

# TOWN COUNCIL MINUTES & PUBLIC HEARING

MARCH 24, 2008

6:00 P.M.

## TOWN COUNCIL MEMBERS PRESENT:

Kay Wescott  
Kathyanne Runninger  
Duke Shannahan

George Miles  
Fletcher Fosque  
Maphis Oswald

## OTHERS PRESENT:

Bruce Paone, Mayor  
Susan D. Scott, Town Mgr.  
Bill Bagwell  
Travis Bradley  
Harry Brough  
Vera Bruton  
Mike Carpenter  
Peter Dundon  
Caleb & Lynn Fowler

Karen Simpson, Admin. Asst.  
David Rowan, Town Atty.  
Valena Gibb  
Kris LaMontagne  
Dan Lawrence  
Anne Nock  
Janet Rochester  
Clinton Strand  
Shirley Zamora

- I. Public Hearing – Special Use Permit – Dr. Peter Dundon. The Public Hearing was brought to order by the Mayor to consider the special use permit application submitted by Dr. Peter Dundon, property owner, to have an upstairs apartment on property located at 41 King Street (Tax Map No. 084A2A-000004300) zoned R-1A, pursuant to Town Code 24-16, Special Exceptions. Dr. Dundon will occupy the first floor. He asked if the property needed to be inspected by the Town regarding safety regulations. The Town has no requirements. Councilman Shannahan asked Dr. Dundon if he intended to clean up the exterior and grounds of the property, to which he replied that he was in the process of cleaning it up. Councilman Miles made a motion to close the public hearing, Councilman Shannahan seconded the motion, and all approved.
- II. Mayor Paone called the regular Town Council meeting to order, after which the Pledge of Allegiance and invocation were recited.
- III. Consideration of Feb. 25<sup>th</sup> Minutes. Councilman Miles made the motion to accept the February 25, 2008 Town Council minutes, Councilwoman Wescott seconded the motion, and it passed unanimously. Councilwoman Oswald made a point of order

that the Town Code states that the Council minutes are to be read at the Council meetings. Because the minutes are available in the Town Office to be read by the public, general Council opinion was that it would be a waste of time to read them.

- IV. Public Comment. Dan Lawrence received confirmation that the Eastern Shore Orchestra will receive \$500 in the new budget, when approved, which will be matched dollar for dollar by the VA Commission through the arts local government match program. This will help enrich lives of Onancock residents, provide lessons, scholarships and music workshops. He thanked Council for this donation-to-be. The Orchestra consists of middle school students through senior citizens.

Anne Nock referred to the Town map made by Sanborn Map Company in 1912 on the wall of Council Chambers. The color code depicts what material structures were made of. The 1925 and 1939 Town maps can be purchased on the internet.

Janet Rochester offered several comments about the budget process: As many people in Onancock are on fixed incomes, with the increases in food, gas, healthcare and water/sewer bills they have few options for increasing their income. In troubling economic times, the Town needs to make tough financial decisions. This is not the time to be doing anything other than making a budget that deals with the essentials. She requested that as Council goes through the budget process, they strip it down to a bare essentials budget with an absolute minimum of nice-to-have things.

Shirley Zamora echoed Mrs. Rochester. She was surprised to see Council Candidate, Kris LaMontagne, fully participating and even leading the Council through his budget ideas and process at Council's budget work session. She admitted that he had helpful insight; however, there is no guarantee that Mr. LaMontagne will be elected, and she wondered if the same courtesy would have been extended to the other candidates. She submits that this conduct was inappropriate. She asked Council to remember who funds the government and asked the public to participate.

- V. Deposition of Public Hearing. Councilman Fosque made a motion to approve the special use permit application of Dr. Peter Dundon for 41 King Street, with the provision that it be owner-occupied, Councilman Miles seconded the motion, and it passed unanimously.

- VI. Planning Commission Update. Councilman Fosque advised of the application of Habitat for Humanity for a rezoning request on Boundary Avenue behind the Samuel Outlaw Museum from B-2 to R1-B in order to erect a house on the lot. The

Planning Commission requests Town Council to go out to public hearing on this issue. Councilman Miles made a motion to direct the Town Manager to advertise for a public hearing for a rezoning request on Boundary Avenue by Habitat for Humanity, Councilman Fosque seconded the motion, and it passed unanimously. Councilman Fosque reported that the Commission is working on the Town Plan, and will be for the next couple of months.

VII. Mayor's Comments. The Eagle Board will be meeting at 7 p.m. on Wednesday at the Market Street United Methodist Church to review and evaluate the Eagle Scouts and their projects. The Town Manager advised that the crane to lower the old water tower will travel across the Chesapeake Bay Bridge/Tunnel when weather permits.

VIII. Town Manager's Report. i. Correspondence: a) letter from Caleb & Lynne Fowler re their offer to purchase of property owned by the Town adjacent to theirs at 58 Market Street (the grassy hill at the back of the parking lot behind the new Runniger's Pharmacy building); b) letter from Donna Bozza of ES Tourism Commission re the Tangier ferry and pitching travel getaways to travel magazines. The Town Manager is awaiting information from the Tangier Mayor; c) advisement from ANEC that the Purple Martin project does not meet their donation criteria; d) letter to Dewberry & Davis requesting that the terminus for the fiber optic spur for broadband be changed from the corner of Market and Holly Streets to the water tower just off Hartman Avenue, and that a hand hole be provided at the corner of Market Street and Hartman Avenue; e) VML Insurance advises that if the Town rents the "ticket office" at the wharf, we would need to add the value of the town-owned contents to the property policy, a minor additional premium. If we would be responsible for insuring the structure, VML would need to know the value of the building to give a property premium. There would be no change in liability insurance.

- ii. DEQ has issued the Town a permit until 2018 to utilize ground water limiting withdrawal to 8,079,200 gal. per month and 80,615,000 gal. per year.
- iii. Interim Project Evaluation and Administrative Review from DOH Office of Drinking Water conducted February 7, 2008, which the Town passed with flying colors. The Town Manager advised that fluoride injection in the Town water should happen in about a month.
- iv. The National Arbor Day Foundation named Onancock as a 2007 Tree City USA for the 18<sup>th</sup> year. Councilman Miles made a motion to adopt the Proclamation setting April 19, 2008 as Arbor Day in the Town of Onancock, Councilman Shannahan seconded the motion, and it passed unanimously.



preserve his residence at 58 Market Street by limiting development and keeping the property green. He feels offering a dollar figure would be premature until the he has better information from the Town as to what it will allow there. He would offer a different figure for purchase if a residence was constructed there vs keeping the lot green. He would not be interested in the property if the Town allowed condos and/or town houses on the lot. He reacts cautiously to a pathway through the lot from the parking lot to Onancock School. He wonders what type of egress the Town would want. A unique sense of privacy and seclusion interests the Fowlers. They would be willing to put a non-development clause in the Deed of Sale. If they bought the lot, it would remain the way it is for at least the next 20-30 years. The Town has not yet discussed what they are interested in doing, if anything, with this lot.

Councilman Shannahan reminded the gathering that the “Ethel Lewis” is currently on the property, and he doesn’t know the status of that project. Mr. Fowler said that to the extent he can have the land and control it, he would prefer that. He doubts he would be happy with the boat there. It might be a safety hazard and a public nuisance now. The Fowlers would be happy to come back to Council for discussion at any time. The Fowlers would be interested in a lot closest to them if other lots were sold out of this piece, but they would not pay a full residential lot price for it. One of the major charms of the lot in discussion to the Fowlers is the portion where the Town would consider a walkway, so they would not be interested in purchasing the lot in that regard.

- XI. A Council workshop regarding the property behind the large Town parking lot and the remaining previous BB&T lot is set for April 24<sup>th</sup> at 6:30 p.m. Steve Walton will be informed of this meeting.

Councilman Miles made a motion to reschedule the May Town Council meeting to May 19, 2008 at 6:30 p.m. due to the Memorial Day holiday, Councilwoman Wescott seconded the motion, and it passed unanimously.

Councilman Miles made a motion to adjourn, Councilwoman Wescott seconded the motion, and it passed unanimously.

Mayor Paone adjourned the meeting at 8:15 p.m.

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Susan D. Scott  
Town Manager

Bruce Paone  
Mayor