



PLANNING COMMISSION

Regular Meeting

Town Hall

March 5, 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 Vice Chair Mike Strub and Commissioners Andy Buchholz, Dan Burke, Joan Natali and Sandra Salopek. Commissioner Bill Stramm was not in attendance. Also present were Town Planner Tom Bonadeo, Assistant Town Clerk Amanda Hurley and Officer Jim Pruitt. There was 1 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 Mike Strub, to accept the agenda format as presented. The motion was approved by unanimous consent.

The Commissioners reviewed the minutes for the February 5, 2013 Regular Meeting.

Motion made by Mike Strub, seconded by Andy Buchholz, to approve the minutes from the February 5, 2013 Regular Meeting as presented. The motion was approved by unanimous consent.

REPORTS

Tom Bonadeo reported the following: i) The Planning Commissioners were registered for the Virginia Certified Planning Commissioner Program scheduled for March 25th and 26th and hotel rooms were booked. Tom Bonadeo recommended the Commissioners ask other Commissioners there about the Sign Ordinance; ii) The Northampton County Planning Commission Agenda was included in the packet; iii) VDOT was progressing on the sidewalk repair project and was currently working on the lower portion of Tazewell Avenue; iv) Carpet had been installed in the new Library and shelving had been ordered. Once the shelving arrival date was available, they could start planning the move process. There would be three or more volunteer work sessions including painting, sanding, etc. The Library Gala fundraising event sold out even though the Barrier Islands Center Oyster Roast was the same night; v) The Climate Adaptation Working Group (CAWG) would be offering community outreach programs for citizens on the shore to learn about climate change including sea level rise and the impact it would have on flood insurance in the future and how to plan for those challenges. The Biggert-Waters Flood Insurance Reform Act of 2012 was included in the packet. Tom Bonadeo referred to the flood maps of Cape Charles. FEMA would have map updates available by the end of the month and adjustments may be necessary to the flood hazard zones of Cape Charles to protect the citizens in Town. Boundaries were expected to get worse; vi) There were a number of projects for tax rehabilitation. Among them was a building in the 300 block of Mason Avenue which would be used by a glass etching artist and was proposed to open by summer; vii) Plans for the old Delisheries building had been submitted and connection fees were expected to be paid in the near future; and viii) The new owners of Aqua had repainted and raised the banquette around the windows to provide better views. Aqua was expected to open Easter

Weekend. The shops would not reopen, but would be utilized as a banquet hall for catering and events. Plans for a deck off the back had been proposed; and viii) There were a number of house sales in Town.

OLD BUSINESS

A. Sign Ordinance Work Session – Combined Ordinance

Tom Bonadeo explained that the international ordinance had been utilized to update and improve the Town's existing Sign Ordinance. Signs were supposed to have a sign permit and a sign permit number. Presently, Andy Buchholz was the sign maker, but in the past the permit process posed a difficult task as there was no sign maker in Town. In the current ordinance, if an individual was not in compliance, a letter was mailed stating an individual had 30 days to respond, but this was not effective enforcement of temporary signs. Other towns had the capability to remove signs immediately if they were deemed dangerous or if there were no numbers associated with the sign. First amendment rights prohibited a town from being able to censor what the sign said, however they could control the size, location and how they were put together. There was much discussion among the Commissioners regarding where a sign permit sticker would be placed. Andy Buchholz was concerned that placing a sticker on the front of a sign would conflict with what was on the sign and suggested placing the permit sticker in a visible place in the shop. The Commissioners were more in favor of placing the sticker on the back of the sign. Tom Bonadeo commented that signs that were not printed here, such as political signs, would be problematic because if these temporary signs required a permit number under the revised ordinance, they would be difficult to monitor.

Andy Buchholz pointed out that there was no size specified for sandwich boards and Tom Bonadeo stated that menu and sandwich boards needed to be classified as the same and the size specified at 10 square feet per side at 2' x 5'. The square footage was a concern for blocking sidewalk space. Another concern was the number of temporary signs that should be allowed per business. The Commissioners discussed the businesses that were on Strawberry Street that currently put sandwich boards on Mason Avenue to attract customers because those businesses were not as visible. Tom Bonadeo drew a map and explained that the businesses on Strawberry Street did not own property in front of their building. The businesses on Mason Avenue however, owned seven feet in front of the building. Joan Natali recommended adding a sign at each intersection to identify the businesses down that street.

Tom Bonadeo discussed the Walkability Tour study that was conducted in Cape Charles, Chincoteague, Exmore, Onancock and Onley by Dan Burden of Eastern Shore Health who gave suggestions on how to improve the Town. Each Commissioner would receive a copy.

The Commissioners felt that limiting the quantity of sandwich boards was important and there was discussion on controlling placement of signs. There was comparison between Mason Avenue in Cape Charles and Market Street in Onancock. The side streets in Town, such as Strawberry Street, were at a disadvantage because a pedestrian on Mason Avenue may not see the businesses there so those businesses relied on signs to bring people to them. Tom Bonadeo proposed a Town sponsored way finding sign that indicated there were more businesses in order to direct people to them. Tom Bonadeo felt that one sandwich board per business was adequate especially since most had relatively small store fronts and recommended to take out the 10 square feet and leave 2' x 5'.

Tom Bonadeo recommended that individuals get a permit from the Zoning Administrator to submit to the sign maker before a sign was made to ensure the sign would be made within the specifications of the ordinance. A sign required zoning clearance. There was no charge for residential, but there was a \$50 fee for commercial. The applicant was to attach a drawing of the proposed sign to the sign permit form so the Zoning Administrator could make the calculations to the square footage and size to meet the requirements of the zoning ordinance. An approval

process was necessary for signs made in Town. Signs made outside of Town could not be controlled and therefore would not get a permit number. Tom Bonadeo stated that once the revisions were completed on the sign ordinance, it would be sent to VML for review.

The only temporary stick signs that were allowed were real estate signs, contractor signs and events done by certain agencies. These were the most difficult to control and enforce. Joan Natali questioned the enforcement and violation parameters of signs and it was agreed that additional information was necessary for this section. Tom Bonadeo read an excerpt from another city's sign ordinance regarding the violations of signs. Storage was not a problem for signs that were removed and there would be a fee per day associated with storage. After 30 days, a sign would be discarded.

The Commissioners agreed to take out the phrase "constant motion" under patterned illusionary movement on page one of the sign ordinance.

Dan Burke asked for clarification on dark sky compliant lighting fixtures. Tom Bonadeo explained that dark sky compliant was a set of standards that indicated light must be pointed down.

NEW BUSINESS

There was no new business to review.

ANNOUNCEMENTS

Tom Bonadeo reported the following: i) Andy Buchholz was awarded Northampton County Business of the Year; ii) A CUP was expected for a residence over commercial in the C1 district. Second floor retail space with no elevator was not very advantageous. There was still demand for small apartments; iii) Certified Planning Commissioner Program was scheduled for March 25th and 26th. The second portion of the program was scheduled for June 10th and 11th; iv) Tom Bonadeo was planning to retire no later than October 1st.

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

Assistant Town Clerk