

## **ANNOUNCEMENTS**

Joan Natali stated that there would be music in the park on Sunday.

Mike Strub reminded the Commissioners that the September meeting was moved back a week to September 10<sup>th</sup> due to the Labor Day holiday.

It was noted that the Harbor for the Arts events ran from August 3<sup>rd</sup> to 18<sup>th</sup> with a variety of activities throughout the 2-week period.

**Motion made by Joan Natali, seconded by Andy Buchholz, to adjourn the Planning Commission meeting. The motion was approved by unanimous consent.**

---

Chairman Dennis McCoy

---

Town Clerk