



HISTORIC DISTRICT REVIEW BOARD

Regular Meeting
Cape Charles Civic Center
April 16, 2024
5:00 p.m.

At approximately 5:00 p.m., Chairwoman Kathy Glaser, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Chairwoman Glaser, present were, Patricia James, Herb Thom, and Elizabeth Wright. Martin Mayer was not in attendance. Also, in attendance were Planning/Zoning Assistant Preservation and Zoning Administrator Tracy Outten, Town Clerk Libby Hume, and the applicants. There were four members of the public in attendance and twelve viewers on Facebook Live.

Chairwoman Glaser started the HDRB Regular meeting with a moment of silence and the recitation of the Pledge of Allegiance.

PUBLIC COMMENT:

Ms. Outten read two public comments submitted prior to the meeting. (Please see attached.)

There were no additional comments to be heard.

CONSENT AGENDA:

Motion made by Vice-Chairman Thom, seconded by Member James, to approve the agenda format as presented. The motion was approved by unanimous vote.

Motion made by Vice-Chairman Thom, seconded by Member Wright, to approve the minutes as written from March 19, 2024 Historic District Review Board Regular Meeting. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There were no applications filed.

NEW BUSINESS:

A. Certificate of Appropriateness to Install a Fence:

1. *114 pine Street: Gerry Forbes and Barrett Cree – to install a 3' vinyl picket fence in the front and side yard and a 6' vinyl privacy fence in the rear yard.*

Ms. Outten read the staff report including the background for the reasoning behind the Zoning Administrator's favorable consideration of the material choice even though it was no longer an appropriate fencing type.

Gerry Forbes, the applicant, explained that due to many construction delays, flooding issues which were documented in the pictures provided in the packets handed out at the beginning of the meeting (Please see attached.), and health problems the vinyl fence could not be completed during the timeframe that was allotted; adding that she had been unaware that the town ordinances or guidelines were updated. Ms. Forbes thought this was a hardship as the vinyl fencing had been previously approved and purchased.

Board discussion and questions were as follows: (i) Chairwoman Glaser wanted to know if the public comment about the height of the fence placement would be addressed, yes. (ii) Member James stated that vinyl was not an appropriate fencing material in the current guidelines and did not want to start excepting it to start a precedent. Ms. Outten commented that the HDRB could make exceptions to the guidelines and

reiterated that the material choice had been approved under the previous guidelines. (iii) Member James asked why the applicants let the permit expire and who was the first contractor, Cree Contracting, Inc. Ms. Forbes answered they did not realize it would be an issue and unexpected circumstances arose and the contractor was Cree Contracting, Inc. and Barrett Cree. and (iv) Chairwoman Glaser and Member Wright thought this application qualified for an exception to the Cape Charles Historic District Overlay Design Guidelines.

Chairwoman Glaser stated the following for clarification to the applicants: (i) The board did not oppose the fencing material when the previously application was before them, it was the expiration date that they were concerned with; and (ii) The update to the Town of Cape Charles Zoning Ordinance and the Cape Charles Historic District Overlay Design Guidelines were well publicized and still believes ignorance was not an excuse.

Motion made by Vice-Chairman Thom, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at 114 Pine Street on an application filed by Gerry Forbes and Barrett Cree to install a 3' vinyl picket fence in the front and side yard and a 6' privacy fence in the rear of the property per the Cape Charles Historic District Overlay Design Guidelines Section 9.2 – Fences & Freestanding Walls; as stated in the application dated 3/5/2024 as an exception to the guidelines as the vinyl material had been previously approved and purchased under the Cape Charles Historic District Guidelines Site Features; and per all zoning ordinance requirements. The motion was approved by majority vote with Member James opposing.

Barrett Cree, co-applicant, thanked the board for making an exception and said he was trying to make the property more appealing. He added that many compliments have been given during the renovations.

B. *Modification to Approved Certificate of Appropriateness:*

There were no applications filed.

C. *Certificate of Appropriateness for Minor Renovations:*

1. *644 Monroe Avenue: Christopher and Karen Willis – to replace the existing slate roof with a new slate roof, to replace the existing tin/metal roof with copper on the one-story side flat roofs, and to add a copper cap to the chimney.*

Ms. Outten presented the staff report and informed the board their review was necessary for the new material proposed for the side flat roofs as the existing material was no longer available and for the proposed chimney cap.

Chris Willis, the applicant, explained that all metal pertaining to the roofs would be replaced.

Member James asked if gutters existed, yes.

Motion made by Member James, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at 644 Monroe Avenue on an application filed by Christopher and Karen Willis to (1) replace the existing slate roof with a new slate roof on the two-story main dwelling, (2) to replace the existing tin/metal roof with a copper roof on the two one-story sides, and (3) to add a copper cap to the chimney per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 – Architectural Character, Section 3.2 – Building Types, Forms, & Associated Architectural Styles – Colonial Revival, Section 4.2 – Roofs, Section 5.2 – Roofs, Section 5.3 – Chimneys, and Section 7.1 – Alternative Materials; as stated in the application dated 3/27/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

2. *543 Mason Avenue: 543 Mason, LLC represented by Paige Pollard – to replace: (i) front metal door with new wood 4-lite/1-panel door, (ii) front first floor vinyl windows with custom-fabricated 2/2 and the second-floor slider with a center 2/2 TDL wood window flanked by two narrow 1/1 wood windows on either side, (iii) existing metal mailbox with new mailbox, and (iv) the rear metal door with a new fiberglass 1-lite door on the two-story single-family dwelling; to install a shell golf cart driveway; to move the existing fence; and to rebuild a side lean-to roof on the existing rear accessory structure.*

Ms. Outten read the staff report.

Paige Pollard, the applicant, was available to answer questions.

Board discussion and questions were as follows: (i) Member James asked if the window opening size was changing, no. (ii) Chairwoman Glaser confirmed that the lean-to roof was going on the rear shed. and (iii) Vice-Chairman Thom clarified that only the front windows were being replaced at this time.

Motion made by Vice-Chairman Thom, seconded by Member James, to approve the application for a Certificate of Appropriateness at 543 Mason Avenue on an application filed by Paige Pollard on behalf of 543 Mason, LLC (1) to replace: (i) front metal door with new wood 4-lite/1-panel door, (ii) front first floor vinyl windows with custom-fabricated 2/2 and the second-floor slider with a center 2/2 TDL wood window flanked by two narrow 1/1 wood windows on either side, (iii) existing metal mailbox with new mailbox, and (iv) the rear metal door with a new fiberglass 1-lite door on the two-story single-family dwelling; (2) to install a shell golf cart driveway; to relocate the existing rear wood fence; and (3) to rebuild a side lean-to roof on the existing rear accessory structure per the Cape Charles Historic District Overlay Design Guidelines Section 3.2 – Building Types, Forms, & Associated Architectural Styles – Folk Victorian, Section 4.5 – Openings & Associated Features – Windows, Doors, & Storefronts, Section 5.4.1 (2)(c) – Minimum Standard – Windowsill and Window Casing or Trim, Section 5.5.1 – Windows, Section 5.5.2 – Doors, Section 6.1 – Noncontributing Accessory Structures Associated with A Contributing Primary Building, Section 7.1 Alternative Materials, Section 9.1 – Hardscaping (Driveways, Walkways, & Other Paving), and Section 9.2 – Fences & Freestanding Walls; as stated in the application dated 2/26/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

3. *210 Tazewell Avenue: William and Jayne Prickett – (1) to replace existing: (i) shingle roof with a new shingle roof, (ii) various types of wood siding with new Hardie Plank siding to match the house, (iii) wood trim with AZEK trim boards, and (iv) wood 6/6 window with new 1/1 double-hung vinyl window on east side; (2) to remove the two existing front wood doors and replace with two new 1/1 double-hung vinyl windows and Hardie Plank siding ;and (3) to add a new entrance door and lean-to roof on the east side of the accessory structure.*

Ms. Outten explained the renovations the applicants would like to make to the existing contributing 190 square feet accessory structure and added that this was visible from a public right-of-way.

William “Bill” Prickett, applicant, was available via telephone to answer questions.

Chairwoman Glaser confirmed the windows would be 1/1 vinyl to match the main house.

Mr. Prickett asked if the grills for the door could be in-between the glass. Chairwoman Glaser and Vice-Chairman Thom answered that the muntins (grills) needed to be on the outside of the glass. Vice-Chairman Thom mentioned that the applicant had the option to use removable muntins.

Motion made by Member Wright, seconded by Member James, to approve the application for a Certificate of Appropriateness at 210 Tazewell Avenue on an application filed by William and Jayne Prickett (1) to replace: (i) shingle roof with a new shingle roof, (ii) various types of wood siding with new Hardie Plank siding to match the house, (iii) wood trim with AZEK trim boards, and (iv) wood 6/6 window with new 1/1

double-hung vinyl window on east side; (2) to remove the two existing front wood doors and replace with two new 1/1 double-hung vinyl windows and Hardie Plank siding ;and (3) to add a new entrance door and lean-to shingle roof on the east side of the existing 190 square feet accessory structure per the Cape Charles Historic District Overlay Design Guidelines Section 6.1 – Contributing Accessory Structures Associated with A Contributing Primary Building and Section 7.1 Alternative Materials; as stated in the application dated 2/21/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

D. *Certificate of Appropriateness for Renovations, Additions, and New Construction:*

1. *505 Harbor Avenue: Jennifer Corcoran represented by Eric Adams, dba Adams Home Renovations – to construct a 240 square feet second-floor rear deck on the two-story single-family dwelling.*

Ms. Outten read the staff report.

Eric Adams, the applicant, and Jennifer Corcoran, the owner, were available to answer questions.

Board discussion and questions were as follows: (i) Member James asked if the existing roof was original to the house; no. (ii) Vice-Chairman Thom confirmed that the vinyl railings included within the submission were still being used, yes and would follow the building code. He also questioned why this was being reviewed by the HDRB. Ms. Outten answered that the rear of the home was visible from Bay Avenue. (iii) Mr. Adams informed the board that the blinds on the door would be in between the glass. The HDRB said that was okay since the guidelines did not mention that feature and the doors would be on the rear of the home. and (iv) Mr. Adams asked the board if they could approve some work Ms. Corcoran was proposing for the front of the house. Chairwoman Glaser said there was an application process that each new proposal would need to follow. Ms. Outten reiterated to the board that the only proposal being reviewed for approval tonight was for the second-floor rear deck. She added that Mr. Adams had been made aware of this when he came and picked up a copy of the agenda packet. Ms. Corcoran voiced her frustration about having to pay another fee.

Motion made by Member James, seconded by Vice-Chairman Thom, to approve the application for a Certificate of Appropriateness at 505 Harbor Avenue on an application filed by Eric Adams, dba Adams Home Renovations on behalf of Jennifer Corcoran to construct a 240 square feet second-floor rear deck on the two-story single-family dwelling per the Cape Charles Historic District Overlay Design Guidelines Section 3.2 – Building Types, Forms, & Associated Architectural Styles – Folk Victorian, Section 5.5.4 – New Window and Door Openings, Section 5.6 – New Additions to Contributing Buildings, and Section 9.2 – Decks, Ramps, & Patios, Section 9.4 – Appurtenances; as stated in the application dated 2/26/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

2. *Tax Map #83A1-1-58B & 59B on Plum Street: James and Kelly Eldringhoff represented by William Doughty dba Village Builders on the Bay, Inc.– to construct a new 1,449 square feet one and half-story single-family dwelling with a 216 square feet front porch, 16 square feet side door landing, and a 40 square feet rear door landing; a rear 160 square feet patio and an outdoor shower.*

Ms. Outten presented the staff report.

Bill Doughty, the contractor, and James Eldringhoff, the owner, were available to answer questions.

Chairwoman Glaser asked how the lot was oriented. Mr. Doughty answered it was two lots and located one in from the corner lot and the house would front Plum Street.

Vice-Chairman Thom confirmed the windowsills and trim followed with the guidelines.

MOTION ON PAGE 5

Motion made by Vice-Chairman Thom, seconded by Member James, to approve the application for a Certificate of Appropriateness at Tax Map #83A1-1-58B & 59B on Plum Street on an application filed by James and Kelly Eldringhoff represented by William Doughty dba Village Builders on the Bay, Inc. to construct a new 1,449 square feet one and half-story single-family dwelling with a 216 square feet front porch, 16 square feet side door landing, and a 40 square feet rear door landing; a rear 160 square feet concrete patio and a 16 square feet rear outdoor shower per the Cape Charles Historic District Overlay Design Guidelines Section 5.13 – New Construction of Primary Buildings, Section 9.1 – Hardscaping (Driveways, Walkways, & Other Paving), Section 9.3 – Decks, Ramps, & Patios, Section 9.4 – Appurtenances, and Section 9.5 – Landscaping; as stated in the application dated 2/22/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

E. *Commercial-3 District:*

There were no applications filed.

F. *Other:*

There were no applications filed.

OTHER BUSINESS:

A. *Report from Zoning Administrator Katie Nunez*

Ms. Outten updated the board on (1) Administrative Approvals as follows: (i) Reroofing: 305, 307, 309 Harbor Avenue, 601 Jefferson Avenue, 506 Plum Street (ii) Other: 517 Madison Avenue; 623 Madison Avenue; 618 Monroe Avenue; 527 Plum Street; 408 Randolph Avenue; 214 Washington Avenue; 618 Washington Avenue; and (2) Compliance Checks by Zoning Compliance Officer on Issued Certificate of Appropriateness: None.

ANNOUNCEMENTS:

There were no announcements.

Motion made by Vice-Chairman Thom, seconded by Member Wright, to adjourn the April 16, 2024 Historic District Review Board Regular Meeting at 5:54 p.m.

Chairwoman Kathy Glaser

Planning/Zoning Assistant Preservation & Zoning Administrator

**April 16, 2024 Historic District Review Board Regular Meeting
Comments Submitted in Writing**

Sheila Shields, 209 Mason Avenue, Unit 1B

RE: Pine St Fence Application

Dear Ms. Katie Nunez and Board Members,

Thank you for this opportunity to comment on this application. As a neighbor directly across from this property, I've witnessed the amazing improvements to this property, as well as the multiple attempts by these owners to navigate the Town's requirements to simply complete the remaining installation of a very attractive fence previously approved by this Board, and purchased based on the given guidelines, with now over one-third installed.

Given the delay we all experienced through Covid, known delays in the construction world. I ask that this Board please consider the owners attempts to move through this process in the correct fashion! Town Council encouraged them to reapply not as an extension, but rather now as a new application and to address the fence type through this new application, with hopes this Board would see fit to help them complete what was already set in motion.

The fact that the guidelines changed after this couple purchased the fence, that the significant costs incurred under those guidelines, that they never deviated or modified from the original COA, but simply and only could not complete before the COA expired, due to significant delays caused by extenuating water problems and contractor delays out of their control. I ask this Board to please look at the inherent efforts put out by this couple continuing to try navigating through the Town's guidelines even though the code changed after their investment.

The Board inherently has the choice; Use guidelines in a fashion that hurts a citizen. Or use the guidelines to provide flexibility when appropriate. It is my hope that the Board will find a way to approve this now as a new application understanding the unique circumstances and not cause further financial hardship for this couple or delay in completing their project.

Thank you for your consideration. Due to unseen circumstances, I cannot attend the meeting and ask that my letter please be read into the public.

Sincerely,

Sheila Shields

Bradley Connors, 209 Randolph Avenue

RE: 114 Pine St - fence Application

Board members,

I am writing to let you know that I'm okay with a vinyl fence to be put up on our property lines.

As for the height, I was under the impression that the fence needed to stagger to a lower height as it gets closer to the Randolph sidewalk. This will allow wider sight lines and air flow to our front porch.

Thank you,

Brad Connors

209 Randolph Ave

April 16, 2024 Historic District Review Board Regular Meeting Additional Information Submitted by Applicants

Agenda Item: 6A (1) 114 Pine Street – Pictures Submitted by Gerry Forbes

4/16/24, 1:11 PM

Continuously wet conditions.jpg



4/16/24, 1:27 PM

Current Conditions 1.jpg



4/16/24, 1:27 PM

Current Conditions 2.jpg



4/16/24, 1:12 PM

Just prior to French drain 1.jpg



4/16/24, 1:12 PM

Just prior to French drain 2.jpg



4/16/24, 1:14 PM

Just prior to French drain 3.jpg



4/16/24, 1:11 PM

IMG_4282.jpg

