

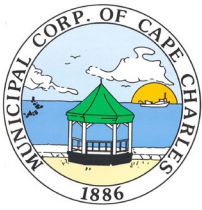
# **Harbor Area Review Board**

## **Special Meeting Agenda**

**Cape Charles Civic Center**

**September 27, 2023 at 5:30 P.M.**

1. Call to Order; Roll Call
2. Invocation and Pledge of Allegiance
3. Public Comments
4. Consent Agenda:
  - A. Acceptance of Agenda as presented.
  - B. Approval of Minutes: February 22, 2023 Joint HDRB & HARB Meeting  
March 28, 2023 - Special Meeting  
April 10, 2023 - Special Meeting
5. New Business:
  - A. Discussion re: Site Plan for Land Disturbance from Cape Marine Services, LLC at 1100 & 1021 Bayshore Road (Tax Map #83A3-A-17 and 83A3-A-20)
6. Other Matters:
  - A. Review & Adopt the 2024 Application & Meeting Schedule
7. Next Meeting: 4<sup>th</sup> Wednesday of the month October 25, 2023 @ 5:30 p.m.
8. Adjourn



**Harbor Area Review Board and  
Historic District Review Board  
Joint Meeting  
Strawberry Plaza and St. Charles Catholic Church  
Parish Hall – 550 Tazewell Avenue  
February 22, 2023**

At approximately 4:00 p.m., the members of the Harbor Area Review Board and Historic District Review Board met onsite at 4:00 p.m. before the meeting at the Strawberry Plaza off Mason Avenue at the Train Car Location to get a better understanding of the proposed projects.

At 4:15 p.m., Chairman Herb Thom, having established a quorum, reconvened the Joint Meeting of the Harbor Area Review Board (HARB) and Historic District Review Board (HDRB) at the St. Charles Catholic Church Parish Hall. In addition to Herb Thom, present were HARB members Martin Mayer, David Howgill, Kathy Glaser, and HARB members present were Rob Harris, Vice Chair Steve Bennett, Benjamin Lewis, Shannon Smith. HDRB member Michael Strub and HARB members Bill Ashworth and Stuart Smith were not in attendance. Also, in attendance were Town Manager John Hozey, Town Project Manager Bob Panek, Planning/Zoning Administrator Katie Nunez, Planning/Zoning Administrative Assistant, and the applicants. One member of the public was in attendance.

**PUBLIC HEARING COMMENTS:**

There were no public hearings to be heard.

**PUBLIC COMMENTS AGENDA ITEMS ONLY:**

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

**UNFINISHED BUSINESS:**

There was no unfinished business.

**HISTORIC DISTRICT REVIEW BOARD & HARBOR AREA REVIEW BOARD NEW BUSINESS:**

- A. *Application for a Harbor Development Certificate and Certificate of Appropriateness for the downtown restroom and visitors center.*

Discussion as follows: (i) Town Project Manager Bob Panek explained the visitor center objectives, logistics and layout. He continued clarifying the site plan, visitor access, placement of the trash receptacles, and parking. (ii) Member Howgill expressed a concern regarding the paving of the parking lot and Bob Panek assured him that only the ADA parking spaces would be paved. The remainder of the parking area would be gravel. (iii) Town Manager John Hozey explained the reasoning for the placement of the train car and visitor center to maintain the view shed to the harbor and that the train was moved out of the view shed for that reason. (iv) Member Thom expressed concern regarding the signage on the building. Signs would be placed on Strawberry Street and on the plaza. (v) Ms. Nunez explained that inside the visitor's center will be restrooms and a museum. (vi) Vice Chair Bennett asked about the square footage of the building. Bob Panek replied that the square footage would be 1337 square feet. Also, the doors will have locking capability. (vii) A member of the public asked if there would be bicycle parking. Which was confirmed. Golf carts will have access. (viii) Member Smith mentioned that signage will be compliant and that there is an ongoing issue with parking being clearly defined for the public. (ix) Ms. Nunez stated that there will be additional signs provided on Mason for the public to know where public restrooms are available. (x) Town Manager Hozey noted that the Port-a-potty will be leaving and that the timeframe for construction of this building will begin in late spring or early summer and hope to be completed by the end of the summer 2023. He confirmed that the restrooms will be connected to town water and sewer and the estimated cost will be approximately \$400,000 at \$300 per square foot. He also stated that the visitors center will be manned by Cape



Charles Main Street. He also stated that the visitors center will be manned by Main Street. (xi) Member Thom asked if Main Street would pay rent and John Hozey replied no. The train will be painted black. There will be a walkway and story boards on the exterior to explain the history of the train. The interior will not be maintained, stated John Hozey.

**Historic board voted for recommendation for guidelines for new construction of the Visitor's Center and Public Restrooms. Member Thom motioned, and Member Howgill seconded, to approve the building using 5.13 of the Historic District as guideline. Motion approved by unanimous vote.**

***HARB Member Steve Bennett motioned that the Downtown Restroom and Visitors Center building application for this project is sufficient, complete and compliant with the Harbor District Regulations and recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted and was seconded by HARB Member Shannon Smith and the motion was unanimously approved.***

B. *Application for a harbor development certificate and certificate of appropriateness for train car restoration and associated site work.*

***HARB Member Rob Harris motioned that the Rail Car Restoration Work application for this project is sufficient, complete, and compliant with the Harbor District Regulations and recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted and was seconded by HARB Member Ben Lewis and the motion was unanimously approved.***

**Motion made by Vice Chair Bennett, seconded by Member Smith to recommend following necessary steps to waive the second review meeting. Motion accepted by unanimous vote.**

**Motion made by Member Thom, seconded by Member Howgill to adjourn the Historic Area Review Board portion of the joint meeting. The motion was approved by unanimous vote.**

#### **HARBOR AREA REVIEW BOARD NEW BUSINESS:**

C. *Application for a harbor development certificate for a new municipal building Presentation of the Harbor*

Discussion as follows: (i) Town Project Manager Bob Panek explained the new location of the municipal building and site plan - Parking lot will be paved in front of the building and the remainder will be gravel. There will be parking spots for twelve golf carts. He indicated on the provided map where everything will be in relation to the Rosenwald School property. Extensive discussion ensued regarding the parking situation on the proposed site. (ii) There was a concern expressed regarding Police data communications at the new site due to police being further from the town. (iii) Vice Chair Bennett expressed a concern regarding additional staff in the future and whether there may be a need to add on to the building in the future. (iv) Town Manager John Hozey replied that staffing had already been addressed in regard to growth and there was no need to "over build". He also stated that the estimated cost would be approximately 4.5 million dollars. (v) Member Smith mentioned that there should be back up generators if there is space. (vi) There were also questions regarding the current Municipal building and John Hozey said it would be sold and has no connection with the fire department as they own that building and it does not belong to the town. Also, the look of the new Municipal building will emulate the look of the town with Hardy Board siding and a metal roof. There will also be an elevator and fully ADA accessible. (vii) Somebody questioned how one would walk to the new building from the town. Several options were entertained.

Ms. Nunez discussed the criteria from the Zoning Ordinance regarding the Harbor Certificate Review.

***HARB Member Rob Harris motioned that the Municipal Building application for this project is sufficient, complete, and compliant with the Harbor District Regulations and recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted and was seconded by HARB member Shannon Smith and the motion was unanimously approved.***

D. *Status report on Rosenwald School Building project*

Ms. Nunez discussed the plans for the project and expressed the need to schedule a meeting during the last week in March to discuss the Rosenwald School property. It was agreed to schedule the meeting for March 28, 2023, at 5:00 at the Civic Center.

**Motion made by Herb Thom, seconded by Member Harris, to adjourn the Harbor Review Board portion of the joint meeting at 5:00 p.m. The motion was approved by unanimous vote.**

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Vice Chair Bennett

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Planning/Zoning Administrative Assistant

# Harbor Area Review Board

## Special Meeting Agenda

**Cape Charles Civic Center  
March 28, 2023, at 5:00 P.M.**

At approximately 5:00 p.m. Vice Chair Steve Bennett, having established a quorum, called to order the Harbor Area Review Board Special Meeting. In addition to Vice Chair Bennett, in attendance were Councilmen Herb Thom, Rob Harris, and Bill Ashworth. Also, in attendance were Planning and Zoning Administrator Katie Nunez and applicant Beth Walker, agent for the Rosenwald Project. There were no members of the public in attendance.

Vice Chair Bennett led the pledge of allegiance.

There were no Public Comments

**Motion was made by Vice Mayor Bennett, seconded by Councilman Herb Thom to approve the agenda. The motion was approved by unanimous vote.**

New Business

- A. *Application for Harbor Development Certificate for the Rosenwald School Building Project 1500 Old Cape Charles Road, Cape Charles, Va.*

Ms. Nunez summarized the application of the Rosenwald School Renovation Project.

Discussion was as follows: (i) Beth Walker explained the project in brief. She mentioned that the project is not in the Historic District. The roof is to be replaced and the windows will be restored. Any windows that are beyond repair will be reconstructed to match the current windows. Any renovations to the building will not alter the footprint. The main change to the exterior will be the addition of parking areas, walkways, and a patio. All work will be done in accordance with the Secretary of the Interior's Standards for the treatment of historic buildings. All utilities will be underground. (ii) Ms. Nunez explained that the site will serve as a cultural and heritage venue with auditorium and exhibit space, community kitchen, education facility for workforce training and meeting space for community and cultural organizations. (iii) Beth Walker explained that the Project plans to be self-sustainable with event space rentals and conference space. (iv) Councilman Harris asked about the site lighting. (v) Beth Walker explained that the exterior lighting, signage, art, and sculpture is still undecided and will need grants from the state to enable the interpretation of signage and for walking trails. (vi) Ms. Nunez explained that after initial approval, the Project will apply for modifications to the original approval as needed. Also, that it is not unusual for applicants to modify their original approval based on developing circumstances. She also expressed concerns regarding the art and sculpture and added that the Town would like to preview these concepts prior to approval.

**Member Rob Harris motioned that the application for the Rosenwald School Project is sufficient, complete and compliant with the Harbor District Regulations with the exception of their final landscaping, lighting, signage and exterior public art/historic displays and recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted with the condition that the final landscaping, lighting, signage and exterior public art/historic displays plans are still required to be submitted to the Town for final review and approval and was seconded by Member Herb Thom and the motion was unanimously approved. The motion was approved by unanimous vote.**

## **Announcements**

Ms. Nunez recommended that the next meeting of the Harbor Area Review Board be on Tuesday, April 10, 2023, at 5:30 p.m. All agreed.

**Motion made by Councilman Rob Harris, seconded by Vice Chair Bennett, to adjourn the Harbor Area Review Board Special Meeting at 5:30 p.m. The motion was approved unanimously.**

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Vice Chair Steve Bennett

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Planning Technician

# Harbor Area Review Board

## Special Meeting Agenda

Cape Charles Civic Center

April 10, 2023, at 5:30 P.M.

At approximately 5:30 p.m. Vice Chair Steve Bennett, having established a quorum, called to order the Harbor Area Review Board Special Meeting. In addition to Vice Chair Bennett, in attendance were Councilmen Herb Thom, Rob Harris, and Bill Ashworth. Also, in attendance were Planning and Zoning Administrator Katie Nunez and applicant William “Smitty” Dize. There were 2 members of the public in attendance and 3 viewers on Facebook.

Vice Chair Bennett led the pledge of allegiance.

There were no Public Comments

**Motion was made by Vice Chair Bennett, seconded by Councilman Thom to approve the agenda. The motion was approved by unanimous vote.**

New Business

- A. *Application for a Harbor Development Certificate from Cape Marine Services LLC to lease 40 ft. x 16 ft (640 square feet) in the northeast corner fronting Mason Avenue at 6 Mason Avenue to Posh, Inc. dba Moke America Virginia Beach for a Bicycle, Moped and Street Legal Golf Cart Sales and Rentals Retail Service Establishment, pursuant to Cape Charles Zoning Ordinance Section 3.9 (D) (7) (b)*

Ms. Nunez summarized the application for Cape Marines Services LLC.

Discussion was as follows: (i) the applicant, William “Smitty” Dize, on behalf of property owner John Kemp and Cape Marine Services, LLC, explained that the project was to lease the already existing 16’ x 20’ concrete pad to Moke America Virginia Beach for the purpose of Golf Cart, sales/storage/rental. He explained that the entire area was to be 16’ x 40’ fronting Mason Avenue. The pad has been at that location for years and a tent has covered the space. He assured the Board that there would not be an addition to the existing concrete pad and there would be no signs or lighting. The lease would be for one year. (ii) Vice Chair Bennett asked how the business would work since there would be no person manning the operations. There was also a concern for security since there would be no lighting or person manning the operation. (iii) Member Ashworth mentioned that the rentals would be placed online, and they would be rented from Pearl Market. (iv) Mr. Dize explained that he would not be managing the operation and that it would just be a holding area for the golf carts so they wouldn’t have to be transported daily to and from Pearl Market. (v) Member Thom mentioned that only the land would be leased, and security was not the concern of the Board. (vi) Members Harris and Ashworth both mentioned that there was, at present, no tent on the property. There was concern about how the area would look with a new tent and what it would do to the view shed. This was also a concern of Vice Chair Bennett. (vii) Ms. Nunez explained that it is acceptable to use the space for the golf carts per the Zoning Ordinance Section 3.9 (D) (7) (b). This is a by-right use, and any tent would have to be secured to the ground. She also explained that this is a lease of the property, and the Board only has jurisdiction in the land use. Also, the Board is not approving of the business. (viii) Vice Chair Bennett asked about the duration of the lease and Mr. Dize explained that it would only be for one year. (ix) Member Thom stated that security is the concern of the lessee and not the Town. It should be stipulated that the Town is in “no fault” since there is no security. (x) Member Harris recommended that the business owner appear before the Town Council to explain how the business

is going to work and how it is going to look. (xi) Member Thom expressed a concern about a shed being built on the property to house the business. Mr. Dize assured the Board that no shed will be placed on the property. Ms. Nunez stated in the staff report to the HARB, it was noted that the last approved Site Plan for this property was on February 9, 2022, by the Planning and Zoning Office which was for the addition of a concrete pad and ramp at the southeast corner of the property to support a clam loading and unloading operation. As part of that review, the property owner was informed that all land disturbance on the property was being calculated and would be cumulatively considered as property development and usage occurs and as long as that land disturbance total remains below 2,500 square feet then they will be exempt from addressing stormwater compliance. However, once that cumulative disturbance is greater than 2,500 square feet then the property owner will be required to fully address and implement stormwater measures in compliance with Cape Charles Zoning Ordinance Section 4.6.

**[PLEASE NOTE: The land disturbance totals have been updated to reflect the correct size of the concrete pad in the northeast corner]**

So, from the 2/9/2022 Site Plan approval, there was 1,600 square feet of land disturbance. At that time, there was no 20 x 16 square foot concrete pad in the northeast corner of the property so that square footage (320 sq. ft) will be added to the running cumulative total of land disturbance which now totals 1,920 sq. ft which is still below the 2,500 sq. ft. threshold before stormwater compliance will be required. This lot is also included within the Chesapeake Bay Preservation Act (CBPA) Overlay District (CC Zoning Ordinance Article VII) but have been mapped and identified as an Intensely Developed Area (IDA). Regarding this application, they are in conformance with the requirements of CCZO Article VII and the state requirements regarding IDAs of the CBPA. However, information has been included on these components of the local and state law as information since the property owner is approaching the threshold where they will need to comply with all requirements re land disturbance, activities allowed on a property that is identified as an IDA but sits within the Resource Protection Area (RPA) of the CBPA.

**Motion made by Vice Chair Bennett and seconded by Member Thom, to recommend approval to the Town Council through April 30, 2024, and to waive the second review meeting and to recommend that the tenant attend and speak to the Town Council to discuss whether there would be a tent covering the leased space (40' x 16') and concrete pad and how it would affect the view shed to the Harbor. The motion was approved by unanimous vote.**

**Announcements**

- Ms. Nunez recommended a monthly Harbor Area Review Board meeting be put on the calendar and that if there is no business to discuss it can be cancelled. This would help in gathering all the members for a meeting if the date is known in advance. A poll will be sent out to the Board members for days and times.
- Willam "Smitty" Dize would like to make a presentation to the Board of plans for the property in the near future.

**Motion made by Vice Mayor Bennett, seconded by Councilman Harris, to adjourn the Harbor Area Review Board Special Meeting at 6:02 p.m. The motion was approved unanimously.**

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Vice Chair Steve Bennett

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Planning Technician



## HARBOR AREA REVIEW BOARD STAFF REPORT

Meeting Date: September 27, 2023

Item #: 5A – Discussion re: Site Plan for Land Disturbance from Cape Marine Services, LLC at 1100 & 1021 Bayshore Road (Tax Map #83A3-A-17 and 83A3-A-20)

Prepared by: Katie H. Nunez, Director of Planning, Zoning Administrator  
& Subdivision Agent

Date: September 21, 2023

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Have received from Cape Marine Services, LLC at 1100 & 1021 Bayshore Road (Tax Map #83A3-A-17 and 83A3-A-20) a site plan application for land disturbance to grade and establish a more structured storage layout for boats; said plan includes stormwater plans, erosion and sediment control plans, landscaping plans and a request for a Chesapeake Bay Preservation Act (CBPA) encroachment application.

These two parcels were part of an approved Harbor Certificate of Appropriateness as part of a project identified as “South Port Yacht Center” on March 19, 2013. I have reviewed that documentation and believe this grading and site work is fully covered under that approval but will provide a copy to the Board for their information.

### AERIAL VIEW OF TOTAL MAP



**Attachments:**

Attachment 1: 01-17-13 Cape Charles Yacht Center – Harbor Development

Attachment 2: 03-13-2013 Staff Report Cape Charles Yacht Center

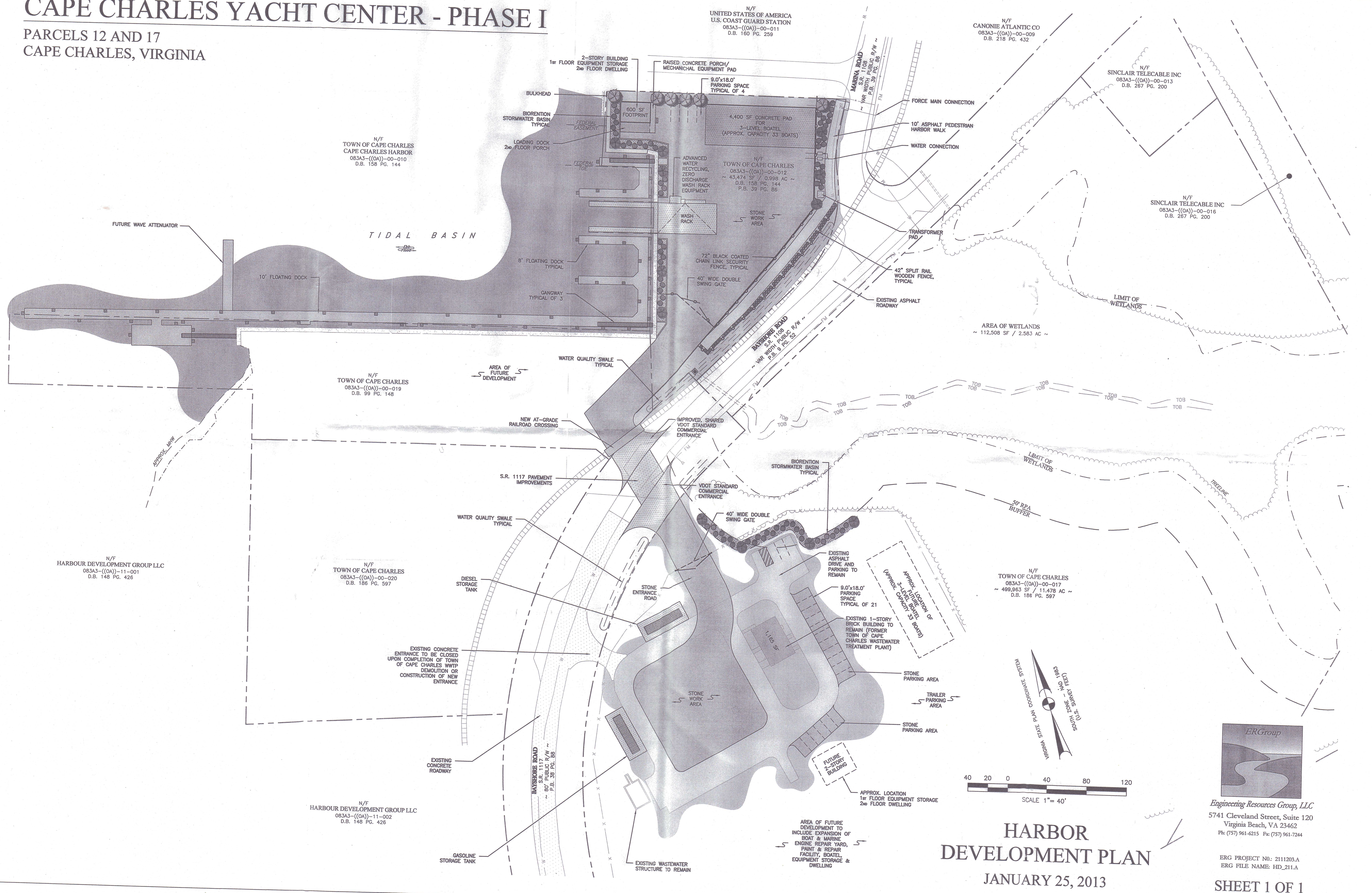
Attachment 3: 03-19-2013 HARB Meeting Minutes

Attachment 4: 03-21-2013 Town Council Meeting Minutes

Attachment 5: 09-05-2023 Cape Marine Boat Storage Expansion



PARCELS 12 AND 17  
CAPE CHARLES, VIRGINIA



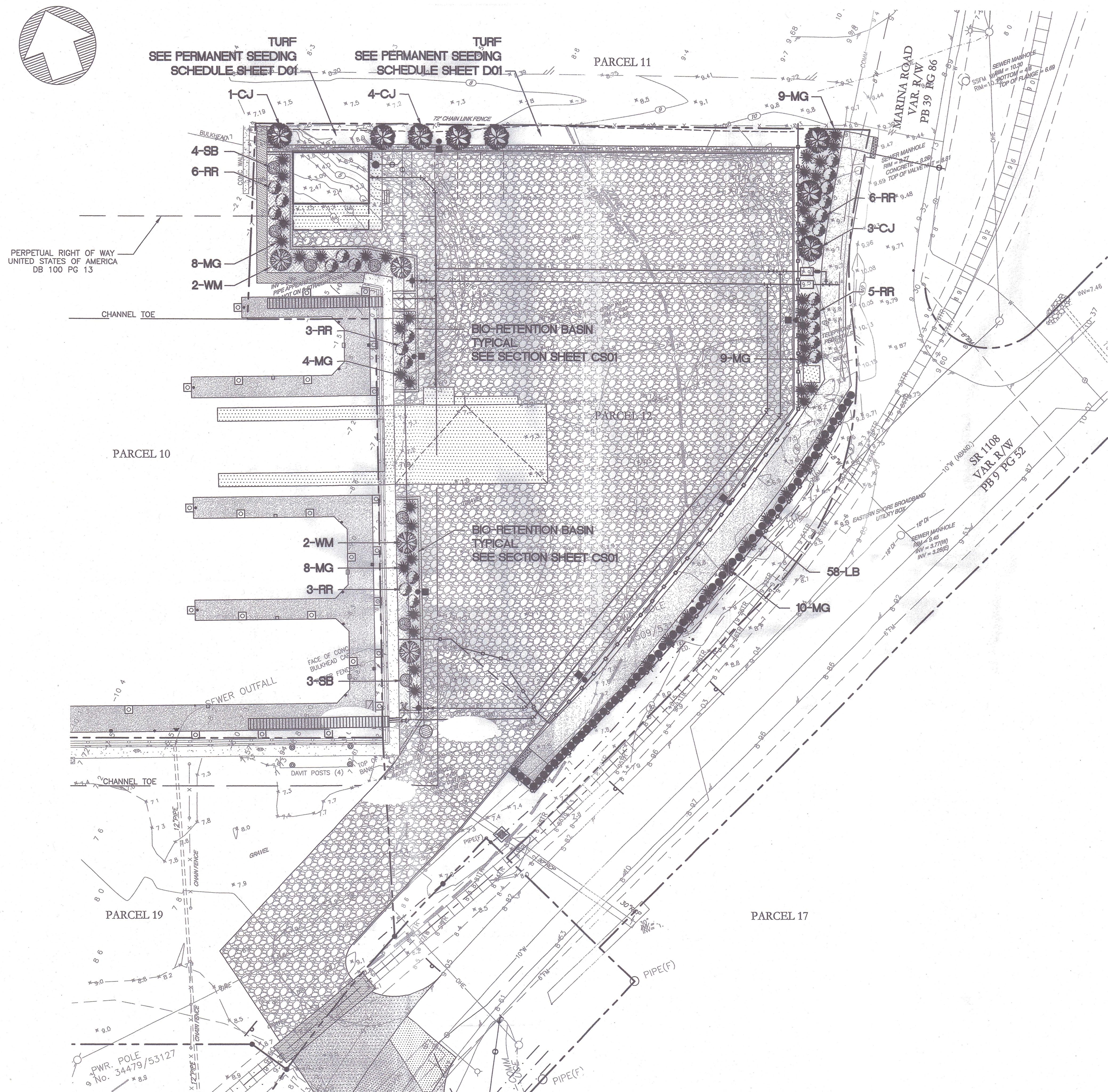
ER Group

*Engineering Resources Group, LLC*  
5741 Cleveland Street, Suite 120  
Virginia Beach, VA 23462  
Ph: (757) 961-6215 Fx: (757) 961-7244

ERG PROJECT NO.: 2111203.A  
ERG FILE NAME: HD\_211.A

SHEET 1 OF 1

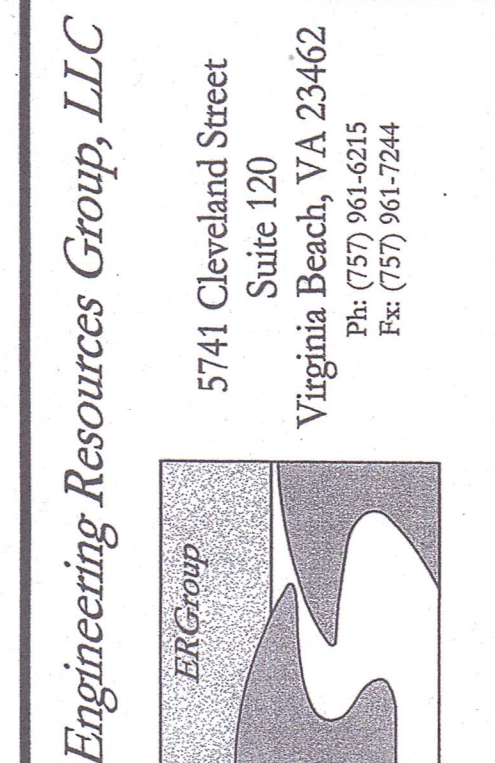




1. VERIFICATION OF TOTAL QUANTITIES AS SHOWN IN THE PLANT LIST SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR AND THE KEYED PLAN SHALL GOVERN.
2. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL FREE OF PESTS AND DISEASE AND/OR PEST AND DISEASE DAMAGE.
3. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED (B&B) AS INDICATED ON THE PLANT LIST.
4. ALL TREES MUST BE STRAIGHT TRUNKED, FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED. ALL LARGE SHADE TREE SPECIES TO HAVE A MINIMUM 6 FT LATERAL BRANCH HEIGHT.
5. ALL PLANTING OPERATIONS SHALL BE PERFORMED AS PER DETAILS & SPECS.
6. ALL PLANTING AREAS TO BE SUBMITTED TO THE LANDSCAPE ARCHITECT & THE OWNER BEFORE, DURING AND AFTER INSTALLATION.
7. ALL PLANTS AND PLANTING AREAS MUST BE COMPLETELY MULCHED WITH 2" SHREDDED HARDWOOD MULCH.
8. PRIOR TO CONSTRUCTION, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF THE LANDSCAPE CONSTRUCTION. THE LANDSCAPE CONTRACTOR IS REQUIRED TO CONTACT "MISS UTILITY" (#811 SEVENTY TWO HOURS PRIOR TO DIGGING. NO WORK IS, TO BE PERFORMED UNTIL "ALL" UTILITIES ARE MARKED. IF CONFLICTS ARISE, CONTACT LANDSCAPE DESIGNER.
9. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING INCLUDING, BUT NOT LIMITED TO WATERING, SPRAYING, MULCHING, FERTILIZING, ETC. OF THE PLANTING AREA. THE WORK IS ACCEPTED IN TOTAL BY THE LANDSCAPE ARCHITECT AND THE OWNER.
10. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS PRIOR TO PRICING THE WORK.
11. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF (1) YEAR BEGINNING AT THE DATE OF FINAL ACCEPTANCE. THE LANDSCAPE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD AS PER THE DIRECTION OF THE OWNER.
12. THE LANDSCAPE ARCHITECT SHALL APPROVE THE STAKED LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
13. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN OR DEFOLIATES PRIOR TO THE TOTAL ACCEPTANCE OF THE WORK SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIALS OF THE SAME SPECIES, QUANTITY AND SIZE AND ALL PLANTS ARE TO MEET ALL SPECIFICATIONS.
14. ALL LANDSCAPING MATERIALS SHALL MEET THE MINIMUM SPECIFICATIONS AND STANDARDS DESCRIBED BY THE "AMERICAN STANDARD FOR NURSERY STOCK" MOST RECENT EDITION PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN.
15. ALL LANDSCAPING SHALL BE INSTALLED IN A SOUND WORKSMANSHIP-LIKE MANNER ACCORDING TO ACCEPTED GOOD PLANTING PRACTICES AND PROCEDURES.
16. ALL AREAS NOT OTHERWISE COVERED BY BUILDINGS, PAVEMENT OR PLANTING BEDS SHALL BE SEEDED. SEE SITE PLAN GENERAL NOTES FOR SEEDING SCHEDULE.
17. ALL LAW TREES SHALL BE MULCHED WITH A MINIMUM OF TWO AND ONE HALF FOOT (2 1/2") RADIUS PLANTING AREA. ALL SHRUBS SHALL BE MULCHED WITH A ONE-HALF FOOT (1/2") AREA OF THE PLANT.
18. UNLESS OTHERWISE STATED, EXISTING VEGETATION IN PLANTING AREAS WILL BE REMOVED TO PREVENT REEMERGENCE.
19. ALL DEBRIS CREATED BY CONTRACTOR WILL BE CLEANED AND REMOVED FROM SITE.
21. PLANT SUBSTITUTIONS REQUIRE APPROVAL FROM THE LANDSCAPE DESIGNER & THE TOWN.

1. ALL BALLED AND BURLAPPED "(B&B)" PLANTS SHALL BE INSTALLED BETWEEN OCT. 15 AND MARCH 31.
2. ALL CONTAINER GROWN PLANTS SHALL BE INSTALLED BETWEEN SEPT. 15 AND MAY 15.

APPLESEED NURSERIES & LANDSCAPE  
P.O. BOX 525  
18395 LANKFORD HWY  
EASTVILLE, VA 23347  
INFO@APPLESEEDNURSERIES.COM



| DATE: | REVISION: |
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CAPE CHARLES YACHT CENTER  
PHASE 1 - PARCELS 12 AND 17  
LANDSCAPE PLAN SHEET

VIRGINIA

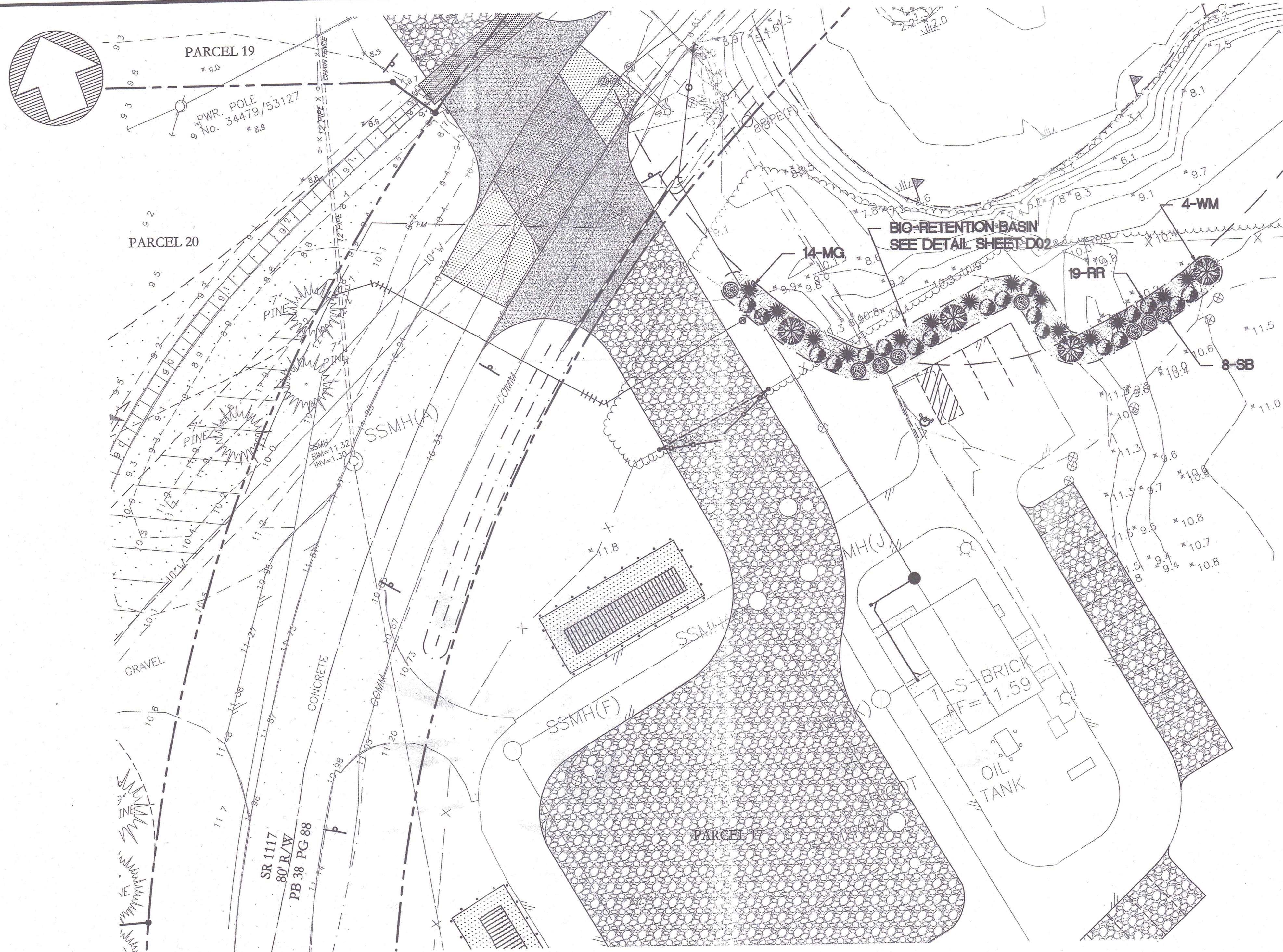
CAPE CHARLES

|           |                |
|-----------|----------------|
| DESIGNED: | JDS            |
| DRAWN:    | JDS            |
| CHECKED:  | DWM            |
| SCALE:    | 1"=20'         |
| DATE:     | 1/17/13        |
| FILE:     | 211C-LS-SHEETS |
| PROJ. #:  | 2111203.0C     |
| SHEET NO. |                |

LS01

22 OF 23 SHEETS





| PLANT LIST- PARCELS 12 AND 17 |                           |                     |                 |        |        |                 |          |              |
|-------------------------------|---------------------------|---------------------|-----------------|--------|--------|-----------------|----------|--------------|
| KEY                           | SCIENTIFIC NAME           | COMMON NAME         | SIZE<br>CALIPER | HEIGHT | SPREAD | PLANT<br>METHOD | QUANTITY | REMARKS      |
| TREES                         |                           |                     |                 |        |        |                 |          |              |
| CJ                            | JUNIPERUS C. TORULOSA     | CHINESE JUNIPER     | -               | 6-8'   | -      | See Dtl. 1      | 8        | AS SHOWN     |
| WM                            | MYRICA CERIFERA           | SOUTHERN WAX MYRTLE | -               | 3-4'   | -      | See Dtl. 2      | 8        |              |
| SHRUBS                        |                           |                     |                 |        |        |                 |          |              |
| RR                            | ROSA RUGOSA               | RUGOSA ROSE         | -               | -      | -      | See Dtl. 2      | 42       | 3 gal. cont. |
| SB                            | LINDERA BENZOIN           | SPICEBUSH           | -               | -      | -      | See Dtl. 2      | 15       | 3 gal. cont. |
| GRASSES                       |                           |                     |                 |        |        |                 |          |              |
| MG                            | MISCANTHUS S. GRACILLIMUS | MAIDEN GRASS        | -               | -      | -      | See Dtl. 2      | 62       | 3 gal. cont. |
| LB                            | SCHIZACHYRIUM SCOPARIUM   | LITTLE BLUESTEM     | -               | -      | -      | See Dtl. 2      | 58       | 1 gal. cont. |

## PLANTING METHOD DETAILS

NOTE:  
TREE SHALL BE PLANTED WITH TOP OF  
ROOT BALL 2" ABOVE GRADE.

SELECTIVELY PRUNE CROWN  
DO NOT CUT CENTRAL LEADER

RUBBER HOSE

14 GAUGE WIRE W/ TURNBUCKLE

2"x2"x10' WOOD POSTS

TREE WRAP

2" MULCH

SAUCER AROUND TREE

EXISTING TOPSOIL BACKFILL

CUT AND REMOVE BURLAP  
FROM TOP 1/3 OF BALL

SCARIFY TO 4" DEPTH  
EXCAVATE TO 12" UNDER BALL WHEN  
RESTING ON ROCK OR HARD CLAY  
POSTS TO EXTEND 12" BELOW TREE  
PIT INTO UNDISTURBED GROUND

## 1 TREE PLANTING DETAIL

N.T.S.

2" MULCH

SAUCER AROUND SHRUB

CUT AND REMOVE BURLAP  
FROM TOP 1/3 OF BALL

EXISTING TOPSOIL BACKFILL

SCARIFY TO 4" DEPTH  
EXCAVATE TO 12" UNDER BALL  
WHEN RESTING ON ROCK OR  
HARD CLAY

VARIES

6" MIN.

NOTE: SHRUB SHALL BEAR SAME  
RELATIONSHIP TO FINISHED  
GRADE AS IT BORE TO  
PREVIOUSLY EXISTING GRADE.

2

## SHRUB PLANTING DETAIL

N.T.S.

SEE PLANTING PLAN FOR  
PROPER PLANT SPACING

HARDWOOD MULCH

PLANTING MIXTURE

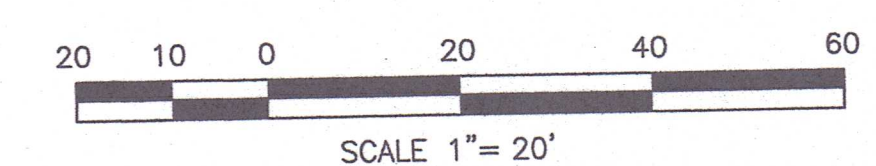
3"

12"

3

## GROUND COVER PLANTING DETAIL

N.T.S.



Engineering Resources Group, LLC

5741 Cleveland Street  
Suite 120  
Virginia Beach, VA 23462  
Ph: (757) 961-0215  
Fax: (757) 961-7244

REVISION:

DATE:

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# CAPE CHARLES YACHT CENTER

## PHASE 1 - PARCELS 12 AND 17

### LANDSCAPE PLAN SHEET

DESIGNED: JDS  
DRAWN: JDS  
CHECKED: DWM  
SCALE: 1"=20'  
DATE: 1/17/13  
FILE: 211C-LS-SHEETS  
PROJ. #: 2111203.00  
SHEET NO.

LS02  
23 OF 23 SHEETS



## Harbor Area Review Board Staff Report

**From:** Tom Bonadeo  
**Date:** March 13, 2013  
**Item:** South Port Investors – Cap Charles Yacht Center  
**Attachments:** General and Detailed Application information.

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### Application Specifics

South Port Investors has been working with the Town Council on the development of the Cape Charles Yacht Center Project for nearly five years. South Port Investors purchased the Sustainable Technologies Industrial Park from Northampton County. South Port has leased multiple parcels from the Town of Cape Charles for the purpose of developing the Yacht Center. The leases are structured in that manner.

The Town Council has approved a Conditional Use Permit for the uses of boatel, marine engine repair, security fence (6') and a dwelling over the storage building.

The application, fee, Project Description (letter of application) and plot plan have been received. These are required for the General Application and the Site Development Plan has also been received. Only relative portions of the site plan have been reproduced for this meeting. This plan currently represents Phase I of the Yacht Center development and as such contains only one new building, a fence, the boatel structure and the pedestrian walkway and surrounding plantings. These structures will be built on Parcel 12, the site of the old "Fish House". Parcel 17, located across the street will be used "as is" except for the addition of 2 fuel storage tanks as show on the plans.

The Harbor District zone lists Criteria for Review of the application.

1. The use of the property is a working waterfront as shown in the Harbor Area Master Plan.
2. There are no historic structures to be preserved on this site. The old fish house was neither historic nor safe.
3. The plan shows the parking areas and meets the table of parking standards in the zoning ordinance.
4. The plan shows the entrances and exits and these are under review by VDOT at the present time. Comments have been received and are being integrated into the final site plan.
5. No alleys are required in this development.
6. No trash is detailed along any public ROW.
7. Traffic statistics have been supplied to VDOT for review.
8. The Harbor District requires 25% open space and this plan meets that requirement.
9. The plan accommodates a public walkway along the property. The walkway is delineated from the working waterfront by the fence around the vehicular area. The walkway is separated from the street by a smaller fence and landscaping.

10. The building while small in footprint it is two stories and located next to the boatel structure. This location is a functional part of the working waterfront and does not conflict with the massing of other structures on the site.
11. The architecture of the building fits within the guidelines of the Architectural Guidelines.
12. The area is mostly open and the new boatel structure is an open structure. Micro climate effects should not be a problem in this phase of construction.
13. The lighting of the Coast Guard Station is the brightest in the harbor area. This lighting will not "outshine" the Coast Guard area.
14. The applicant has located the boatel structure and storage building on the northern boundary with the coast Guard. This keeps the western view shed intact at the corner of Bayshore Road and Marina Drive.
15. The plan adheres to both the Cape Charles Harbor Conceptual Master Plan and the Design Guidelines and the zoning ordinance.

This project has been in development for some time and the applicant has had time to work with the zoning administrator and other staff to provide the best fit with the existing ordinances. This is a working waterfront project and not a housing or retail development.

The landscaped pedestrian walkway, the western view shed and the large boats will add significantly to the attractiveness of the Harbor and add needed jobs to the area.

### **Recommendation**

Review the plan in accordance with the above criteria. Forward the project to Town Council with a recommendation. A second review meeting is required only if the project does not meet the requirements of the ordinance.



**Engineering Resources Group, LLC**

Cleveland Park Business Center  
5741 Cleveland Street, Suite 120  
Virginia Beach, VA 23462  
Ph: (757) 961-6215 Fx: (757) 961-7244

January 25, 2013

Mr. Tom Bonadeo, Town Planner  
Town of Cape Charles Planning Department  
2 Plum Street  
Cape Charles, VA 23310

**RE: Harbor Development Plan  
Cape Charles Yacht Center - Phase I  
Parcels 12 and 17  
Cape Charles, Virginia  
ERG Project No. 2111203.A**

The following items are attached for Harbor Area Review Board review and approval:

| Item | Copies | Description                                    |
|------|--------|------------------------------------------------|
| 1    | 1      | Application for Harbor Development Certificate |
| 2    | 5      | Business Plan                                  |
| 3    | 5      | Harbor Development Plan                        |
| 4    | 5      | Harbor Development Plan Reduced Size           |
| 5    | 5      | Elevation Plan                                 |

The required Application Fee was previously provided by the applicant on a development plan that encompassed the subject property that did not move forward. As the scale of the project has since been reduced, we respectfully request that the difference between the previous fee paid and the required fee for this application be reimbursed by the Town to the applicant.

Feel free to contact me at (757) 961-6215 or [dmacLennan@ergroup.net](mailto:dmacLennan@ergroup.net) if you have any questions or need additional information.

Sincerely,

Donald W. MacLennan, P.E.  
President  
Engineering Resources Group, LLC



**Municipal Corporation of Cape Charles, Virginia  
Application for Harbor Development Certificate**

Date: 1/25/13  
Permit No: \_\_\_\_\_  
Fee: \$1,160.00

Proposed Use: Boat & Marine Engine Repair Yard, Boatel, Equipment Storage, Dwelling  
Present Zoning: Harbor District  
Location Address: East End of Cape Charles Harbor at Bayshore Road and Marina Road  
Tax Map ID: Parcel 12: 083A3-((OA))-00-012 Acreage: 1.09 Total, 1.04 Disturbed  
Parcel 17: 083A3-((OA))-00-017 Acreage: 11.19 Total, 0.63 Disturbed

I (We) hereby petition the Cape Charles Town Council for a Harbor Development Certificate to provide the above use on the above-mentioned property.

I (We) acknowledge the fact that all pertinent information required by the Harbor Area Review Board and Zoning Office must be submitted in a timely manner so that required public hearings can be scheduled and advertised. Applicant or representative must be present in the public hearing.

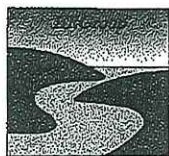
Land Owner's Lessee Signature: \_\_\_\_\_  
Address: P.O. Box 395, Eastville, VA, 23347  
Phone Number: (757) 678-5880

Harbor Area Review Board Meeting  
Date: \_\_\_\_\_ Time: \_\_\_\_\_ Place: \_\_\_\_\_

**Harbor Development Certificate  
Application Checklist**

1. Completed Application
2. Payment of Fees (\$300.00 + \$70.00 per acre)
3. Letter of Application stating general terms of property use, effect of changes on the surrounding area, and the reason for the request.
4. A Plot Plan in accordance with the Site Plan Ordinance

Detailed Application information shall be added per Section 3.9.G.1.b of the Zoning Ordinance when required.



**Engineering Resources Group, LLC**

Cleveland Park Business Center

5741 Cleveland Street, Suite 120

Virginia Beach, VA 23462

Ph: (757) 961-6215 Fx: (757) 961-7244

**Project Description and Business Plan**

Cape Charles Yacht Center - Phase I

Parcels 12 and 17

**Summary**

South Port Investors, LLC is launching the Cape Charles Yacht Center project on the east end of the Cape Charles Harbor at the intersection of Bayshore Road (S.R. 1117, S.R. 1108) and Marina Road (S.R. 1108). The Yacht Center is located within the Harbor District and consists of Parcels 12, 17, 19, and 20.

**Project Description**

This project is to be developed in accordance with Zoning Ordinance Section 3.9.C.1 in which the marine related boat and marine engine repair and boatel use is permitted subject to securing a Conditional Use Permit.

The purpose of this project is for the construction of a waterfront boat and marine engine repair yard, boatel, 1,200 sq ft equipment storage building with second floor dwelling, and adequate utilities to service Parcel 12. This also includes dredging, docks, bulkheads, and operation areas for both a 75 ton travel lift and a boat fork lift operation.

The operations will extend on to Parcel 17 with provisions for boat repair, marine engine repair, boatel, equipment storage and dwelling. Gasoline and diesel storage tanks will also be located on Parcel 17. The existing former Town of Cape Charles Wastewater Treatment Plant building and asphalt drive are to remain and be reused. The building will be used for equipment storage and house the operations office space. The utilities serving Parcel 17 will be upgraded as needed for the proposed use.

The Cape Charles Yacht Center project will be constructed in phases based on owner and operator needs. The future use of Parcels 19 and 20 is unknown at this time and will be addressed with a future phase of development.

The total area of Parcel 12 is 1.09 acres and the total area of Parcel 17 is 11.19 acres, including 2.58 acres of wetlands, for a total of 12.28 acres in Phase I.

A total of 1.67 acres between Parcels 12 and 17 will be disturbed in Phase I. Less than one tenth of an acre of Parcel 19 will be disturbed to improve the existing entrance off of Bayshore Road onto Parcel 19 as a shared commercial entrance serving both Parcels 12 and 19. Additionally, a portion less than one tenth of an acre of the Town of Cape Charles Harbor Parcel 10 will be impacted to house the proposed floating docks and travel lift piers.

Off site work related to the development will occur in the Bayshore Road and Marina Road right of way. An existing material storage and stockpile area to be used during construction is located on STIP Park Parcel 90.



### **Location**

The existing sites are both previously developed properties. Parcel 12 was a previously developed waterfront site along the eastern edge of the Cape Charles Harbor that has been cleared of existing structures and is currently gravel and packed dirt and remains vacant. The northern portion of the parcel is low and is subject to tidal action of the harbor. This parcel has access to a public right of way by the use of a shared entrance on adjacent Parcel 19 to the southwest.

Parcel 17 was the former Cape Charles Waste Water Treatment Plant. The majority of the plant structures and equipment have been removed, with the plant building and existing asphalt on site to remain and be reused. A portion of Parcel 17 is low laying wetlands that are subject to tidal flooding. Special precautions will be taken to ensure that this area will not be disturbed during construction.

Parcel 12 is bound by the Cape Charles Harbor to the west, a United States Coast Guard station to the north, and the public right of ways of Marina Road and Bayshore Road to the east and southeast. To the southwest is Parcel 19, an undeveloped waterfront property which shares a common entrance with Parcel 12.

Parcel 17 is bound to the north and west by the public right of way of Bayshore Road, bound to the east by the properties of Sinclair Telecable housing a telecommunications tower and facilities, and to the south by undeveloped parcels of the Sustainable Technologies Industrial Park.

The proposed use will effectively utilize one of the Town of Cape Charles's greatest resources, its waterfront location, to attract visitors and businesses to the Town. The proposed use will compliment, not compete, with the surrounding properties.

### **Pedestrian Access, Safety, and Visibility**

As part of the Harbor District, a 10' asphalt pedestrian harbor walk will be provided on the eastern edge of the property from the Coast Guard property on Marina Road to north of the shared entrance into the site on Bayshore Road. This allows for pedestrian access to the harbor and future development. Due to physical and property limitations, the connection of the 10' walk will stop just short of the Coast Guard entrance. A 42" split rail wooden fence, as well as bushes and shrubs, will be placed between the pedestrian walkway and the railroad tracks for public safety. No trees will be planted along Bayshore Road to ensure that the view of the harbor is not blocked from public roadways.

A 72" black coated chain link security fence will tie into the Coast Guard chain link fence on Marina Road and run down the north side of Bayshore Road and turn west to the harbor to secure Parcel 12. A gate will be placed just north of the end of the pedestrian harbor walk. Parcel 17 is currently secured by a chain link fence which is to remain. In accordance with Zoning Ordinance Section 4.2.G.3 a Conditional Use Permit is required for the proposed non-conforming fence. As the proposed use will be operating in an open work environment, as opposed to closed buildings, the use of the 72" high chain link fence will help protect the expensive investments of both the operator and the customers on site. Additionally, the chain link fence is to secure the work area as large equipment will be maneuvering around the site and keep pedestrian traffic outside of the work area while still maintaining the views of the Harbor.

### **Landscaping**

Landscape buffers will be used along the northern portion of the site along Marina Road. Care will be taken to ensure that the proposed building locations do not infringe on any potential harbor views from public roadways.

Additionally, careful consideration has been given to the security of the Coast Guard property when selecting plantings and their locations along the northern property boundary.



## **Projected Costs**

South Port Investors, LLC currently maintains a lease agreement with the Town of Cape Charles to develop and operate all of the parcels comprising of the Cape Charles Yacht Center Master Plan - Parcels 12, 17, 19, 20, and a portion of Parcel 10.

Construction costs for the first phase of the Cape Charles Yacht Center project are gauged at approximately five million dollars (\$5,000,000) and will be assumed by South Port Investors, LLC and their investors.

## **Construction**

Phase I construction is expected to take 6 months. The engineering and architectural drawings are at 90% completion. The Conditional Use Permit (CUP) was approved by Council in January 2013. The construction plans were then submitted to the Town for review and approval in January 2013. Bids for construction will be finalized once local and state reviews are complete and permits for construction are ready to be issued. Permits for dredging and wetlands have been secured with all local, state, and federal agencies.

## **Operations**

The operations of the Phase I facility will be spread between Parcel 12 and Parcel 17 by a single operator. The Yacht Center will be operated by a full time professional staff and offer boat storage and repair services, including, but not limited to, mechanical repair, fiberglass repair, welding and metal fabrication, and painting.

Parcel 12 operations will include all waterfront activities, including, but not limited to, launching and recovery of boats from the Harbor by either travelift or forklift, refueling of boats, pumping out of boat sewage tanks from dockside connections, and minor repairs that can be completed while the boats are in the water and tied to the floating docks. An equipment storage building with second floor dwelling is located adjacent to the bulkhead to support the waterfront operations. The purpose of the second floor dwelling is to ensure that local and out of town workers have an onsite resting and restroom facility. A boatel with a storage capacity of up to 33 boats is also to be located on Parcel 12. The primary purpose of the proposed boatel is to provide rental space. Parking for the boatel rental space has been designated on Parcel 17 adjacent to the operations office space.

Parcel 17 operations will include the main facility office and equipment storage building as well as an additional laydown area for long term boat storage and repairs. Boats in need of long term repair or maintenance, boats that are larger than available dry storage racks, or when the boat racks are full, would be stored on Parcel 17 allowing Parcel 12 to remain clear for waterfront operations. Painting and fiberglass work will be performed under temporary tenting with impervious tarp ground protection within the stone work area on Parcel 17 until a permanent paint and repair facility is constructed on Parcel 17. An area of boat trailer parking has been designated on the parcel. Additionally, above ground diesel and gasoline fuel tanks will be located on Parcel 17 to supply the waterfront fueling dispensers on the floating docks.

Additional parking has been designated on both Parcels 12 and 17 in accordance with the Town zoning ordinance to accommodate the spaces needed for the equipment storage facilities, dwelling, and office space.

Future boat repair, marine engine repair, boatel, equipment storage and dwelling operations will extend on Parcel 17 as needed for operations.

This project is working towards meeting the Virginia Clean Marina designation requirements.

Initial operations of the facility will produce income from repair services and boat rental space. This income will be further enhanced by fuel and retail sales.



## **Traffic Analysis**

### **Trip Generation**

Based upon ITE Code 420, 11 slips will produce 33 daily and 2 PM Peak trips for Parcels 12 and 17 (single operator). Neither proposed entrance warrants left or right turn lanes at this time.

### **Access Management**

Bayshore Road is a 2 lane, 25 mph rural local roadway. In accordance with Table 2-2 and Figure 4-11 in Appendix F of the VDOT Road Design Manual, the proposed entrances meet the minimum 50' spacing required from return of radius to return of radius.

The existing entrance off of Bayshore Road onto Parcel 19 will be improved as a VDOT standard shared commercial entrance serving both Parcels 12 and 19. Both parcels are owned by the Town of Cape Charles; therefore, an easement is not required at this time. The railroad crossing will also be improved. All necessary approvals and easements will be obtained from the railroad.

A new VDOT standard commercial entrance is proposed off of Bayshore Road onto Parcel 17 across from the improved shared entrance serving Parcels 12 and 19. The existing entrance serving Parcel 17 will be closed upon completion of the Town of Cape Charles Waste Water Treatment Plant demolition or the construction of the new entrance.

The existing entrance on Parcel 20 is to remain as a shared entrance serving the future development of both Parcels 20 and 11-001.

The geometrics and pavement design of both proposed entrances, as well as, the subject portion of Bayshore Road to be improved are designed to handle the marine operations vehicles and heavy equipment.

### **Turn Lane and Taper Warrant Analysis**

In accordance with Figure 3-26 in Appendix F of the VDOT Road Design Manual, due to the low AADT and trips generated by this project, neither proposed entrance warrants a right turn lane or taper at this time.

## **Stormwater Management**

Stormwater management facilities, including bio-retention planting beds and water quality swales, are incorporated into the design to ensure that all state and local water quantity and quality requirements are met or exceeded. Our design intent is for no net stormwater runoff during a 10 year storm event, meeting the MS-19 requirements for this site. This is achieved by strategic grading and the minimal use of impervious surfaces. Primary driveway, work areas, and parking areas of this project use pervious stone surfaces to reduce the impervious area for the project.

Additionally, the proposed water quality swales will capture the untreated stormwater runoff within the State maintained right of way adjacent to the proposed development, treat, and convey the runoff at non-erosive velocities to the nearest outfall with adequate capacity.

A Stormwater Pollution Prevention Plan will be prepared for this project.

### **Erosion & Sediment Control**

All vegetative and structural erosion and sediment control practices shall be constructed and maintained according to minimum standards and specifications of the Virginia Erosion & Sediment Control Handbook. There are no apparent non-standard erosion & sediment control devices required for this project.



## **Water Services**

### **Parcel 12**

The proposed water meter and detector check serving Parcel 12 will be located at the eastern portion of the property adjacent to Marina Road. The proposed water service line will tie into the existing 8" water main. Adequate water services are provided to the equipment storage building with 2<sup>nd</sup> floor dwelling located at the northwestern corner of Parcel 12 and to the dockside pedestals.

An advanced water recycling system will be used at the wash rack that has a zero discharge closed loop system that is encouraged by the EPA and reduces the water and sewer service needs of the development; therefore, minimal water services are needed for this wash rack.

### **Parcel 17**

The existing former Town of Cape Charles Waste Water Treatment Plant building is to remain on Parcel 17. The building will be used for equipment storage and office space. No new fixtures are proposed for Parcel 17; therefore, the existing water service line and meter are to remain.

## **Sanitary Sewer Services**

### **Parcel 12**

A SaniSailor Sentinel M300 High Vacuum System will be located on the longest length of floating dock run and will be used as a dockside pump station. This system is designed for high capacity with moderate frequent use.

The SaniSailor force main will run along the floating dock, under the stone work area adjacent to the proposed bio-retention areas, and tie into the new grinder pump station wet well. A bypass force main connection will also be provided that will tie directly into the new grinder pump station force main, bypassing the grinder pump station.

The new grinder pump station will serve the proposed equipment storage building with 2<sup>nd</sup> floor dwelling located at the northwestern corner of Parcel 12. The pump station will be located within the building porch area at the building finished floor elevation to ensure that the pump station rim elevation is the minimum 6" above the 100 year flood elevation of the property.

The pump station force main will run under the stone work area, tie into the proposed SaniSailor force main bypass pipe, run along the northern landscape buffer, and tie into the existing 6" force main on Bayshore Rd.

An advanced water recycling system will be used at the wash rack that has a zero discharge closed loop system that is encouraged by the EPA and reduces the water and sewer service needs of the development; therefore, no sanitary sewer provisions are needed for this wash rack.

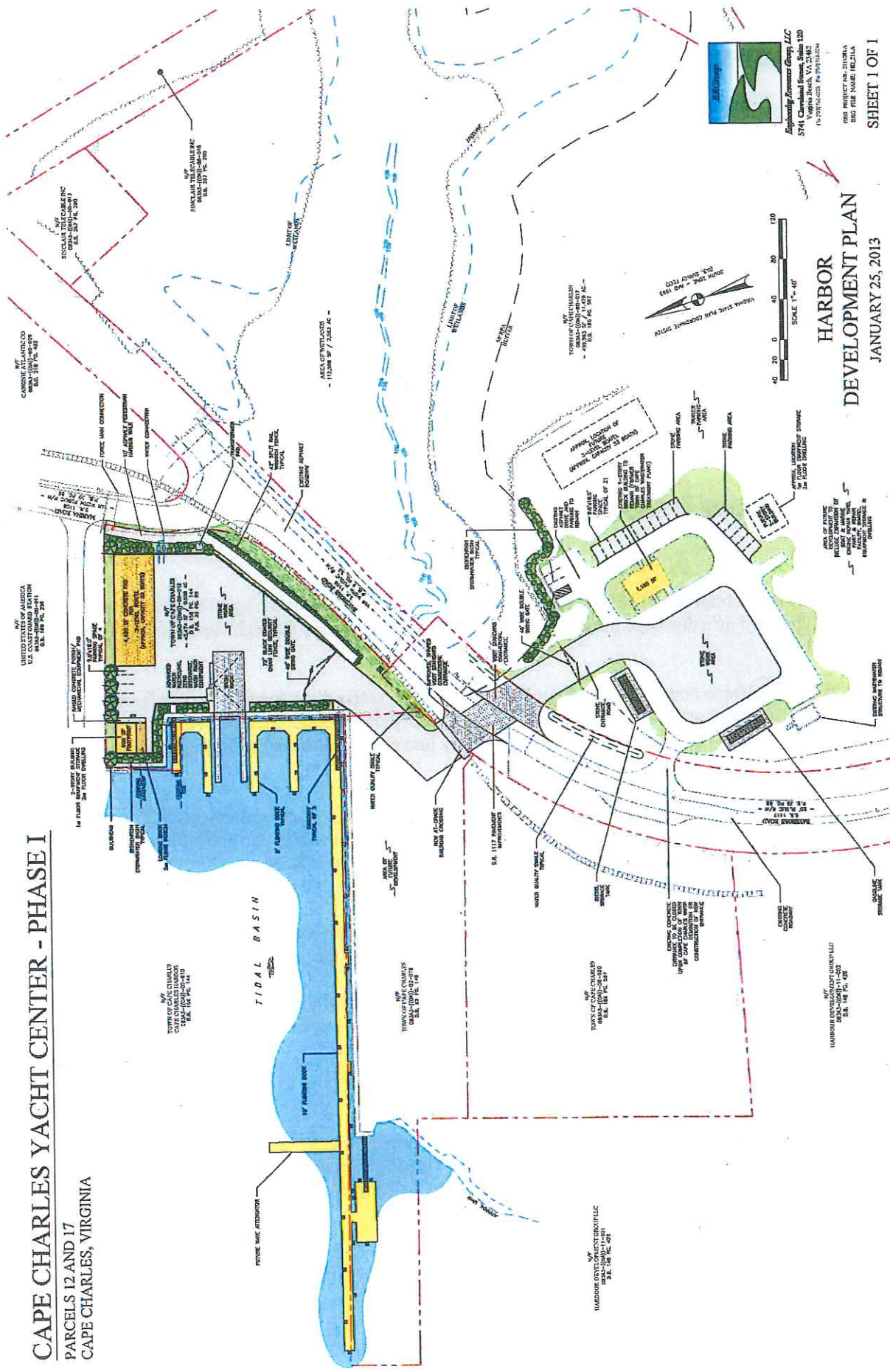
### **Parcel 17**

The existing pump station and 6" force main serving the old Town of Cape Charles Waste Water Treatment Plant will be replaced with a grinder pump station and smaller force main that will connect to the existing, relocated 2" STIP Park force main before tying into the existing 6" force main on Bayshore Road.



# CAPE CHARLES YACHT CENTER - PHASE I

PARCELS 12 AND 17  
CAPE CHARLES, VIRGINIA



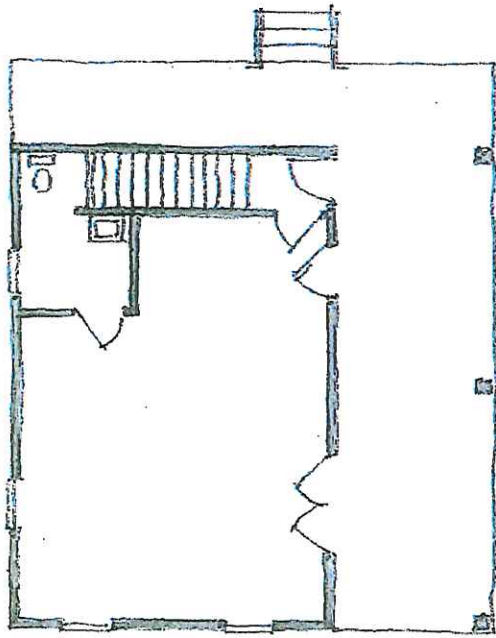
Harbor Development Group, LLC  
5741 Cleveland Street, Suite 120  
Virginia Beach, VA 23462  
P: 757/461-1111 F: 757/461-1112

PROJECT NO. 210101  
BIG BLUE POINT, VIRGINIA

SHEET 1 OF 1

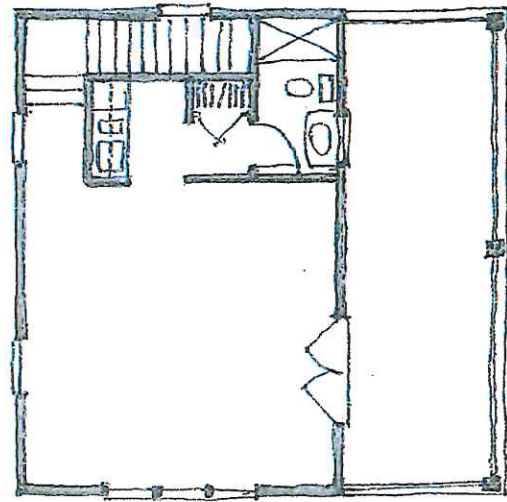
HARBOR  
DEVELOPMENT PLAN  
JANUARY 25, 2013





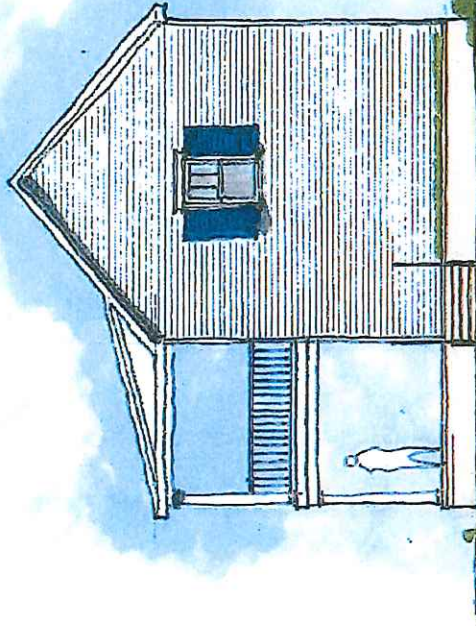
FIRST FLOOR PLAN

SCALE:  $\frac{1}{8}" = 1'-0"$



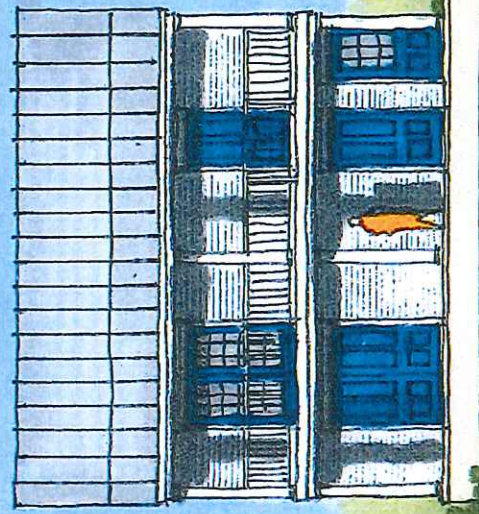
SECOND FLOOR PLAN

SCALE:  $\frac{1}{8}" = 1'-0"$



EAST ELEVATION

SCALE:  $\frac{1}{8}" = 1'-0"$



SOUTH ELEVATION

SCALE:  $\frac{1}{8}" = 1'-0"$

CAPE CHARLES YACHT CENTER  
STORAGE BUILDING





# **DRAFT**

## **Harbor Area Review Board**

### **Regular Meeting**

**Town Hall**

**March 19, 2013**

**6:00 p.m.**

At 6:00 p.m. in the Town Hall, Chairman Ralph Orzo, having established a quorum, called to order the Harbor Area Review Board (HARB) Meeting. In attendance were Board members Laurie Klingel, Dennis McCoy, Joan Natali and Mike Sullivan. Board member Steve Michel was out of town and unable to attend. Currently, the Historic District Review Board representative's position was vacant. Also present were Town Planner Tom Bonadeo, Town Clerk Libby Hume, Gloria Bradley, from South Port Investors, and Don MacLellan from Engineering Resources Group. There was one member of the public in attendance.

Joan Natali stated that she had to leave the meeting this evening by 6:45 p.m. in order to attend another meeting.

Ralph Orzo offered the invocation and led the Pledge of Allegiance.

#### **CONSENT AGENDA**

**Motion made by Mike Sullivan, seconded by Laurie Klingel, and unanimously approved to accept the agenda format as presented.**

The Board members reviewed the minutes from the December 20, 2011 Regular Meeting.

**Motion made by Joan Natali, seconded by Dennis McCoy, and unanimously approved to accept the minutes from the December 20, 2011 Regular Meeting as presented.**

#### **OLD APPLICATIONS**

There was no Old Business to review.

#### **NEW BUSINESS**

##### ***South Port – Phase 1 Plan***

Tom Bonadeo stated that South Port Investors had been working with the Town Council on the development of the Cape Charles Yacht Center Project for nearly five years. South Port purchased the former Sustainable Technologies Industrial Park from Northampton County and leased multiple parcels from the Town for the purpose of developing the Yacht Center. Tom Bonadeo informed the Board that the Town Council had approved a Conditional Use Permit for the uses of boatel, marine engine repair, a 6' security fence and a dwelling over the storage building. Tom Bonadeo added that the application, fee, project description and plot plan, which were required for the General Application, had been received along with the Site Development Plan, but only relative portions of the site plan had been reproduced for this meeting. This plan currently represented Phase 1 of the Yacht Center development and contained only one new building, a fence, the boatel structure and the pedestrian walkway and surrounding plantings. These structures would be built on Parcel 12. Parcel 17, which was located across the street, would be used as is with the exception of the addition of two fuel storage tanks as shown on the plans.

Tom Bonadeo introduced Don MacLellan, the engineer working with South Port Investors on this project.



Mr. MacLellan gave an overview of Phase 1 of the Cape Charles Yacht Center Project and referring to the Harbor Development Plan dated January 25, 2013, pointed out the locations of the travel lift, floating docks, fork lift operation, boat repair facilities, and the boatel and storage building / dwelling unit. Mr. MacLellan explained the wash rack for cleaning boats as they are lifted from the water, storm water management system and bio retention area. The small structure would be used for equipment storage on the first floor and an apartment for use by boat captains and others using the facility would be on the second floor of the building. Mr. MacLellan went on to point out the 10' wide pedestrian walkway which would start at the Coast Guard Station and come across Parcel 12 and onto Parcel 19. The walkway would be separated from the boat storage area by a security fence and there would also be a fence on the opposite side by the railroad track. There would be low-lying landscaping throughout the area so as not to interfere with the view shed and for security purposes on the Coast Guard side of the property. South Port Investors was working with VDOT regarding the boat crossing area across Bayshore Road. South Port would be keeping the former operations building of the old wastewater treatment plant for use as an office and restroom facilities. Parcel 17 would be used as the parking area for vehicles, boats and trailers.

There was some discussion regarding public access to the lift area and docks but Mr. MacLellan alleviated any concerns stating that the operators were not concerned and that there would be railings installed for safety purposes. Tom Bonadeo added that he looked at the area and the floating docks were approximately 6' below ground level making it difficult for people to climb up into the work area, similar to the difficulty of climbing a 6' security fence.

There was some discussion regarding the plantings listed in the plans and whether they were native plants. Joan Natali also noted that the plants were not included in the Town's Master Tree Plan. Laurie Klingel stated that three of the six plants were native plants. Mr. MacLellan explained that the plantings followed the Chesapeake Bay buffer regulations and were salt water tolerant. Also, they did not want any tall plants on the Coast Guard side to interfere with their security. Tom Bonadeo added that the Town's Master Tree Plan was written prior to the emphasis on native plants to the Shore and went on to state that it would be good to include native plants if they were appropriate in size.

Ralph Orzo asked if the travel lift, fork lift, boatel, etc. had been purchased. Mr. MacLellan stated that some of the items were being manufactured and others were in the process of being purchased.

Laurie Klingel asked about the pavement depicted on the plans. Mr. MacLellan stated that the area would be covered with 14" of packed stone. South Port did not want to pave the area, but strength was needed to accommodate the travel lift.

Since there were no further questions, Tom Bonadeo explained that the Harbor District zone listed criteria for review as follows: i) The use of the property was a working waterfront as shown in the Harbor Area Master Plan; ii) There were no historic structures to be preserved on this site. The old fish house was neither historic nor safe; iii) The plan showed the parking areas and met the table of parking standards in the zoning ordinance; iv) The plan showed the entrances and exits which were under review by VDOT. Comments had been received and were being integrated into the final site plan; v) No alleys were required in this development; vi) No trash was detailed along any public right-of-way; vii) Traffic statistics had been supplied to VDOT for review; viii) The Harbor District required 25% open space and this plan met that requirement; ix) The plan accommodated a public walkway which was delineated from the working waterfront by the fence around the vehicular area along the property. The walkway was also separated from the street by a smaller fence and landscaping; x) The building would be located next to the boatel structure and was two stories high. The location was a functional part of the working waterfront and would not conflict with the massing of other structures on the site; xi) The architecture of the building would fit within the guidelines of the Architectural Guidelines; xii) The area was mostly open and the new boatel structure would be an open structure. Micro climate effects should not be a problem in this phase



of construction; xiii) The lighting of the Coast Guard Station was the brightest in the Harbor area and the proposed lighting for this project would not outshine the Coast Guard area; xiv) The boatel structure and storage building would be located on the northern boundary with the Coast Guard keeping the western view shed intact at the corner of Bayshore Road and Marina Drive; and xv) The plan adhered to the Cape Charles Harbor Conceptual Master Plan, the Design Guidelines and the zoning ordinance. This project had been in development for some time giving the applicant ample time to work with the zoning administrator and other staff to provide the best fit with the existing ordinances. Tom Bonadeo added that this was a working waterfront project and not a housing or retail development and that the landscaped pedestrian walkway, the western view shed and the large boats would add significantly to the attractiveness of the Harbor as well as adding much needed jobs to the area. South Port had also taken extra steps to make the area attractive.

There was some further discussion regarding handicap access to the public areas and the pedestrian sidewalk. Mr. MacLellan stated that the sidewalk currently came to a dead end but would be extended onto Parcel 19 in a future phase.

**Motion made by Mike Sullivan, seconded by Dennis McCoy, to recommend Town Council approval of the Harbor Development Certificate for the Cape Charles Yacht Center Project – Phase 1 as presented. The motion was approved by majority vote with Laurie Klingel abstaining due to a possible conflict of interest in that she may be performing some work for the developer regarding the plantings for the project.**

Tom Bonadeo added that South Port had been working on the wetlands mitigation and had obtained all other necessary permits. Mr. MacLellan stated that this issue was the last approval needed before they could continue with the construction. Several other items needed to be done, such as installation of a bulkhead and utilities. Timing issues needed to be resolved with contractors and the railroad as well.

#### **OTHER BUSINESS**

There was no other business to discuss.

#### **ANNOUNCEMENTS**

There were no announcements made.

**Motion made by Mike Sullivan, seconded by Joan Natali and unanimously approved to adjourn the Harbor Area Review Board meeting.**

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Chairman Ralph Orzo

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Town Clerk





**TOWN COUNCIL**  
**Regular Meeting**  
**St. Charles Parish Hall**  
**March 21, 2013**

*Go to pg. 8*

**Immediately Following Public Hearing**

At 6:05 p.m. Mayor Dora Sullivan, having established a quorum, called to order the Regular Meeting of the Town Council. In addition to Mayor Sullivan, present were Vice Mayor Bannon, Councilmen Bennett, Sullivan and Wendell, and Councilwoman Natali. Councilman Godwin was not in attendance. Also in attendance were Town Manager Heather Arcos, Town Planner Tom Bonadeo and Town Clerk Libby Hume as well as the Department Heads and approximately 25 members of the public.

Mayor Sullivan gave the invocation which was followed by the recitation of the Pledge of Allegiance.

**RECOGNITION OF VISITORS / PRESENTATIONS**

*Hugh Sharkey – Spay the Shore Presentation*

Mr. Sharkey addressed the Council regarding Spay the Shore which was a non-profit organization of volunteers dedicated to providing alternative to euthanizing abandoned, stray and feral cats and kittens. Their van was brought to Cape Charles every other month to offer low cost spaying/neutering for both dogs and cats. Mr. Sharkey went on to detail a proven solution to trap feral cats, neuter them and administer a rabies shot, and return them to their environment (TNR). The tips of their ears were removed to keep track of which cats had been neutered. Over time, approximately 6-10 years, the feral cat population would be diminished. Mr. Sharkey stated that for TNR to be successful, it required the support of the community and local government. Mr. Sharkey thanked the Council for the opportunity to speak and distributed brochures regarding the Spay the Shore organization.

*Marion Naar – Cape Charles Historical Society*

Ms. Naar began by thanking the Council for the \$5K appropriation provided to the Historical Society in FY2013 which was used toward completion of the repairs to the museum ceiling and installing a new roof. Ms. Naar added that the Town helped them with the mulch for the landscaping and also allowed her to use the Town's copier/printer when needed. Many of the Council members were also members of the Historical Society. The Historical Society was requesting designation of another \$5K in FY 2014 towards their current operations and projects which included the following: i) Painting the exterior and refurbishing the interior of the caboose; ii) Looking for a home for the County Store Collection which was purchased a number of years ago for \$75K, with the Town providing \$25K; iii) The hiring of a professional director of the Historical Society who could manage operations of the museum, cataloging of archives and development of the Society to better serve the Town and community. This position could start as a part-time position with a salary of approximately \$15K, with the Historical Society contributing about \$3K from their operating funds.

*Carol Evans – Eastern Shore of Virginia Tourism Commission*

Ms. Evans introduced Mr. David Shulte who was also in attendance and continued to state that she was the commissioner for Northampton County. Ms. Evans thanked the Council for their past support and added that the Eastern Shore of Virginia Tourism Commission (ESVTC) was requesting another \$5K again this year for the Welcome Center sponsorship. A survey was done of 120K travel parties and approximately 38%, which equated to 45,600, visited Cape Charles. The Cape Charles businesses also stated that the exposure at the Welcome Center helped their businesses. Ms. Evans



also thanked Council for the 1% designation of the Transient Occupancy Tax for the ESVTC. There had been numerous articles about Cape Charles in the national media outlets. Ms. Evans expressed her delight in the new Cape Charles Tourism website and added that the ESVTC website was the most comprehensive site for events on the Eastern Shore.

Councilwoman Natali asked about the amounts contributed by other localities. Mr. Shulte stated that Onancock gave \$2,750, Accomack County gave \$86,853, Northampton County gave \$114K and Cape Charles gave \$11,300 in the last fiscal year. Councilman Wendell asked about the Town of Chincoteague. Mr. Shulte stated that Chincoteague did not contribute directly, but did so via the transient occupancy tax amount paid by Accomack County.

#### *Joan Prescott – ESVA Festivals*

Ms. Prescott began by thanking the Council for the \$5K seed money and generous in-kind support for the 2012 OpSail Virginia celebration and the more far-reaching tall ships initiative. Ms. Prescott also thanked Council for their continued support of the Eastern Shore Birding and Wildlife Festival which would be marking its 21<sup>st</sup> year in October 2013. Both events were managed under the umbrella of ESVA Festivals. Ms. Prescott stated that she was aware of the challenges facing Council but believed that an investment in the ESVA Festivals was one that would provide the Town with major economic return through the impact of tourism spending and added that the Virginia Tourism Corporation research demonstrated that Northampton County had the highest statewide increase of tourism revenue for 2010. Ms. Prescott continued to state that ESVA Festivals was beginning the process of seeking a location for a “store-front” presence in the Town and for the provision of a full-time executive director. As part of their growth, the ESVA Festivals would work toward a self-sustaining operation, however; at this time, they must obtain funding to market their two current events. Ms. Prescott requested funding assistance in the amount of \$10K in support of ESVA Festival’s Tall Ships at Cape Charles and the Eastern Shore Birding and Wildlife Festival and added that Northampton County had already pledged \$45K in support for the Tall Ships Festival. To date, three ships had confirmed their attendance from June 14 – 16: the Sultana, the Alliance and the Virginia. The Virginia was considering a longer stay in Cape Charles but that was still under negotiation.

#### *George Proto – Cape Charles Business Association*

Mr. Proto began by stating that he was elected President of the Cape Charles Business Association (CCBA) about one week ago and added that the CCBA was requesting \$2,500 in funding assistance, which was the same as last year’s request, to be used towards the following projects: i) Sponsorship of internet classes to familiarize business owners with little or no experience in this area with e-business tools; ii) Sponsorship of social network marketing classes; iii) Workshops for start-up businesses on the basics of running a business – sales tax applications, hiring, dealing with credit cards, etc.; iv) Prizes for store window decorations for various events such as the Blessing of the Fleet, Crabby Blues, July 4<sup>th</sup> Celebration, Tall Ships, Pirates & Wenches Ball, Sea Glass, etc.; v) Advertising to promote local businesses during various events; vi) Sponsorship for the Fall Festival; and vii) Sponsorship of the Art Show. Mr. Proto stated that these events would be reviewed and prioritized in terms of effectiveness in drawing business into Cape Charles and the implementation cost to maximize the effectiveness of the fund spent. Mr. Proto concluded by thanking Council for the Town’s support in the past and for the opportunity to seek further support to grow the business community to the mutual benefit of the Town and its businesses.

Vice Mayor Bannon wished Mr. Proto luck as President of the CCBA and for the future of the CCBA. Mayor Sullivan expressed her excitement to see the CCBA grow.

#### *Spencer Parker – Cape Charles Volunteer Fire Company*

Mr. Parker thanked the Council for their support over the last years, that it was greatly appreciated by all the members and added that anything that the Town could designate for the Cape Charles Volunteer Fire Company (CCVFC) would again be greatly appreciated. Mr. Parker informed Council of their recent acquisition of the brush truck from the Greenbackville Fire Company. The bathroom



renovations should be completed this week. The CCVFC had been collecting donations and sending fire fighters to help the fire companies in Accomack County.

*Clelia Sheppard – Arts Enter*

Ms. Sheppard began by thanking the Council for their past contributions to the Local Government Challenge Grant. The past several years, the Town had given \$5K per year and this year's request was also for \$5K and was critical for their operating budget. It was very difficult and expensive to sustain a large, historic building and a new roof was needed. Ms. Sheppard stated that their programs and entertainment season was progressing well and a very full summer schedule was planned. They were in the process of organizing a two-week Summer Harbor Festival beginning with the Clam Slam and through August 18<sup>th</sup>. Ms. Sheppard concluded by expressing her gratitude again for the Town and its contributions to the Arts Enter.

**PUBLIC COMMENTS:**

*Mary Ann Roehm, Arts Enter Cape Charles*

Please see attached.

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

**CONSENT AGENDA – APPROVAL OF AGENDA FORMAT:**

**Motion made by Vice Mayor Bannon, seconded by Councilman Bennett to approve the agenda format as presented. The motion was approved by unanimous consent.**

**CONSENT AGENDA – APPROVAL OF MINUTES:**

The Town Council reviewed the minutes of the February 21, 2013 Regular Meeting, the February 21, 2013 Executive Session, the February 28, 2013 Budget Retreat, and the March 7, 2013 Work Session.

**Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to approve the minutes from the February 21, 2013 Regular Meeting, the February 21, 2013 Executive Session, the February 28, 2013 Budget Retreat, and the March 7, 2013 Work Session as presented. The motion was approved by unanimous consent.**

**DEPARTMENT REPORTS:**

**A. Treasurer's Report:**

Treasurer Kim Coates reviewed the Treasurer's report dated February 28, 2013 which showed \$231,787 in the Bank of America account, \$666,141 in the Shore Bank account, \$68,437 in the Local Government Investment Pool (LGIP) account for the New Library and \$440,184 in the Local Government Investment & Restricted Funds with the Total Cash on Hand at \$1,406,549. The reduction in the Shore Bank account was due to debt service payments which were made in January and February. The report also showed Total Cash Held in Reserve at \$356,029. Kim Coates reviewed the Tax Collection Comparison for Fiscal Years (FY) 2012 and 2013 which showed that \$221,111 more was collected in FY 2013 as of February 28<sup>th</sup> with increases noted for license, meals tax, transient occupancy, personal property taxes and real estate taxes. It was noted that the personal property totals were still being researched and adjustments would be made moving amounts collected for previous years' taxes to the appropriate category. The Business License Tax amounts were lower than FY 2012 since the FY 2013 taxes were not due until April 15<sup>th</sup>. Kim Coates also reviewed the revenues vs. expenditures and the capital improvement projects. A report showing the total value, total budgeted tax revenue, total of bills mailed, total of collections and total outstanding for real estate and personal property taxes as of February 28, 2013 was reviewed. Kim Coates noted that \$32,948 had been



processed via credit cards since the credit card swipers were installed on November 20, 2012. The report detailing the dollars spent to date on the new library building was reviewed.

Heather Arcos added that Northampton County Commissioner of Revenue Anne Sayers informed her that the updated tax book could be picked up next week. Ms. Sayers stated that the property values had decreased approximately 25%.

Kim Coates continued to review the legal fees spent year-to-date which were as follows: i) Acquisition of the Bank of America building – \$14,256.08; ii) Central Park Bathroom Facility Appeal – \$2,770. Heather Arcos stated that the VML Public Officials Liability Insurance was covering the cost of this lawsuit; iii) General Matters – \$11,742; iv) Old School Cape Charles, LLC (OSCC) lawsuits – \$76,386. This figure also included amounts spent in May and June 2012. Heather Arcos added that the VML Public Officials Liability Insurance was also covering the cost of the second lawsuit from OSCC and at the last update, the VML had accrued approximately \$25K in legal expenses for this case; v) Sale of the School building – \$16,264; vi) South Port Investors – \$16,509; and vii) Wastewater Plant Construction – \$3,620 for a total of \$141,545.

Kim Coates also stated that renewal notices were mailed to all golf cart decal owners from 2012. This year, decals had been provided to the two inspection stations in Cape Charles in an effort to streamline and simplify the decal process for golf cart owners. She was in the process of printing the delinquent real estate and personal property tax bills which should be mailed within the next week.

**Motion made by Councilman Sullivan, seconded by Councilman Bennett, to accept the Treasurer's Report as submitted. The motion was approved by unanimous consent.**

**B. *Planning Commission and Boards:***

Town Planner Tom Bonadeo reported the following: i) South Port Investors submitted a revised application for Harbor Area Review. The Harbor Area Review Board met on March 19<sup>th</sup> to review the application and had recommended approval of the application as submitted. An updated staff report was provided to Council and would be reviewed later this evening as Item 8G of New Business; and ii) A Wetlands Board Meeting would be scheduled in April as two new applications were expected. One application would be for additional work in the Bay Vista area. The second application would be from Bay Creek South for work by the Nicklaus Golf Course.

**C. *Other Departmental Reports:***

Town Manager Heather Arcos reported the following: i) The Blessing of the Fleet would be held on April 5<sup>th</sup> and a draft version of the program was provided to the Council. Since the printing of these programs, the Town was notified that the Torch Run originally scheduled for April 6<sup>th</sup> had been cancelled; ii) Three photographs of trees on Mason Avenue, by Bad Girlz, Bay Creek Communications and the old hotel were reviewed. These trees would be removed because they were not the correct trees to plant in these areas and had grown too large for their particular location and were causing damage to the sidewalks. Several of the trees were rotted and had reached the end of their life cycle. New, more appropriate trees would be planted as replacements; iii) Staff was very busy working on the budget. The next budget meeting was scheduled for April 4<sup>th</sup>; iv) The new shelving for the Library would be installed the second or third week of April. If everything went as planned, the Library could be opening on May 1<sup>st</sup>. Tom Bonadeo added that the shelving was being shipped on April 15<sup>th</sup> and would be installed the following week. The move was expected to be sometime the week of April 22<sup>nd</sup> and the Town was looking for volunteers to assist with the move. Heather Arcos asked Public Works Director Dave Fauber to give an update on the fishing pier and sidewalk project.

Dave Fauber stated that the fishing pier was expected to be reopened this weekend. The old portion of the pier was completed but some work still needed to be done to the new portion. The VDOT sidewalk project was moving along. The work on Washington Avenue was mostly



done. One crew was now working on Mason Avenue and another crew was finishing up on Tazewell Avenue. The crews would work on the respective streets and meet on Randolph Avenue.

There were no questions regarding any of the other monthly Departmental Reports.

#### **OLD BUSINESS**

**A. *Dissolution of Joint Industrial Development Authority of Cape Charles-Northampton County:***

Heather Arcos stated that the Joint Industrial Development Authority (IDA) of Cape Charles-Northampton County was created by resolution on June 5, 1972 by Northampton County and the Town of Cape Charles to administer Industrial Revenue Bond financing made to Shore Memorial Hospital and Heritage Hall until the bond was retired. The IDA was to be dissolved upon retirement of its debt. County Administrator Katie Nunez reviewed the entire outstanding bond obligations and could not locate any outstanding bond obligations. In February 2013, the IDA adopted a resolution to dissolve the body. The Northampton County Board of Supervisors held a public hearing on March 13<sup>th</sup> and adopted an ordinance to dissolve the IDA. A public hearing was held earlier this evening to hear comments regarding the dissolution of the IDA and no comments were heard or submitted in writing prior to the hearing.

**Motion made by Vice Mayor Bannon, seconded by Councilwoman Natali, to adopt Ordinance 20130321 to Repeal Ordinance 321 To Create the Joint Industrial Development Authority of Cape Charles-Northampton County, Virginia, Pursuant to the Industrial Development and Revenue Bond Act Constituting Chapter 33 of Title 15.1 of the Code of Virginia of 1950, As Amended. Mayor Sullivan moved for adoption of Ordinance 20130321 as noticed and forewent reading the Ordinance.**

Councilman Wendell objected to voting on an issue on the same night as the public hearing regarding the issue stating that it discounted the public input. Councilman Sullivan stated that there were no comments this evening. Town Clerk Libby Hume stated that Council could postpone the vote on an item to a future meeting if they felt that more time was needed for further research or discussion on the issue. Mayor Sullivan stated that this issue could be discussed later in the meeting during the Council comment period.

**Ordinance 20130321 was adopted by unanimous roll call vote. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, yes.**

**B. *Police Car – USDA Rural Development Financing:***

Heather Arcos stated that at the February 21, 2013 meeting, the Town Council authorized the application requesting \$11,745 for a US Department of Agriculture – Rural Development (USDA RD) loan to purchase a new 2013 Dodge Charger to replace the 2008 Ford Crown Victoria which was deemed a total loss after an accident on December 25, 2012. The cost of the 2013 Dodge Charger was \$23,145. The insurance proceeds of \$11,400 would be applied towards the purchase price to reduce the balance to finance to \$11,745 at 3.125% for three years with annual payments of \$4,162.20. Staff received notification from Ms. Peggy Jordan, Area Specialist with USDA RD, that the Town had received approval to proceed with the loan application. Resolution 20130321 was required to be adopted by the Town Council stating its agreement to abide by the covenants and to execute the forms required by the USDA RD.

There was some discussion regarding the necessity for each police officer to have their own vehicle. Police Chief Charles Brown explained that the mileage and hours put on the vehicles were an issue. The more hours on a vehicle, the higher the cost for maintenance and repairs. Currently, the Town was on a five-year rotation for police vehicles. If vehicles were shared by two officers, the hours and mileage would double, causing the vehicles to have to be replaced that much sooner. Also, the Town entered into a Mutual Aid Agreement with the Northampton



County Sheriff's Office to assist them with calls, if needed. If the officers were not able to take the vehicles home, it would hinder their response time for these calls.

**Motion made by Councilman Bennett, seconded by Councilwoman Natali, to authorize the Town Manager to execute all applicable forms required by the US Department of Agriculture – Rural Development in order to purchase a replacement police vehicle as discussed. Mayor Sullivan moved for adoption of Resolution 20130321 of the Governing Body of the Town of Cape Charles to Purchase a Police Vehicle and Equipment as noticed and forewent reading of the resolution. The motion was approved by unanimous roll call vote. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, yes.**

**NEW BUSINESS:**

**A. *Grounds Maintenance Service Contract:***

Public Works Director Dave Fauber stated that in February 2011, the Grounds Maintenance Service contract had been awarded to Eastern Landscape Management, Inc. (ESLM) for one year with three one-year extensions. This would be the second of three extensions. Some changes were made to the base list of areas to be mowed reducing the overall service area. With those changes ESLM's base bid for mowing services decreased to \$21,018 and the maintenance for Central Park was \$16,870 which included mowing, fertilization, aeration, herbicide spraying, mulching, pruning and irrigation. String trimming of the hump would be done as needed. The work on the hump was not part of this contract but was included in the budget. Dave Fauber explained that the Public Works staff maintained the area along Route 13, the flower beds on Mason Avenue along with other areas in Town.

Councilman Wendell asked whether anything was being done regarding the mosquito deterrent in the standing water in Central Park. Tom Bonadeo stated that the Town had a contract with Bay Creek for mosquito spraying and Town staff also added pellets to the drainage ponds in the park.

**Motion made by Vice Mayor Bannon, seconded by Councilman Sullivan, to approve the one-year extension of the Grounds Maintenance Service Contract, including the maintenance of Central Park, with Eastern Shore Landscape Management, Inc. as discussed. The motion was approved by unanimous vote.**

**B. *Water Softener Media Contract Award:***

Dave Fauber stated that the useful life of ionic exchange media was from 10 to 20 years or less depending upon the use. The media in the Town's water treatment plant was 20 years old and in need of replacement. \$50K was budgeted for replacement. The Town advertised for bids for the replacement of the water softener ionic exchange media and one bid was received from M. L. Ball Company, Inc. for \$24,750, which was subject to change depending on the amount of gravel needed to complete the work.

**Motion made by Councilman Bennett, seconded by Councilman Sullivan, to award the contract for the replacement of the water softener media to M.L. Ball Company, Inc. as discussed. The motion was approved by unanimous consent.**

**C. *Cape Charles Memorial Library Exterior Painting and Repairs:***

Dave Fauber stated that the current Cape Charles Memorial Library building was last painted in 2006 and \$15K was included in this year's budget for library painting and repairs. An invitation for bids was advertised and two bids were received. The bid was received from Bill Widgeon with a bid of \$5,500. The building appears to be in good shape but some siding needed to be replaced. The Town would supply the materials.

Councilwoman Natali stated that an advisory committee was looking into future use of the building. If the Town were to keep the building for public use, the building would have to be



modified for ADA accessibility. Councilwoman Natali asked whether the work on the ADA ramp be done prior to the painting of the building. Dave Fauber stated that the addition of an ADA ramp should not affect the painting of the exterior of the building and that it would be preferable to paint the building prior to constructing the ramp.

**Motion made by Councilwoman Natali, seconded by Councilman Bennett, to award the contract for the exterior painting and repairs of the Cape Charles Memorial Library to Mr. Bill Widgeon as discussed. The motion was approved by unanimous consent.**

**D. *Contract for Demolition of Wastewater Treatment Plant:***

Dave Fauber stated another change order was submitted for the demolition of the wastewater treatment plant (WWTP). The moisture content in the sediment was too high to be graded on site and in order to progress with site preparation the sediment was moved off site to an area just west of the new WWTP. Change Order #3 incorporated the hauling associated with this change of scope and had been invoiced in the amount of \$17,250. Dave Fauber went on to state that Change Order #4 was also being requested for grading the site west of the new WWTP which contained stock piled, rejected materials from the excavation of the new WWTP, top soil from Central Park used as a cap over the rejected material, other over excavation materials created during plant construction and the sediment brought from the old WWTP site. The dollar amount of Change Order #4 was \$35K and the work would take approximately three to four weeks. The total cost of the project was approximately \$131K, including Change Orders #3 and #4. Heather Arcos added that the Town had budgeted \$288K for closure of the plant. There was much discussion regarding Change Order #4, the cost estimate, size of the area and work being done. Dave Fauber explained he was requesting authorization for the Town Manager to sign Change Order #4 once received and payment was included as part of the grant.

**Motion made by Councilman Bennett, seconded by Vice Mayor Bannon, to authorize Change Order #3 in the amount of \$17,250 for the Brittingham contract for the additional work on the demolition of the wastewater treatment plant and to obtain a written quote for Change Order #4 with the inclusion of the description of how the work would be handled.**

There was some further discussion regarding the work and the seeding process. It was determined that the Town needed to move forward with the possibility of hydro seeding the area to ensure that the Town did not have further costs at a later date. It was also determined that once the requested information was received regarding Change Order #4, a special meeting would be scheduled to review and vote on the change order.

**Councilman Bennett amended his motion, seconded by Vice Mayor Bannon, to authorize Change Order #3 in the amount of \$17,250 for the Brittingham contract for the additional work on the demolition of the wastewater treatment plant and to obtain a written quote for Change Order #4 with the inclusion of the description of how the work would be handled along with engineering documentation. The motion was approved by unanimous vote.**

**E. *FY2013/2014 Virginia Commission for the Arts Local Government Challenge Grant:***

Heather Arcos stated that the Town of Cape Charles had participated in the Virginia Commission for the Arts Local Government Challenge Grant since 1997 and the grant matched local government funds, dollar for dollar, up to \$5K. The Town had allocated \$5K as the local match for the last two years. The grant deadline was April 1, 2013. The application was drafted by the Arts Enter and signed by Town staff. The Town must confirm in writing to the Commission the Council's decision to appropriate the matching funds by July 1, 2013. The local match of \$5K was included in the draft FY 2013/2014 budget and the amount would be reviewed by Council at a future budget work session. The amount could be changed during the budget process.



Mayor Sullivan asked whether this \$5K was what Ms. Clelia Sheppard requested earlier in the meeting. Heather Arcos stated that it was the same request.

**Motion made by Councilman Bennett, seconded by Vice Mayor Bannon, to authorize the submission of the Local Government Challenge Grant application by the April 1, 2013 deadline as discussed. The motion was approved by unanimous vote.**

F. *Saint Charles Catholic Request for handicap Parking Spaces:*

Mayor Sullivan stated that a letter was received from the Saint Charles Catholic Church requesting additional handicap parking spaces near the entrance of the church citing their ever-growing elderly population for the need for additional spaces. Currently, Saint Charles had one handicap space directly in front of the building. Handicap parking designation came under the purview of VDOT but a resolution needed to be adopted by the Town Council expressing the Town's support of the project in order for VDOT to consider the request. There was some discussion regarding the number and usage of the spaces. Vice Mayor Bannon, also the president of the Saint Charles Pastoral Council, stated that four additional spaces would suffice and signage would be placed for usage during church services only.

**Motion made by Councilwoman Natali, seconded by Councilman Sullivan, to adopt Resolution 20130321A in Support of the Request from Saint Charles Catholic Church for up to Four Additional Handicap Parking Spaces for use during church services only. Mayor Sullivan moved for adoption of Resolution 20130321A as noticed and forewent reading of the resolution. The motion was approved by unanimous roll call vote. Roll call vote: Bannon, yes; Bennett, yes; Natali, yes; Sullivan, yes; Wendell, yes.**

G. *Harbor Area Review Board – South Port Project:*

Tom Bonadeo stated that the Harbor Area Review Board met on March 19<sup>th</sup> to review the application from South Port Investors for development of Phase 1 of the Cape Charles Yacht Center on Parcels 12 and 17 and considered the criteria as listed in the Cape Charles Zoning Ordinance and voted to recommend approval of the application to the Town Council. Council had already approved a Conditional Use Permit for the uses of boatel, marine engine repair, security fence and a dwelling over the storage building. There was much discussion regarding the boatel being an open structure with racks vs. an enclosed building such as several boatels located in Virginia Beach and Norfolk. It was noted that the Coast Guard could have some security concerns if the boatel was enclosed since a building would block off their view of the Harbor area.

**Motion made by Vice Mayor Bannon, seconded by Councilman Sullivan, to approve the application and issuance of the Harbor Development Certificate to South Port Investors, LLC. as recommended by the Harbor Area Review Board. The motion was approved by majority vote with Councilman Bennett opposed.**

H. *Request from Concerned Citizens for Cape Charles & Old School Cape Charles Partnership:*

Mayor Sullivan stated that on March 14, 2013, a request was received from the Concerned Citizens for Cape Charles (CCCC) and Old School Cape Charles (OSCC) Partnership regarding the proposed use of the current Cape Charles Memorial Library building on Tazewell Avenue as a base for community social, recreational and educational programs and projects with special emphasis on youth and seniors and that the existing computers and equipment and other items not needed by the new facility remain in the building. The future of the current library building was being reviewed by the Community Needs Advisory Committee and Councilmen Bennett and Wendell served on the Committee. The proposal would be forwarded to the Committee for their review and their recommendations would be presented to Council for review when received.



Mayor Sullivan asked Councilman Bennett how the Committee meetings were progressing. Councilman Bennett stated that the Committee invited Ms. Lenora Mitchell, a member of the CCCC Board, to join the meeting. This proposal, like the recommendation from the Library Board and Friends of the Cape Charles Memorial Library, would be taken under advisement.

Vice Mayor Bannon noted that the existing computers at the current library belonged to the Eastern Shore Public Library, not the Town.

#### **MAYOR AND COUNCIL COMMENTS**

Mayor Sullivan suggested discussion regarding Councilman Wendell's earlier comment regarding the holding of a public hearing and the vote on the same night and asked for the opinions of the other Council members.

Vice Mayor Bannon stated that he agreed with the Town Clerk's suggestion regarding if public comments proved that the issue was controversial or if Council felt that more time was needed for research, then the vote on the issue could be tabled to another meeting.

Councilman Bennett stated that in his experience, no comments were heard for over 50% of the Town's public hearings. If there were no comments, there was no reason to delay the vote another month. For issues where people came to speak, Council needed to consider the comments received and possibly postpone the vote to the next meeting.

Councilman Wendell argued that when a public hearing was held and a resolution had already been drafted, the decision was already made. It would better serve the public if the public hearing was held in one month and the vote held at the next meeting.

Councilman Sullivan stated that he did not agree with Councilman Wendell but also did not disagree completely with him. If public comments were heard at the public hearing, the vote on the particular issue could be tabled to the following meeting so further discussion could be held.

Councilwoman Natali agreed that the current procedure should be kept in place. If there were no public comments heard or the comments heard were in agreement, the issue could be voted upon. Council also had the ability to table any issue to another meeting if so desired by the majority.

Councilman Wendell brought up the issue with the sale of the former school building on June 14, 2012 when the public hearing was held followed by a vote to sell the school at the meeting immediately following the public hearing. Councilman Sullivan stated that this issue was in the past and was "water under the bridge" and suggested closing the session this evening.

Councilman Wendell stated that he had a question regarding an item from the February meeting when he was not in attendance and continued to ask why the amendment to the Echelon contract was called the "First" amendment and whether this was open to additional amendments. Heather Arcos explained that it was a legal procedure and the Town did not expect any additional amendments to the contract. Councilman Wendell asked why the issue was not taken to Council. Heather Arcos stated that the resolution approving the sale authorized the Mayor and Town Manager to take action in this capacity. Mayor Sullivan added that it was a legal decision. Councilman Wendell asked how many people were involved in the discussion to amend the contract. Heather Arcos stated that legal counsel advised the Town to amend the contract in this matter as the intent of the Town, Town Council or the purchaser in regards to the clause that was removed was not how it was understood by the citizens. Since all parties agreed regarding the intent, legal counsel advised removal of the clause.



#### **ANNOUNCEMENTS**

- April 4, 2013 – State of the Country, State and County Breakfast
- April 4, 2013 – Town Council Budget Work Session, 3PM
- April 5, 2013 – 6<sup>th</sup> Annual Blessing of the Fleet, 5:30 PM
- April 11, 2013 – Town Council Budget Work Session, 6PM
- April 18, 2013 – Town Council Regular Meeting, 6PM
- April 25, 2013 – Town Council Budget Work Session, 6PM
- May 4, 2013 – Crabby Blues Festival

**Motion made by Councilman Sullivan, seconded by Councilwoman Natali, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous consent.**

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Mayor Sullivan

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Town Clerk



**Town Council Regular Meeting  
March 21, 2013  
Comments Provided in Writing**

*Mary Ann Roehm, Arts Enter*

I'd like to take this public opportunity to reiterate some of the exciting grants that have been awarded in Cape Charles this past year. Arts Enter has embraced important partnerships that have enabled some major initiatives.

This has been a very busy year. Not only has Arts Enter been providing entertainment and education in the arts, maintaining the Palace Theatre and managing the Stage Door Art Gallery, we were the lead applicant for a National Endowment for the Arts grant called Our Town. Our grant partners are the Town of Cape Charles, Citizens for Central Park and the Cape Charles Business Association. The Our Town grant supports projects that help transform communities into lively, beautiful and sustainable places with arts at the core. This has opened up a whole new opportunity for Cape Charles to explore ways to engage the businesses and organizations to work together to promote Cape Charles as a great place to live and a popular place to visit. This is a two-year grant. From this we hope to launch an annual festival, an arts walk and continued partnerships in the years to come.

Inspired by the success of receiving the NEA grant, Arts Enter applied for and received a \$5,000 marketing grant through the Virginia Commission for the Arts and the Virginia Tourism Corporation to help financially support the [CapeCharlesByTheBay.com](http://CapeCharlesByTheBay.com) tourism website. Following that success, the Bed and Breakfast Association applied for and received a \$10,000 marketing grant from the Virginia Tourism Corporation. This \$15,000 and financial contributions from local businesses and organizations provided the seed money for a multi-tiered marketing strategy for Cape Charles. The website portion is almost complete and is expected that the new Cape Charles tourism website will be up by mid-April.

It is an honor and a privilege to be working side by side with the Town of Cape Charles as we all share the vision of our town flourishing.

Thank you for your support.



# Site Plans

|              |                   |
|--------------|-------------------|
| Issued for   | Review            |
| Date Issued  | September 5, 2023 |
| Latest Issue | September 5, 2023 |

## Cape Marine Boat Storage Expansion

1021 & 1270 Bayshore Road  
Cape Charles, VA

### Owner

Cape Marine Services, LLC  
3611 Roland Ave.  
Baltimore, Maryland 21211

### Applicant

VHB  
351 McLaws Circle  
Suite 3  
Williamsburg, Virginia 23185  
Contact: Anthony Loubier, PE  
Phone: 757.220.0500

RECEIVED  
9-8-2023 (KHM)



| Sheet Index |                                                |                |
|-------------|------------------------------------------------|----------------|
| No.         | Drawing Title                                  | Latest Issue   |
| C1.01       | Legend and General Notes                       | 9/5/2023       |
| C2.01       | Demolition & Erosion and Sediment Control Plan | 9/5/2023       |
| C3.01       | Layout and Materials Plan                      | 9/5/2023       |
| C4.01       | Grading and Drainage Plan                      | 9/5/2023       |
| C5.01-C5.02 | Site Details                                   | 9/5/2023       |
| L1.01       | Landscape Plan & Details                       | 9/5/2023       |
| Attachment  |                                                |                |
| SV-1        | Existing Conditions Plan of Land               | August 8, 2023 |

### NOTES

- ALL MAINTENANCE OF TRAFFIC DURING CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE VIRGINIA WORK AREA PROTECTION MANUAL.
- NO ELECTRIC, COMMUNICATION, OR SANITARY UTILITIES ARE PROPOSED AS PART OF THIS PROJECT. STORM SEWER PIPING AND STRUCTURES ARE PROPOSED AS PART OF THIS PROJECT. RECORD DRAWINGS WITH AN ENGINEER'S CERTIFICATION SHALL BE SUBMITTED TO THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY PRIOR TO TERMINATION OF THE LAND DISTURBANCE PERMIT.
- WATER SUPPLY: TOWER WELL 1 AND EAST WELL 3, TOWN OF CAPE CHARLES WATERWORKS
- SANITARY SEWER SYSTEM: CAPE CHARLES WASTEWATER TREATMENT PLANT
- NO RETAINING WALLS ARE PART OF THIS PROJECT.
- NO STOCKPILES, SITE LIGHTING, OR SIGNAGE ARE PROPOSED AS PART OF THIS PROJECT.

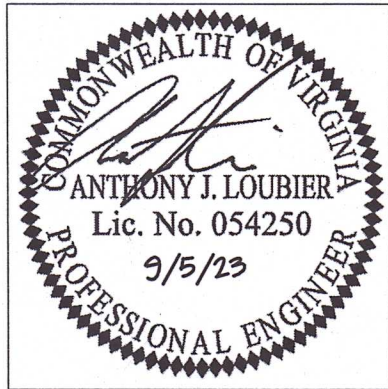
### STATISTICAL DATA

|                                                 |                                                                                                                               |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| PROJECT SITE ADDRESS                            | 1270 & 1021 BAYSHORE ROAD<br>CAPE CHARLES, VA 23310                                                                           |
| NORTHAMPTON COUNTY TAX MAP #                    | 83A3-A-17, 83A3-A-20, 90-8-1A2                                                                                                |
| ZONING                                          | HARBOR DISTRICT                                                                                                               |
| PARCEL AREA                                     | 10.47 ACRES (83A3-A-17)<br>1.87 ACRES (83A3-A-20)<br>1.47 ACRES (90-8-1A2)                                                    |
| DISTURBED AREA                                  | 3.79 ACRES (165,110 SF)                                                                                                       |
| PRE-DEVELOPMENT IMPERVIOUS AREA                 | 0.26 ACRES (11,139 SF) (6.7% OF DISTURBED AREA)                                                                               |
| POST-DEVELOPMENT IMPERVIOUS AREA                | 3.01 ACRES (130,995 SF) (79.3% OF DISTURBED AREA)                                                                             |
| PRE-DEVELOPMENT OPEN SPACE/FOREST               | 0.53 ACRES (23,080 SF) (14.0% OF DISTURBED AREA)                                                                              |
| POST-DEVELOPMENT OPEN SPACE/BMP SURFACE AREA    | 0.16 ACRES (6,365 SF) (3.9% OF DISTURBED AREA)                                                                                |
| HYDROLOGIC UNIT CODE (HUC)                      | 020801110902 (CB46)                                                                                                           |
| WATERSHED                                       | FRONTAL LOWER CHESAPEAKE BAY-CHERRYSTONE INLET                                                                                |
| FLOODPLAIN ZONE                                 | X                                                                                                                             |
| FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NUMBER | 51131C0295F EFFECTIVE MARCH 2, 2015 PROJECT APPEARS TO BE IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN) |

vhb.com



351 McLaws Circle  
Suite 3  
Williamsburg, VA 23185  
757.220.0500





Legend

| Exist. | Prop. |                            |
|--------|-------|----------------------------|
| ----   | ----  | PROPERTY LINE              |
| ----   | ----  | RIGHT-OF-WAY/PROPERTY LINE |
| ----   | ----  | EASEMENT                   |
| ----   | ----  | LIMIT OF DISTURBANCE       |
| ----   | ----  | APPROXIMATE WETLAND LINE   |
| ----   | ----  | FLOODPLAIN                 |
| ----   | ----  |                            |
| ----   | ----  | GRAVEL                     |
| ----   | ----  | EDGE OF PAVEMENT           |
| ----   | ----  |                            |
| ----   | ----  | TREE LINE                  |
| ----   | ----  | WIRE FENCE                 |
| ----   | ----  | FENCE                      |
| ----   | ----  | STOCKADE FENCE             |
| ----   | ----  | STORMWATER BMP             |
| ----   | ----  |                            |
| ----   | ----  | MINOR CONTOUR              |
| ----   | ----  | MAJOR CONTOUR              |
| ----   | ----  |                            |
| ----   | ----  | CATCH BASIN CONCENTRIC     |
| ----   | ----  | DRAIN MANHOLE CONCENTRIC   |
| ----   | ----  | TRENCH DRAIN               |
| ----   | ----  |                            |
| ----   | ----  | CONCRETE                   |
| ----   | ----  | RIPRAP                     |
| ----   | ----  | CONSTRUCTION EXIT          |
| ----   | ----  |                            |
| ----   | ----  | SPOT ELEVATION             |
| ----   | ----  | BORING LOCATION            |
| ----   | ----  | TEST PIT LOCATION          |
| ----   | ----  |                            |
| ----   | ----  | UNDERDRAIN                 |
| ----   | ----  | DRAIN                      |
| ----   | ----  | OVERHEAD WIRE              |
| ----   | ----  | WATER                      |
| ----   | ----  | LIGHT POLE                 |
| ----   | ----  | UTILITY POLE               |
| ----   | ----  | GUY POLE                   |

Abbreviations

| General |                          |
|---------|--------------------------|
| APPROX  | APPROXIMATE              |
| BS      | BOTTOM OF SLOPE          |
| CONC    | CONCRETE                 |
| EL      | ELEVATION                |
| ELEV    | ELEVATION                |
| LOD     | LIMIT OF DISTURBANCE     |
| MAX     | MAXIMUM                  |
| MIN     | MINIMUM                  |
| NTS     | NOT TO SCALE             |
| PROP    | PROPOSED                 |
| TS      | TOP OF SLOPE             |
| TYP     | TYPICAL                  |
| Utility |                          |
| CB      | CATCH BASIN              |
| CO      | CLEANOUT                 |
| DMH     | DRAIN MANHOLE            |
| HYD     | HYDRANT                  |
| INV     | INVERT ELEVATION         |
| LP      | LIGHT POLE               |
| PVC     | POLYVINYLCHLORIDE PIPE   |
| RCP     | REINFORCED CONCRETE PIPE |
| R=      | RIM ELEVATION            |
| RIM=    | RIM ELEVATION            |
| UP      | UTILITY POLE             |

Notes

General

- CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-552-7001) AT LEAST 72 HOURS BEFORE EXCAVATING.
- CONTRACTOR SHALL BE RESPONSIBLE FOR SITE SECURITY AND JOB SAFETY. CONSTRUCTION ACTIVITIES SHALL BE IN ACCORDANCE WITH OSHA STANDARDS AND LOCAL REQUIREMENTS.
- AREAS DISTURBED DURING CONSTRUCTION AND NOT RESTORED WITH IMPERVIOUS SURFACES (BUILDINGS, PAVEMENTS, WALKS, ETC.) SHALL RECEIVE 3 INCHES LOAM AND SEED.
- WORK WITHIN THE LOCAL RIGHTS-OF-WAY SHALL CONFORM TO LOCAL MUNICIPAL STANDARDS. WORK WITHIN STATE RIGHTS-OF-WAY SHALL CONFORM TO THE LATEST EDITION OF THE STATE HIGHWAY DEPARTMENTS STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
- UPON AWARD OF CONTRACT, CONTRACTOR SHALL MAKE NECESSARY CONSTRUCTION NOTIFICATIONS AND APPLY FOR AND OBTAIN NECESSARY PERMITS, PAY FEES, AND POST BONDS ASSOCIATED WITH THE WORK INDICATED ON THE DRAWINGS, IN THE SPECIFICATIONS, AND IN THE CONTRACT DOCUMENTS. DO NOT CLOSE OR OBSTRUCT ROADWAYS, SIDEWALKS, AND FIRE HYDRANTS, WITHOUT APPROPRIATE PERMITS.
- AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT THE CONTRACTOR'S EXPENSE.
- IN THE EVENT THAT SUSPECTED CONTAMINATED SOIL, GROUNDWATER, AND OTHER MEDIA ARE ENCOUNTERED DURING EXCAVATION AND CONSTRUCTION ACTIVITIES BASED ON VISUAL, OLFACTORY, OR OTHER EVIDENCE, THE CONTRACTOR SHALL STOP WORK IN THE VICINITY OF THE SUSPECT MATERIAL TO AVOID FURTHER SPREADING OF THE MATERIAL, AND SHALL NOTIFY THE OWNER IMMEDIATELY SO THAT THE APPROPRIATE TESTING AND SUBSEQUENT ACTION CAN BE TAKEN.
- CONTRACTOR SHALL PREVENT DUST, SEDIMENT, AND DEBRIS FROM EXITING THE SITE AND SHALL BE RESPONSIBLE FOR CLEANUP, REPAIRS AND CORRECTIVE ACTION IF SUCH OCCURS.
- DAMAGE RESULTING FROM CONSTRUCTION LOADS SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO OWNER.
- CONTRACTOR SHALL CONTROL STORMWATER RUNOFF DURING CONSTRUCTION TO PREVENT ADVERSE IMPACTS TO OFF-SITE AREAS, AND SHALL BE RESPONSIBLE TO REPAIR RESULTING DAMAGES, IF ANY, AT NO COST TO OWNER.
- THIS PROJECT DISTURBS MORE THAN ONE ACRE OF LAND AND FALLS WITHIN THE VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSM), GENERAL CONSTRUCTION PERMIT (GCP) PROGRAM AS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) UNDER THE JURISDICTION OF THE EPA. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL FILE A GCP NOTICE OF INTENT WITH THE DEQ AND PREPARE A STORMWATER POLLUTION PREVENTION PLAN IN ACCORDANCE WITH THE VSMR REGULATIONS.

Utilities

- THE LOCATIONS, SIZES, AND TYPES OF EXISTING UTILITIES ARE SHOWN AS AN APPROXIMATE REPRESENTATION ONLY. THE OWNER OR ITS REPRESENTATIVE(S) HAVE NOT INDEPENDENTLY VERIFIED THIS INFORMATION AS SHOWN ON THE PLANS. THE UTILITY INFORMATION SHOWN DOES NOT GUARANTEE THE ACTUAL EXISTENCE, SERVICEABILITY, OR OTHER DATA CONCERNING THE UTILITIES, NOR DOES IT GUARANTEE AGAINST THE POSSIBILITY THAT ADDITIONAL UTILITIES MAY BE PRESENT THAT ARE NOT SHOWN ON THE PLANS. PRIOR TO ORDERING MATERIALS AND BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY AND DETERMINE THE EXACT LOCATIONS, SIZES, AND ELEVATIONS OF THE POINTS OF CONNECTIONS TO EXISTING UTILITIES AND, SHALL CONFIRM THAT THERE ARE NO INTERFERENCES WITH EXISTING UTILITIES AND THE PROPOSED UTILITY ROUTES, INCLUDING ROUTES WITHIN THE PUBLIC RIGHTS OF WAY.
- WHERE AN EXISTING UTILITY IS FOUND TO CONFLICT WITH THE PROPOSED WORK, OR EXISTING CONDITIONS DIFFER FROM THOSE SHOWN SUCH THAT THE WORK CANNOT BE COMPLETED AS INTENDED, THE LOCATION, ELEVATION, AND SIZE OF THE UTILITY SHALL BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR, AND THE INFORMATION FURNISHED IN WRITING TO THE OWNER'S REPRESENTATIVE FOR THE RESOLUTION OF THE CONFLICT AND CONTRACTOR'S FAILURE TO NOTIFY PRIOR TO PERFORMING ADDITIONAL WORK RELEASES OWNER FROM OBLIGATIONS FOR ADDITIONAL PAYMENTS WHICH OTHERWISE MAY BE WARRANTED TO RESOLVE THE CONFLICT.
- SET CATCH BASIN RIMS, AND INVERTS OF SEWERS, DRAINS, AND DITCHES IN ACCORDANCE WITH ELEVATIONS ON THE GRADING AND DRAINAGE PLAN.
- ALL DRAINAGE AND SANITARY STRUCTURE INTERIOR DIAMETERS (4" MIN.) SHALL BE DETERMINED BY THE MANUFACTURER BASED ON THE PIPE CONFIGURATIONS SHOWN ON THESE PLANS AND LOCAL MUNICIPAL STANDARDS.

Layout and Materials

- DIMENSIONS ARE FROM THE FACE OF CURB, FACE OF BUILDING, AND FACE OF WALL UNLESS OTHERWISE NOTED.
- PROPOSED BOUNDS AND ANY EXISTING PROPERTY LINE MONUMENTATION DISTURBED DURING CONSTRUCTION SHALL BE SET OR RESET BY A PROFESSIONAL LAND SURVEYOR.
- PRIOR TO START OF CONSTRUCTION, CONTRACTOR SHALL VERIFY EXISTING PAVEMENT ELEVATIONS AT INTERFACE WITH PROPOSED PAVEMENTS, AND EXISTING GROUND ELEVATIONS ADJACENT TO DRAINAGE OUTLETS TO ASSURE PROPER TRANSITIONS BETWEEN EXISTING AND PROPOSED FACILITIES.

Demolition

- CONTRACTOR SHALL REMOVE AND DISPOSE OF EXISTING MANMADE SURFACE FEATURES WITHIN THE LIMIT OF WORK INCLUDING BUILDINGS, STRUCTURES, PAVEMENTS, SLABS, CURBING, FENCES, UTILITY POLES, SIGNS, ETC. UNLESS INDICATED OTHERWISE ON THE DRAWINGS, REMOVE AND DISPOSE OF EXISTING UTILITIES, FOUNDATIONS AND UNSUITABLE MATERIAL BENEATH AND FOR A DISTANCE OF 10 FEET BEYOND THE PROPOSED BUILDING FOOTPRINT INCLUDING EXTERIOR COLUMNS.
- EXISTING UTILITIES SHALL BE TERMINATED, UNLESS OTHERWISE NOTED, IN CONFORMANCE WITH LOCAL, STATE AND INDIVIDUAL UTILITY COMPANY STANDARD SPECIFICATIONS AND DETAILS. THE CONTRACTOR SHALL COORDINATE UTILITY SERVICE DISCONNECTS WITH THE UTILITY REPRESENTATIVES.
- CONTRACTOR SHALL DISPOSE OF DEMOLITION DEBRIS IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, ORDINANCES AND STATUTES. 4. THE DEMOLITION LIMITS DEPICTED IN THE PLANS IS INTENDED TO AID THE CONTRACTOR DURING THE BIDDING AND CONSTRUCTION PROCESS AND IS NOT INTENDED TO DEPICT EACH AND EVERY ELEMENT OF DEMOLITION. THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING THE DETAILED SCOPE OF DEMOLITION BEFORE SUBMITTING ITS BID/PROPOSAL TO PERFORM THE WORK AND SHALL MAKE NO CLAIMS AND SEEK NO ADDITIONAL COMPENSATION FOR CHANGED CONDITIONS OR UNFORESEEN OR LATENT SITE CONDITIONS RELATED TO ANY CONDITIONS DISCOVERED DURING EXECUTION OF THE WORK.
- UNLESS OTHERWISE SPECIFICALLY PROVIDED ON THE PLANS OR IN THE SPECIFICATIONS, THE ENGINEER HAS NOT PREPARED DESIGNS FOR AND SHALL HAVE NO RESPONSIBILITY FOR THE PRESENCE, DISCOVERY, REMOVAL, ABATEMENT OR DISPOSAL OF HAZARDOUS MATERIALS, TOXIC WASTES OR POLLUTANTS AT THE PROJECT SITE. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR ANY CLAIMS OF LOSS, DAMAGE, EXPENSE, DELAY, INJURY OR DEATH ARISING FROM THE PRESENCE OF HAZARDOUS MATERIAL AND CONTRACTOR SHALL INDEMNIFY AND HOLD HARMLESS THE ENGINEER FROM ANY CLAIMS MADE IN CONNECTION THEREWITH. MOREOVER, THE ENGINEER SHALL HAVE NO ADMINISTRATIVE OBLIGATIONS OF ANY TYPE WITH REGARD TO ANY CONTRACTOR AMENDMENT INVOLVING THE ISSUES OF PRESENCE, DISCOVERY, REMOVAL, ABATEMENT OR DISPOSAL OF ASBESTOS OR OTHER HAZARDOUS MATERIALS.

Erosion Control

- PRIOR TO STARTING ANY OTHER WORK ON THE SITE, THE CONTRACTOR SHALL NOTIFY APPROPRIATE AGENCIES AND SHALL INSTALL EROSION CONTROL MEASURES AS SHOWN ON THE PLANS AND AS IDENTIFIED IN FEDERAL, STATE AND LOCAL APPROVAL DOCUMENTS PERTAINING TO THIS PROJECT. CONTRACTOR SHALL INSPECT AND MAINTAIN EROSION CONTROL MEASURES ON A WEEKLY BASIS (MINIMUM) OR AS REQUIRED PER THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP). THE CONTRACTOR SHALL ADDRESS DEFICIENCIES AND MAINTENANCE ITEMS WITHIN TWENTY-FOUR HOURS OF INSPECTION. CONTRACTOR SHALL PROPERLY DISPOSE OF SEDIMENT SUCH THAT IT DOES NOT ENCUMBER OTHER DRAINAGE STRUCTURES AND PROTECTED AREAS.
- CONTRACTOR SHALL BE FULLY RESPONSIBLE TO CONTROL CONSTRUCTION SUCH THAT SEDIMENTATION SHALL NOT AFFECT REGULATORY PROTECTED AREAS, WHETHER SUCH SEDIMENTATION IS CAUSED BY WATER, WIND, OR DIRECT DEPOSIT.
- CONTRACTOR SHALL PERFORM CONSTRUCTION SEQUENCING SUCH THAT EARTH MATERIALS ARE EXPOSED FOR A MINIMUM OF TIME BEFORE THEY ARE COVERED, SEEDED, OR OTHERWISE STABILIZED TO PREVENT EROSION.
- UPON COMPLETION OF CONSTRUCTION AND ESTABLISHMENT OF PERMANENT GROUND COVER, CONTRACTOR SHALL REMOVE AND DISPOSE OF EROSION CONTROL MEASURES AND CLEAN SEDIMENT AND DEBRIS FROM ENTIRE DRAINAGE AND SEWER SYSTEMS.

Document Use

- THESE PLANS AND CORRESPONDING CADD DOCUMENTS ARE INSTRUMENTS OF PROFESSIONAL SERVICE, AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PURPOSE OTHER THAN FOR WHICH IT WAS CREATED WITHOUT THE EXPRESSED, WRITTEN CONSENT OF VHB. ANY UNAUTHORIZED USE, REUSE, MODIFICATION OR ALTERATION, INCLUDING AUTOMATED CONVERSION OF THIS DOCUMENT SHALL BE AT THE USER'S SOLE RISK WITHOUT LIABILITY OR LEGAL EXPOSURE TO VHB.
- CONTRACTOR SHALL NOT RELY SOLELY ON ELECTRONIC VERSIONS OF PLANS, SPECIFICATIONS, AND DATA FILES THAT ARE OBTAINED FROM THE DESIGNERS, BUT SHALL VERIFY LOCATION OF PROJECT FEATURES IN ACCORDANCE WITH THE PAPER COPIES OF THE PLANS AND SPECIFICATIONS THAT ARE SUPPLIED AS PART OF THE CONTRACT DOCUMENTS.
- SYMBOLS AND LEGENDS OF PROJECT FEATURES ARE GRAPHIC REPRESENTATIONS AND ARE NOT NECESSARILY SCALED TO THEIR ACTUAL DIMENSIONS OR LOCATIONS ON THE DRAWINGS. THE CONTRACTOR SHALL REFER TO THE DETAIL SHEET DIMENSIONS, MANUFACTURERS' LITERATURE, SHOP DRAWINGS AND FIELD MEASUREMENTS OF SUPPLIED PRODUCTS FOR LAYOUT OF THE PROJECT FEATURES.

PROJECT NARRATIVE

PROJECT DESCRIPTION

THE PURPOSE OF THIS PROJECT IS TO EXPAND THE EXISTING AREAS AVAILABLE FOR BOAT STORAGE BY INSTALLING NEW GRAVEL ON PARCELS 83A3-A-17 (HEREBY REFERRED TO AS THE EAST PARCEL) AND 83A3-A-20 (HEREBY REFERRED TO AS THE WEST PARCEL). ADDITIONALLY, A NEW DRY SWALE BMP WILL BE INSTALLED ALONGSIDE A PRIVATE PORTION OF BAYSHORE ROAD ON PARCEL 90-9-1A2. THIS PROJECT ALSO PROPOSES VARIOUS SITE IMPROVEMENTS, WHICH INCLUDE BUT ARE NOT LIMITED TO: INSTALLING TWO BMPS, A NEW STORMWATER OUTFALL, AND REGRADEING PORTIONS OF THE PARCELS TO PROVIDE POSITIVE DRAINAGE TO THE NEW BMPS AND/OR TO THE EXISTING DRAINAGE DITCHES/STORM SEWER SYSTEM.

THE TOTAL DISTURBED AREA IS APPROXIMATELY 3.79 ACRES.

EXISTING SITE CONDITIONS

THE PROJECT SITE'S PARENT PARCELS (PARCEL ID'S: 83A3-A-17, 83A3-A-20, AND 90-8-1A2) ARE PART OF THE HARBOR ZONING DISTRICT AND LOCATED IN THE TOWN OF CAPE CHARLES WITH AN APPROXIMATE AREA OF 13.82 ACRES TOTAL.

THE EXISTING WEST PARCEL CONSISTS ONLY OF OPEN AREAS OF GRAVEL AND TURF, WHILE THE EAST PARCEL IS PARTIALLY DEVELOPED AND INCLUDES A COUPLE SMALL BUILDINGS, PAVEMENT, TURF AND GRAVEL AREAS. THE EAST PARCEL WAS PREVIOUSLY THE TOWN'S WASTEWATER TREATMENT FACILITY AND SEVERAL FEATURES SUCH AS A CLARIFICATION POND, ABANDONED MANHOLES, AND ABOVE-GROUND CONCRETE TANKS STILL EXIST. PARCEL 90-8-1A2 CONSISTS OF A PORTION OF BAYSHORE ROAD AND ADJACENT TURF AREAS ON EITHER SIDE OF THE ROAD. THE DISTURBED AREAS ON ALL 3 PARCELS ARE MOSTLY FLAT (SLOPES <2.5%), BUT ALSO CONTAIN SMALL AREAS OF MILD SLOPES (SLOPES <10%) AND STEEP SLOPES ALONG DITCHES AND THE EXISTING WETLAND (SLOPES >25%). ELEVATIONS IN THE DISTURBED AREAS RANGE FROM APPROXIMATELY 5' TO 13'.

ADJACENT AREA

THE WEST PARCEL IS BOUNDED BY SOUTHPORT INVESTORS TO THE WEST, CAPE HARBOR HOLDINGS TO THE SOUTH, BAYSHORE ROAD TO THE EAST, AND TWO PARCELS ALSO OWNED BY CAPE MARINE TO THE NORTH. THE EAST PARCEL IS BOUNDED BY BAYSHORE ROAD TO THE WEST, TIDAL WETLANDS AND WOODS TO THE NORTH AND EAST, AND OLD CAPE CHARLES ROAD TO THE SOUTH. THE BAYSHORE ROAD PARCEL SITS BETWEEN THE EAST AND WEST PARCELS.

OFFSITE DISTURBED AREA

NO OFFSITE AREAS WILL BE DISTURBED AS PART OF THIS PROJECT.

CRITICAL EROSION AREAS

THE STEEP SLOPES ALONG THE TIDAL WETLAND ON THE EAST PARCEL WILL REQUIRE DISTURBANCE TO CREATE A STORMWATER OUTFALL. THE OUTFALL WILL BE PLACED AT THE TOE OF SLOPE TO PREVENT EROSION. THE WETLANDS ARE TO BE FLAGGED PRIOR TO SITE CONSTRUCTION AND DISTURBANCE WITHIN THE WETLANDS WILL BE AVOIDED.

DEMOLITION

DEMOLITION FOR THIS PROJECT WILL BE LIMITED TO SELECTIVE TREE REMOVAL, FENCE REMOVAL, REMOVAL OF ONE STORM PIPE, AND CLEARING AND GRUBBING.

PROPOSED GRADING AND PAVING

THIS PLAN PROPOSES THE INSTALLATION OF NEW GRAVEL PAVEMENT AND MINOR REGRADEING OF SOME OF THE NEW GRAVEL AREAS AND PORTIONS OF EXISTING GRAVEL AND/OR TURF AREAS.

EROSION AND SEDIMENT CONTROL MEASURES

EROSION AND SEDIMENT CONTROL MEASURES UTILIZED INCLUDE BUT ARE NOT LIMITED TO:

- CONSTRUCTION SAFETY FENCE (3.01): PROTECTS NATIVE SOILS WITHIN BMP FOOTPRINTS TO PREVENT COMPACTION DURING CONSTRUCTION.
- CONSTRUCTION ENTRANCE WITH CONCRETE WASHOUT (3.02): REDUCES THE AMOUNT OF MUD TRANSPORTED ONTO PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF.
- SILT FENCE (3.05): SILT FENCE AND SILT FENCE WITH WIRE SUPPORT SHALL BE INSTALLED ALONG THE TOE OF ALL SLOPES AND ALL OTHER AREAS THAT MAY CARRY SILT BEYOND THE SITE. SILT FENCE SHALL ALSO BE INSTALLED ON THE DOWNHILL SIDE OF THE UTILITY EXTENSIONS.
- SUPER SILT FENCE: A TEMPORARY BARRIER OF GEOTEXTILE FABRIC OVER CHAIN LINK FENCE THAT IS USED TO INTERCEPT FLOWS, REDUCE THEIR VELOCITY AND IMPOUND SEDIMENT LADEN RUNOFF FROM SMALL CATCHMENT AREAS.
- STORM DRAIN INLET PROTECTION (3.07): ALL EXISTING AND PROPOSED INLETS SHALL BE PROTECTED FROM SEDIMENT PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREAS.
- CULVERT INLET PROTECTION (3.08): PREVENTS SEDIMENT FROM ENTERING, ACCUMULATING IN, AND TRANSPORTING THROUGH CULVERTS.
- TEMPORARY SEDIMENT TRAP (3.13): PROVIDES DETENTION AND SETTLEMENT FOR SEDIMENT-LADEN RUNOFF FOR DRAINAGE AREAS GREATER THAN 1 ACRE BUT LESS THAN 3 ACRES.

STABILIZATION MEASURES

- TEMPORARY SEEDING (3.31): STABILIZES DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE FOR A PERIOD OF MORE THAN 14 DAYS.
- PERMANENT SEEDING (3.32): PERMANENTLY STABILIZES DISTURBED AREAS AND DECREASES SEDIMENT YIELD.
- SOIL STABILIZATION BLANKETS AND MATTINGS (3.36): AIDS IN CONTROLLING EROSION ON CRITICAL AREAS BY PROVIDING A MICROCLIMATE WHICH PROTECTS YOUNG VEGETATION AND PROMOTES ITS ESTABLISHMENT.
- TREE PROTECTION (3.38): PROTECTS ROOT SYSTEMS AND TRUNKS OF EXISTING TREES.

STORMWATER MANAGEMENT CONSIDERATIONS

\*SEE THE ACCOMPANYING STORMWATER MANAGEMENT ENGINEERING REPORT FOR THIS PORTION OF THE NARRATIVE.\*



351 McLaws Circle  
Suite 3  
Williamsburg, VA 23185  
757.220.0500

Cape Marine Boat Storage Expansion

1270 Bayshore Road  
Cape Charles, VA

| No. | Revision | Date | Appr. |
|-----|----------|------|-------|
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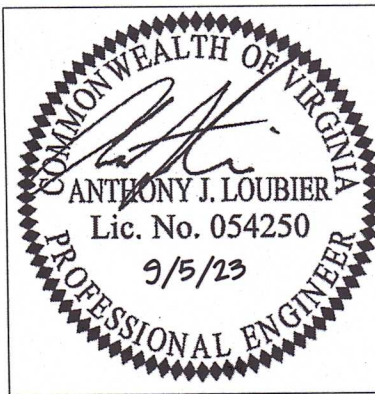
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|-------------|-----|------------|-----|
| Designed by | TWW | Checked by | AJL |
| Issued for  |     | Date       |     |

Review

September 5, 2023

Not Approved for Construction

| Legend and General Notes |  |
|--------------------------|--|
| Drawing Title            |  |
| Drawing Number           |  |



C1.01

Sheet 2 of 8

Project Number  
34205.04





351 McLaws Circle  
Suite 3  
Williamsburg, VA 23185  
757.220.0500

### Legend

|  |      |                                                                      |
|--|------|----------------------------------------------------------------------|
|  | SF   | CONSTRUCTION SAFETY FENCE - VESCH STD. & SPEC. 3.01                  |
|  | CE   | CONSTRUCTION ENTRANCE - VESCH STD. & SPEC. 3.02                      |
|  | SF   | SILT FENCE - VESCH STD. & SPEC. 3.05                                 |
|  | SSSF | SUPER SILT FENCE - VESCH STD. & SPEC. 3.05                           |
|  | IP   | STORM DRAIN INLET PROTECTION - VESCH STD. & SPEC. 3.07               |
|  | CIP  | CULVERT INLET PROTECTION - VESCH STD. & SPEC. 3.08                   |
|  | TS   | TEMPORARY SEEDING - VESCH STD. & SPEC. 3.31                          |
|  | PS   | PERMANENT SEEDING - VESCH STD. & SPEC. 3.32                          |
|  | B/M  | SOIL STABILIZATION BLANKETS AND/OR MATTING - VESCH STD. & SPEC. 3.36 |
|  | TP   | TREE PROTECTION - VESCH STD. & SPEC. 3.38                            |
|  |      | DRAINAGE DIVIDE                                                      |
|  |      | EXISTING TREELINE TO BE CLEARED                                      |
|  |      | CLEARING LIMITS                                                      |
|  |      | LIMIT OF DISTURBANCE                                                 |
|  |      | E&S PROPOSED CONTOURS                                                |
|  |      | FINAL PROPOSED CONTOURS                                              |

- NOTES:
1. SEDIMENT TRAP AND PERIMETER CONTROLS TO BE INSTALLED PRIOR TO SITE DEMOLITION.
  2. ALL DISTURBED SLOPES 5:1 AND STEEPER SHALL RECEIVE EROSION AND SEDIMENT CONTROL BLANKET MATTING.
  3. BLANKET MATTING TO BE COIR EROSION CONTROL MAT TYPE 980 MINIMUM OR APPROVED EQUAL.
  4. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN (7) DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN FOURTEEN (14) DAYS.



## Cape Marine Boat Storage Expansion

1270 Bayshore Road  
Cape Charles, VA

| No. | Revision | Date | App'd. |
|-----|----------|------|--------|
|-----|----------|------|--------|

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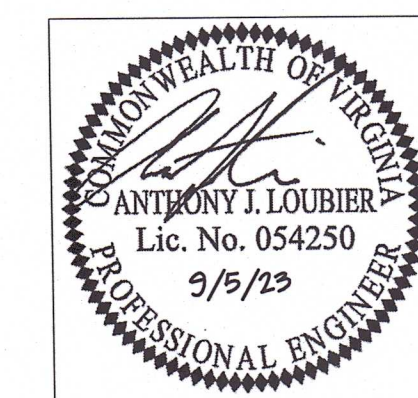
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| Designed by | TWW | Checked by | AUL |
| Issued for  |     | Date       |     |

Review September 5, 2023

Not Approved for Construction

Demolition & Erosion and  
Sediment Control Plan

Drawing Number

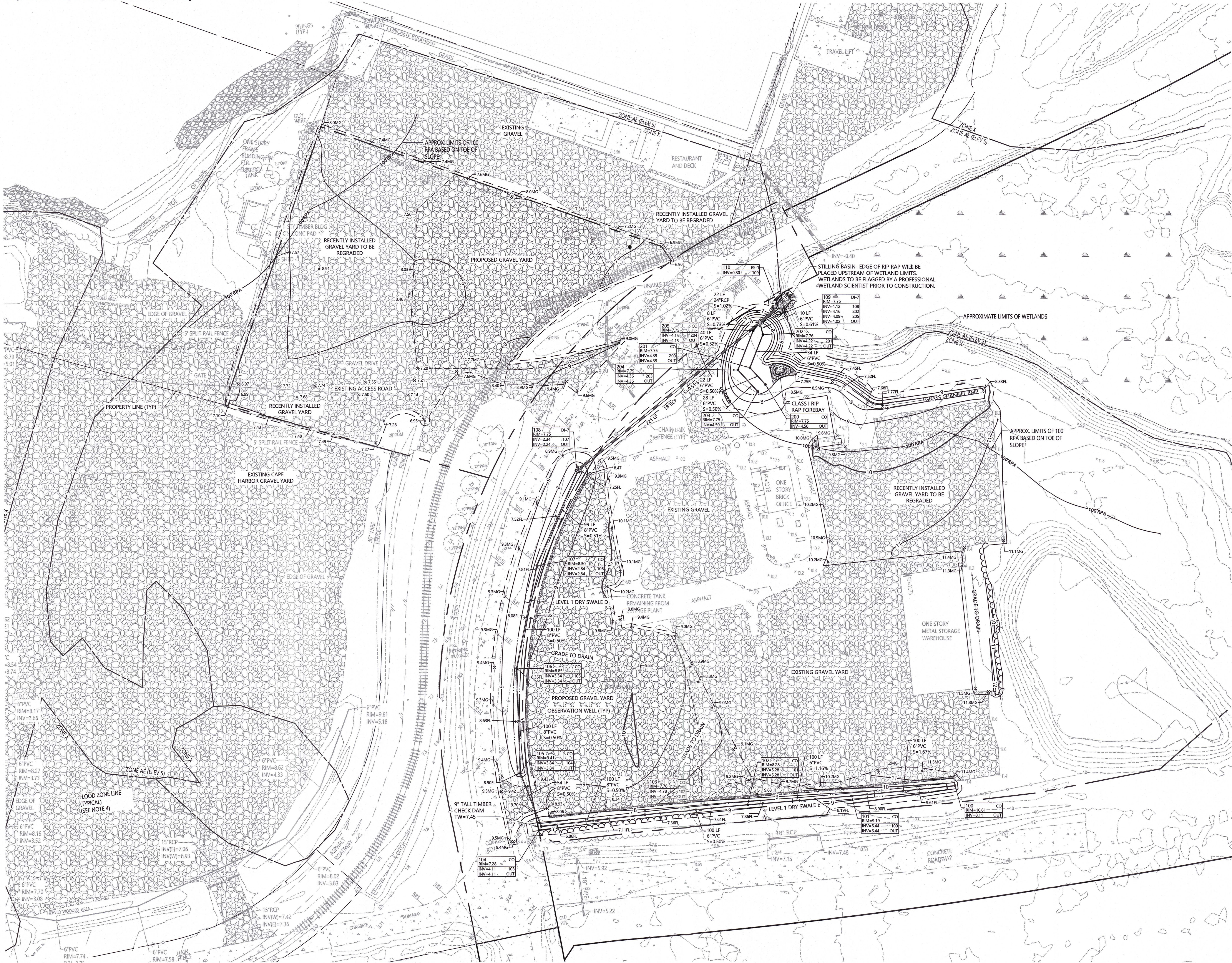


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Sheet 3 of 8

Project Number  
34205.04





**Cape Marine Boat Storage Expansion**

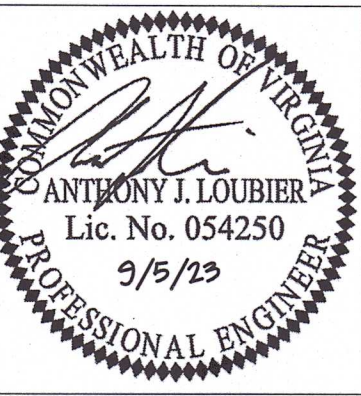
1270 Bayshore Road  
Cape Charles, VA

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| Designed by | TWW | Checked by        | AJL |
| Issued for  |     | Date              |     |
| Review      |     | September 5, 2023 |     |

Not Approved for Construction

Grading and Drainage Plan



**C3.01**

Sheet 4 of 8

Project Number 34205.04

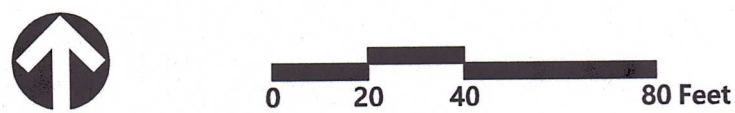




351 McLaws Circle  
Suite 3  
Williamsburg, VA 23185  
757.220.0500

Legend

- EXISTING/RECENTLY INSTALLED GRAVEL
- EXISTING ASPHALT
- EXISTING CONCRETE
- LIMIT OF DEVELOPMENT
- CLEARING LIMITS
- PROPOSED GRAVEL
- PROPOSED BMP FOOTPRINT
- EXISTING WETLANDS



Cape Marine Boat  
Storage Expansion

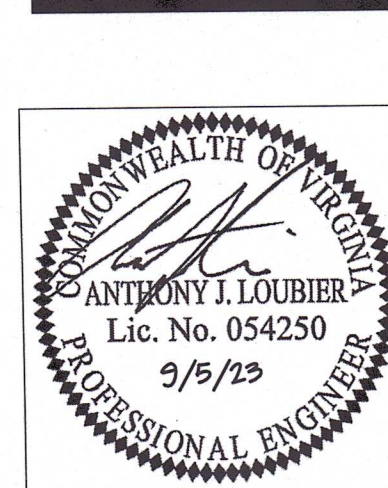
1270 Bayshore Road  
Cape Charles, VA

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| Review      | September 5, 2023 |

Not Approved for Construction

Layout and Materials Plan

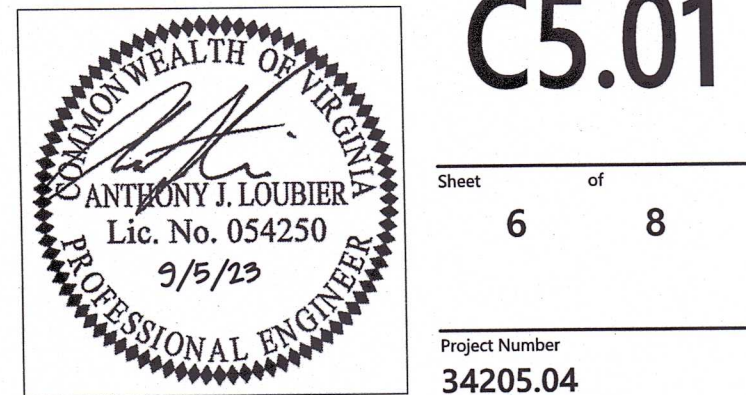
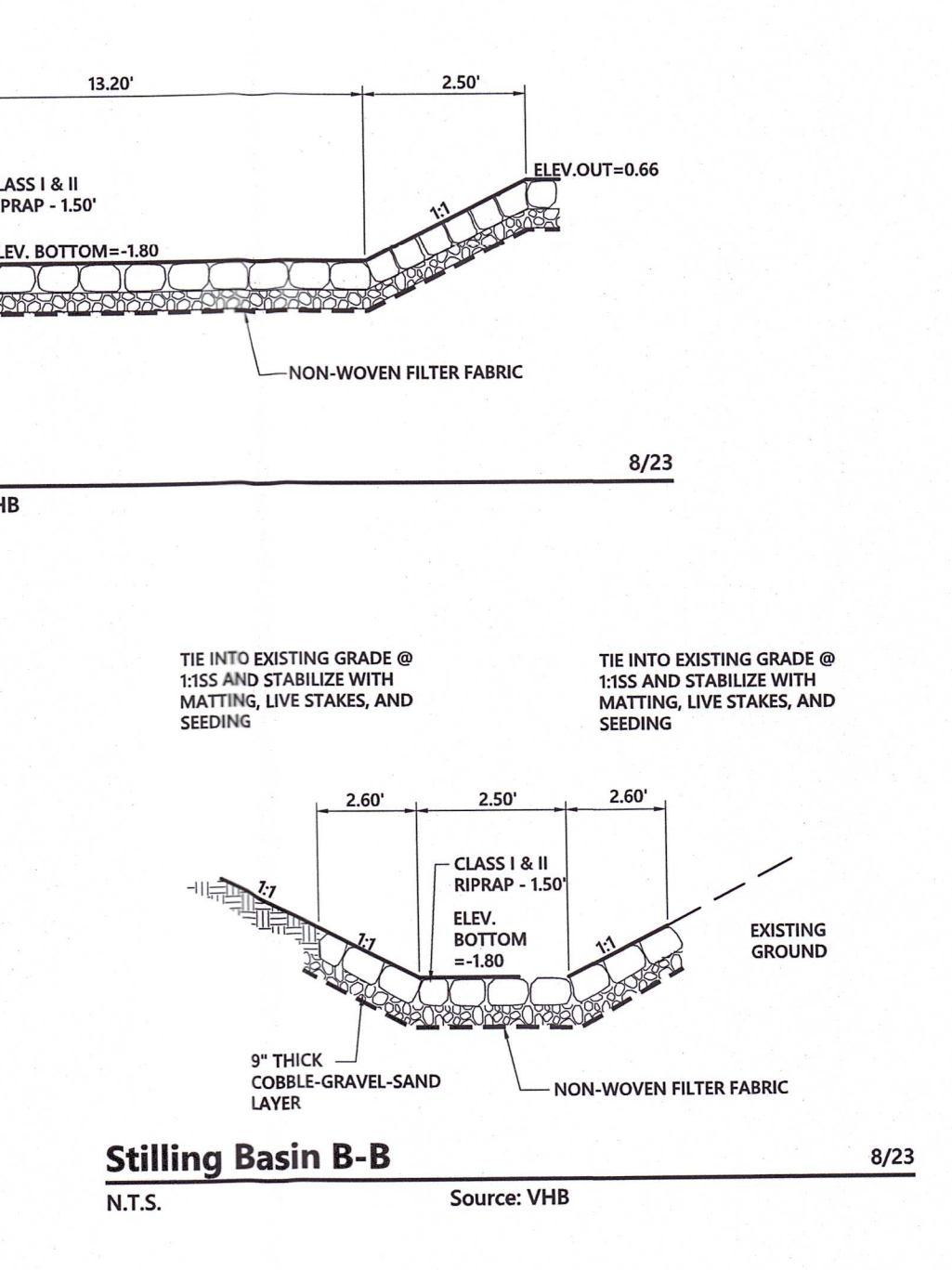
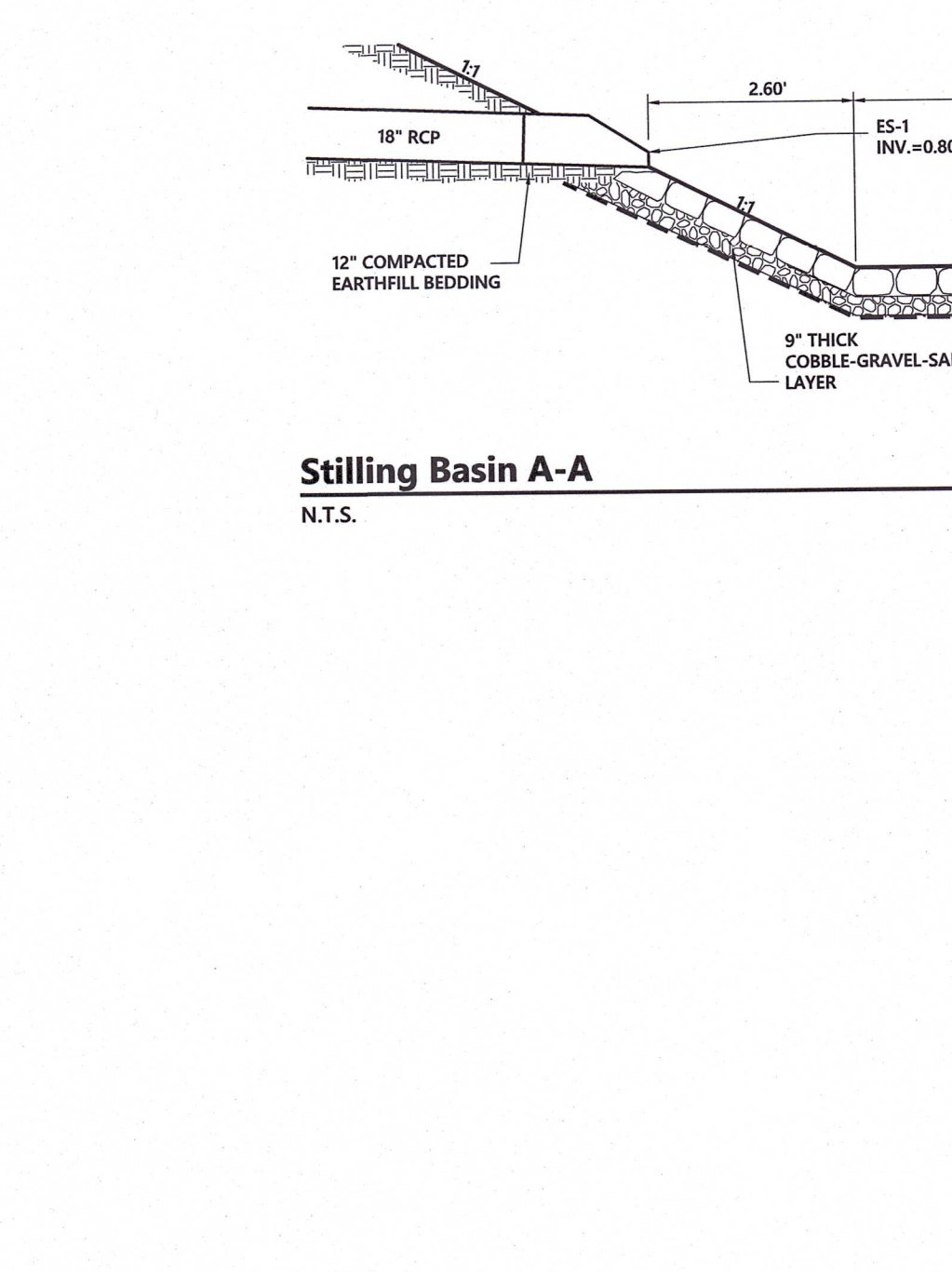
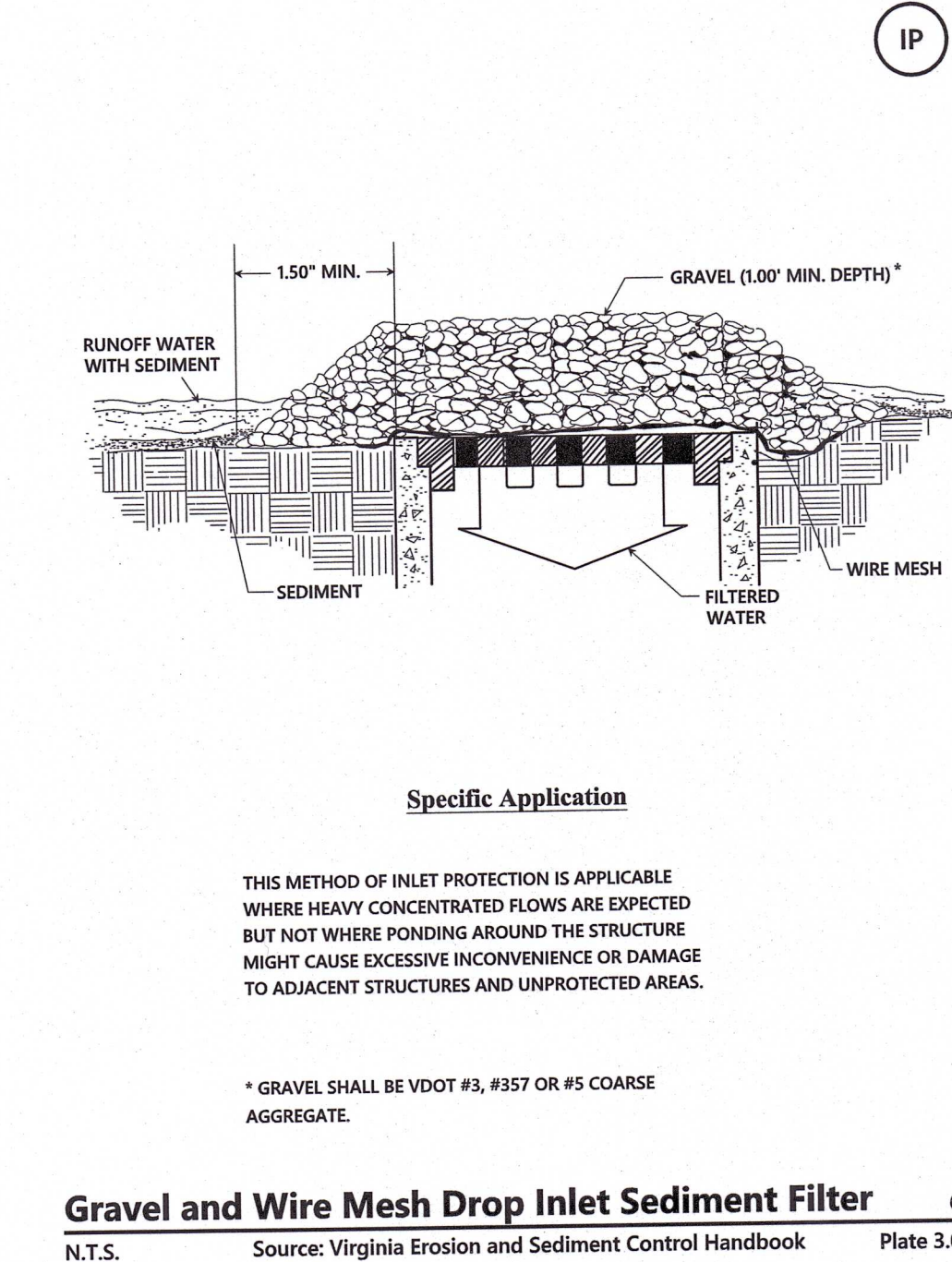
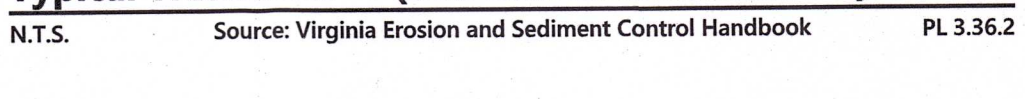
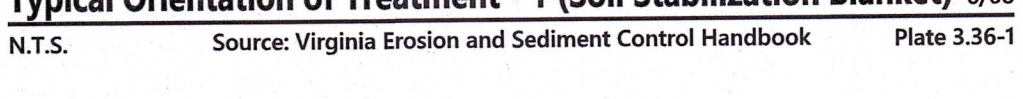
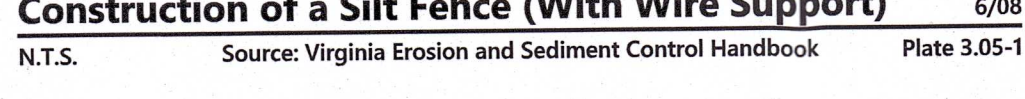
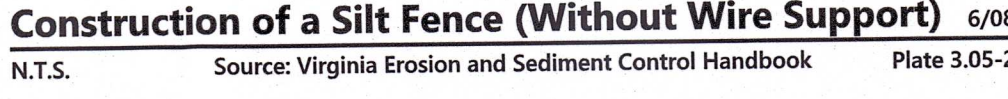
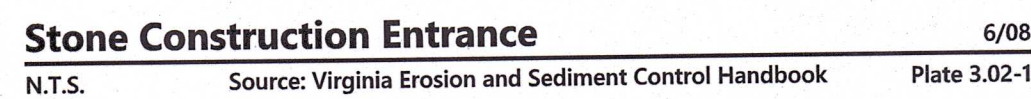


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Sheet 5 of 8

Project Number  
34205.04









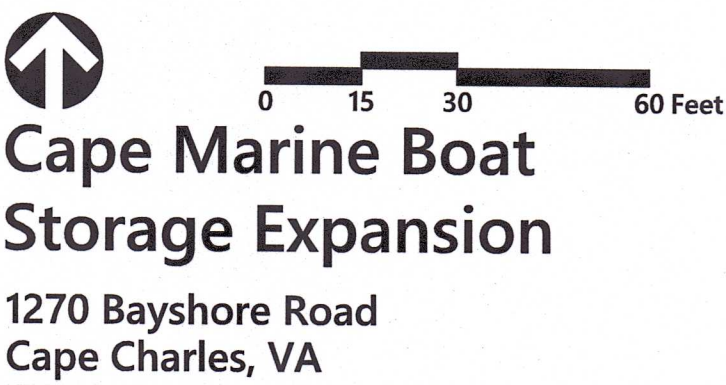




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|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------|-------------------------|----------|-------------------------------------------|
|  | Native Grass Mix                                                                      |                               |                         |          |                                           |
|                                                                                     | Note: Seed mix to be Native Detention Area Mix ERMNMX-183 by Ernst Conservation Seeds |                               |                         |          |                                           |
|                                                                                     | 26.00%                                                                                | -Panicum clandestinum, Tioga  | Deertongue, Tioga       | Seed mix | Seeding rate = 1/2 lbs per 50 lf of swale |
|                                                                                     | 25.00%                                                                                | -Panicum virgatum, 'Carthage' | Switchgrass, 'Carthage' |          |                                           |
|                                                                                     | 20.00%                                                                                | -Carex vulpinoidea            | Fox Sedge               |          |                                           |
|                                                                                     | 20.00%                                                                                | -Elymus virginicus            | Virginia Wild Rye       |          |                                           |
|                                                                                     | 4.00%                                                                                 | -Agrostis perennans           | Autumn bentgrass        |          |                                           |
|                                                                                     | 3.00%                                                                                 | -Juncus effusus               | Soft Rush               |          |                                           |
|                                                                                     | 1.00%                                                                                 | -Juncus tenuis                | Path Rush               |          |                                           |
| 1.00%                                                                               | -Panicum rigidulum                                                                    | Redtop Panicgrass             |                         |          |                                           |

1. ALL PROPOSED PLANTING LOCATIONS SHALL BE STAKED AS SHOWN ON THE PLANS FOR FIELD REVIEW AND APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
2. CONTRACTOR SHALL VERIFY LOCATIONS OF ALL BELOW GRADE AND ABOVE GROUND UTILITIES AND NOTIFY OWNERS REPRESENTATIVE OF CONFLICTS.
3. NO PLANT MATERIALS SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA. CONTRACTOR SHALL NOTIFY OWNER'S REPRESENTATIVE OF ANY CONFLICT.
4. A 3-INCH DEEP MULCH PER SPECIFICATION SHALL BE INSTALLED UNDER ALL TREES AND SHRUBS, AND IN ALL PLANTING BEDS, UNLESS OTHERWISE INDICATED ON THE PLANS, OR AS DIRECTED BY OWNER'S REPRESENTATIVE.
5. ANY PROPOSED PLANT SUBSTITUTIONS MUST BE REVIEWED BY LANDSCAPE ARCHITECT AND APPROVED IN WRITING BY THE OWNER'S REPRESENTATIVE.
6. ALL PLANT MATERIALS INSTALLED SHALL MEET THE SPECIFICATIONS OF THE "AMERICAN STANDARDS FOR NURSERY STOCK" BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND CONTRACT DOCUMENTS.
7. ALL PLANT MATERIALS SHALL BE GUARANTEED FOR ONE YEAR FOLLOWING DATE OF FINAL ACCEPTANCE.
8. ALL DISTURBED AREAS NOT OTHERWISE NOTED ON CONTRACT DOCUMENTS SHALL BE SEEDED OR MULCHED AS DIRECTED BY OWNER'S REPRESENTATIVE.
9. THIS PLAN IS INTENDED FOR PLANTING PURPOSES. REFER TO SITE / CIVIL DRAWINGS FOR ALL OTHER SITE CONSTRUCTION INFORMATION.
10. CONTRACTOR RESPONSIBLE FOR IRRIGATION. WATER PLANTS FOR FIRST YEAR OR LIFE OF WARRANTY.

1. CONTRACTOR SHALL PROVIDE COMPLETE MAINTENANCE OF THE LAWNS AND PLANTINGS. NO IRRIGATION IS PROPOSED FOR THIS SITE. THE CONTRACTOR SHALL SUPPLY SUPPLEMENTAL WATERING FOR NEW LAWNS AND PLANTINGS DURING THE ONE YEAR PLANT GUARANTEE PERIOD.
2. CONTRACTOR SHALL PROVIDE ALL MATERIALS, LABOR, AND EQUIPMENT FOR THE COMPLETE LANDSCAPE MAINTENANCE WORK. WATER SHALL BE PROVIDED BY THE CONTRACTOR.
3. WATERING SHALL BE REQUIRED DURING THE GROWING SEASON, WHEN NATURAL RAINFALL IS BELOW ONE INCH PER WEEK.
4. WATER SHALL BE APPLIED IN SUFFICIENT QUANTITY TO THOROUGHLY SATURATE THE SOIL IN THE ROOT ZONE OF EACH PLANT.
5. CONTRACTOR SHALL REPLACE DEAD OR DYING PLANTS AT THE END OF THE ONE YEAR GUARANTEE PERIOD. CONTRACTOR SHALL TURN OVER MAINTENANCE TO THE FACILITY MAINTENANCE STAFF AT THAT TIME.



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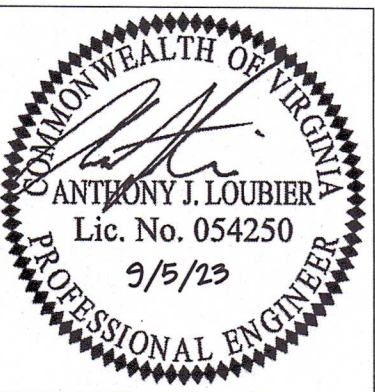
Review September 5, 2023

Not Approved for Construction

Drawing Title

Landscape Plan

Drawing Number



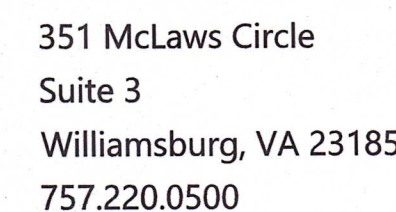
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Project Number  
34205.04





- ① DRAIN MANHOLE
- ≡ CATCH BASIN
- ③ SEWER MANHOLE
- ⓔ ELECTRIC MANHOLE
- ① TELEPHONE MANHOLE
- MANHOLE
- HH □ HAND HOLE
- ⊙ WATER GATE
- ⊙ FIRE HYDRANT
- GAS GATE
- BOLLARD
- ★ BOLLARD w/LIGHT
- STREET SIGN
- ☆ LIGHT POLE
- UTILITY POLE
- GUY POLE
- GUY WIRE

 MARSH  
 FF=45.27'  
 FINISHED FLOOR ELEVATION  
 EDGE OF PAVEMENT  
 CHAIN LINK FENCE  
 DRAINAGE LINE  
 FEMA FLOOD ZONE LINE  
 OVERHEAD WIRE  
 TREE LINE  
 VEGETATED WETLAND BOUNDARY  
 PROPERTY LINE  
 RIGHT-OF-WAY LINE

Bayshore Road  
Cape Charles, Virginia

[illegible]

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| Designed by | Checked by |
| Issued for  | Date       |

**August 23, 2021**

COMMONWEALTH OF VIRGINIA  
STEPHEN A. ROMEO  
Lic. No. 1448-B  
LAND SURVEYOR

Drawing Number

Sv-1

Sheet \_\_\_\_\_ of \_\_\_\_\_  
1 1

Revised Number \_\_\_\_\_

1. THE PROPERTY LINES, TOPOGRAPHY AND PHYSICAL FEATURES SHOWN FOR THE PARCELS WEST OF BAYSHORE ROAD WERE DETERMINED BY AN ACTUAL FIELD SURVEY CONDUCTED BY JOHN E. SIBRINE & ASSOCIATES, TITLED "PLAT, TOPOGRAPHIC SURVEY OF LOT NO. 1 AND LOT NO. 2, AS SHOWN ON PLAT ENTITLED "PLAT OF SURVEY OF PARCELS OF LAND, BEING LOTS 1 AND 2, IN THE 1/4 SECTION 36, TOWNSHIP 36N, RANGE 10E, COUNTY OF RALPH, WYOMING, PLAT 10, 110 TO BE CONVEYED TO RICHARD W. DYCKSTRA, PLAT NO. 2 TO BE CONVEYED TO 205, INC., A VIRGINIA CORPORATION."
2. THE PROPERTY LINES, BUILDING OUTLINES, AND EDGES OF PAVEMENT FOR THE PARCEL EAST OF BAYSHORE ROAD ARE BASED ON A PLAT BY SHORLINE SURVEYORS, TITLED "BOUNDARY SURVEY OF CARP CHAYES YACHT CENTER, BEING LOTS 1 AND 2, IN THE 1/4 SECTION 36, TOWNSHIP 36N, RANGE 10E, COUNTY OF RALPH, WYOMING, PLAT 10, 110 TO BE CONVEYED TO RICHARD W. DYCKSTRA, PLAT NO. 2 TO BE CONVEYED TO 205, INC., A VIRGINIA CORPORATION."
3. SELECT TOPOGRAPHY, STORM-SEWER INFORMATION, AND BUILDING CORNERS WERE FIELD LOCATED IN JULY 2011 BY VIB. LIMITS OF ON-THE-GROUND TOPOGRAPHIC SURVEY BY VIB IS NOTED ON THIS PLAN. HORIZONTAL AND VERTICAL DATUM BASED ON SANGRE DE TORO DATUM.
4. HORIZONTAL VIRGINIA STATE PLAT SOUTH ZONE NAD 83 (83 DATUM)
5. VERTICAL: NAVD 80
6. THE OUTLINE OF THE 3 SURVEYS BASED ON NGN 1101 (RIPAR) COLLECTED DURING 2015

THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT RESPONSIBLE CHARGE OF STEPHEN A. ROMEO, VA LS 1448-B, FROM AN ACTUAL GROUND SURVEY, THE ORIGINAL DATA WAS OBTAINED JUNE 2023 AND THIS MAP MEETS THE MINIMUM ACCURACY STANDARDS OF 18VAC10-20-382



| 2024 Harbor Area Review Board* Application Deadline Schedule                                                                                                                                                                                                          |                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <b>*A Complete application is defined as a submittal, (1 Hard Copy &amp; 1 Digital Copy), of all documents listed under the Permit Checklist on the Certificate of Appropriateness Application including payment and a completed Application for Zoning Clearance</b> |                                                 |
| Pre-Application and Complete Application Deadlines                                                                                                                                                                                                                    | Meetings                                        |
| Wednesday, 12/27/2023*                                                                                                                                                                                                                                                | Wednesday, 1/24/2024                            |
| Wednesday, 1/24/2024*                                                                                                                                                                                                                                                 | Wednesday, 2/28/2024                            |
| Wednesday, 2/28/2024*                                                                                                                                                                                                                                                 | Wednesday, 3/27/2024                            |
| Wednesday, 3/27/2024*                                                                                                                                                                                                                                                 | Wednesday, 4/24/2024                            |
| Wednesday, 4/24/2024*                                                                                                                                                                                                                                                 | Wednesday, 5/22/2024                            |
| Wednesday, 5/22/2024*                                                                                                                                                                                                                                                 | Wednesday, 6/26/2024                            |
| Wednesday, 6/26/2024*                                                                                                                                                                                                                                                 | Wednesday, 7/24/2024                            |
| Wednesday, 7/24/2024*                                                                                                                                                                                                                                                 | Wednesday, 8/28/2024                            |
| Wednesday, 8/28/2024*                                                                                                                                                                                                                                                 | Wednesday, 9/25/2024                            |
| Wednesday, 9/25/2024*                                                                                                                                                                                                                                                 | Wednesday, 10/23/2024                           |
| Wednesday, 10/23/2024*                                                                                                                                                                                                                                                | Wednesday, 12/4 /2024 (Regular Date on Holiday) |
| Tuesday, 11/26/2024*                                                                                                                                                                                                                                                  | Cancelled (Regular Date on Holiday)             |
| *End of business day (4:30 p.m.)                                                                                                                                                                                                                                      | *INCOMPLETE APPLICATIONS WILL BE DISCARDED.     |