



TOWN COUNCIL
Special Meeting & Executive Session
Cape Charles Civic Center
March 5, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Special Meeting & Executive Session of the Town Council. In addition to Mayor Dize, present were Vice Mayor Bennett, Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway. Also, in attendance were Capital Projects Manager Bob Panek, Treasurer Deborah Pocock, and Town Clerk Libby Hume. There were 17 members of the public in attendance.

APPEAL OF HISTORIC DISTRICT REVIEW BOARD DECISION – 325 MASON AVENUE:

Councilman Grossman, who was acting as planning coordinator in the absence of a planner, summarized the material and events in chronological order. i) A pre-application meeting was held on January 24 with the applicant, building owners, town planner and one member of the Historic District Review Board (HDRB). One of the comments documented requested the applicant to submit needs to reflect exactly what they wanted to build; ii) The application was received on January 28 and reviewed by the HDRB at their meeting on February 18. The application included a) work on the exterior façade of the building to remove the wooden awning to reveal the historic cornice and utilization of the transom windows; b) replacement of the 1970s-era awning with a new canopy that would have a membrane roof and smooth ceiling; c) replacement of the deteriorating cornice with a new one that would replicate the original; d) The existing clear glass showcase windows and vestibule would remain; e) replacement of the existing door with a new solid door with beveled oval glass and flat panels; f) The existing brick below the windows would be covered with cementitious flat panels with panel mounding and aluminum sills to return the building to the paneled look of the historical photo; g) Faux gas lanterns would be added; and h) The existing aluminum frames in the showcase windows would be painted to match the color of the new paneling; iii) Former Town Planner Zach Ponds’ staff report for the February 18 meeting stated that the scope of the project met the guidelines and would be restoring the building almost exactly as it was in the historical photo. Mr. Ponds had recommended approval of a certificate of appropriateness for the project as proposed; and iv) The HDRB approved the application with the following four conditions: 1) The existing lightings were to be eliminated and replaced with lighting consistent with the town; 2) The awning as drawn would be eliminated; 3) The front door needed to be changed to one that fit in with the town; and 4) The panel effect below the glass would be eliminated.

Councilman Grossman went on to state that the letter of appeal was received by the Town Clerk on February 20. The letter of appeal stated that the HDRB’s conditional approval basically denied the application since nothing that was proposed by the applicant was accepted: i) The board did not consider the comments prepared by the town planner who had determined that the proposed restoration met the guidelines to restore the building as it was in the historical photo; ii) The HDRB stated that the applicant had to match the photo exactly or the applicant would not be allowed to renovate the building; iii) The HDRB stated their opposition to an oval door, however doors were not permanent fixtures on a building and could always be changed should the retailer relocate. A variety of door styles were found on Mason, most of no historic significance at all; iv) The applicant determined that the original cornice over the transom windows, currently covered by the existing awning, was removed. The installation of a new cornice in keeping with the period of the building was not addressed at the meeting; v) The HDRB requested that the applicant incorporate the design of the adjacent awning roof with this application. The existing awning roof on 325 Mason Avenue would be removed and the end of the adjacent roof would be finished off to match existing conditions; vi) The proposed awning was similar to the canopy at Lemon Tree Gallery. While not the original façade, the designed canopy would be in keeping with the historic character of Mason Avenue and the surrounding structures; vii) The HDRB denied the faux gas light fixtures stating that there were

no gas fixtures or wall mounted lights in Cape Charles. A quick drive up and down the street contradicted this statement; viii) The existing brick base was an unfortunate and insensitive addition and the proposed design would replicate the character of the period commercial storefronts as seen in Cape Charles. The HDRB didn't like the use of applied molding but it was an appropriate application; and ix) While the HDRB requested that only the applicant address the board, all involved parties with this project should have had the opportunity to speak to provide insight to the discussion.

Mr. Wayne Anderson represented the applicant, Ms. Meredith Lusk, and stated the following: i) Ms. Lusk took some photographs of other businesses along Mason Avenue. Mr. Anderson distributed some of the photographs for Council review; ii) Ms. Lusk wanted the opportunity to redo the transom windows to allow light into her shop. The original cornice was being removed and a 1920s period canopy that would extend five feet from the structure would be added for shade under the transom windows. The canopy would match the 1920s period of the shop. Two light fixtures would be added on the sides. Ms. Lusk was looking for an antique door, oval preferably, for the front of the store. This type of door seemed more appropriate for her jewelry business; iii) The HDRB gave a conditional approval without the canopy, door, lights or trim, which was basically a denial of the application; iv) The planner had reviewed the application and drawings and felt that the project fit into the guidelines. They thought the application would be approved but things went south at the meeting; v) Mr. Anderson stated that he was an architect with a background of 38 years in historic preservation. This project would be a nice addition to the streetscape and Ms. Lusk was planning on remaining at this location for the long term; and vi) Mr. Anderson stated that he had attended many historic meetings but there was no opportunity for dialogue at this HDRB meeting. He felt that the decision was predetermined, and the conditional approval denied all that the applicant was asking for.

There was some discussion regarding the audio recording of the February 18 HDRB meeting and the photographs showing similar light fixtures on other businesses in town.

Chairman Kerry Shackelford represented the HDRB in the proceedings and read the HDRB's justifications for their decisions. (Please see attached.) Mr. Shackelford went on to state that i) the HDRB had offered several suggestions of what could be done such as a fixed awning versus a retractable one, different types of lighting, panel molding, etc. but received no response from the applicant. The HDRB tried to allow the applicant to move forward with the project and asked her to come back with other ideas; and ii) Since the historic photograph was submitted with the application, it became the basis of the decision. There was no light or canopy in the photograph so they could not be added if the guidelines were followed.

There was much discussion regarding the awning/canopy, light fixtures, the proposed panels, the proposed paint colors, the door and the photographs.

Councilwoman Holloway stated that she felt it was unfair to the applicant who was provided guidance from an employee during the pre-application meeting. That employee recommended approval of the application, but the HDRB disregarded the staff report and recommendation.

Councilman Grossman responded that the pre-application meeting was typically with the staff person and one member of the HDRB. The entire board made a unanimous decision at the meeting. The board had overruled staff recommendations in the past.

There was much discussion regarding the pre-application meetings.

Ms. Ann Hayward Walker, owner of the building, was given an opportunity to speak. She stated that she had been living in Cape Charles for 22 years and realized that boards change. The historic guidelines were considered as guidelines and not mandatory. There had been other changes to buildings on Mason Avenue, with historic photographs, and they weren't held to standards mandating they go back to look like the original photographs. Some recent changes didn't resemble the historic nature in the photographs. She asked whether the Town was trying to make an example

of her building. The process was perplexing in terms of the property owner trying to make a huge economic investment in the building/Town. Moonrise Jewelry was a high-end business on Mason Avenue. It was an issue of tastes. She didn't understand the exact precision of holding one applicant to a photograph when others weren't.

Mayor Dize responded that every board had different people with different opinions. The HDRB took their job very seriously and was trying to follow the guidelines. This project was not being singled out.

Motion made by Councilman Grossman, seconded by Councilman Bannon, to support the HDRB decision and deny the appeal. The motion failed by majority vote with Vice Mayor Bennett, Councilman Buchholz, and Councilwomen Burge and Holloway opposed.

Motion made by Councilwoman Holloway, seconded by Vice Mayor Bennett, to overturn the HDRB decision. The motion was approved by majority vote with Councilmen Bannon and Grossman opposed.

PUBLIC COMMENTS (AGENDA ITEMS ONLY):

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

SPECIAL MEETING ORDER OF BUSINESS:

Mayor Dize asked that new item 4F-Budget Amendment Request for Mason Avenue Restrooms be added to the agenda.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to add item 4F to the agenda as requested. The motion was approved by unanimous vote.

A. Conditional Use Permit Application – 333 Madison Avenue:

Councilman Grossman stated that the applicant would like to construct an accessory dwelling unit on the currently vacant lot, with the dwelling unit located on the second floor of a garage to be used as a guest house. A home would be constructed on the lot at the same time as the accessory dwelling unit. A certificate of appropriateness was approved for the proposed project at the October 15 HDRB meeting. The Planning Commission held their public hearing on January 7, 2020 and recommended Council approval of the conditional use permit. The Town Council public hearing was held on February 20, 2020 with no comments received.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to approve the conditional use permit to allow an accessory dwelling unit at 333 Madison Avenue. The motion was approved by unanimous vote.

B. Conditional Use Permit Application – 636 Carousel Place:

Councilman Grossman stated that the applicant would like to construct an accessory dwelling unit on a lot that currently had a new single-family detached home under construction, with the dwelling unit located on the second floor of a garage to be used as a guest house. The Planning Commission held their public hearing on January 7, 2020 and recommended Council approval of the conditional use permit. The Town Council public hearing was held on February 20, 2020 with no comments received.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to approve the conditional use permit to allow an accessory dwelling unit at 636 Carousel Place.

Councilwoman Burge pointed out that this application was unusual in that the property was part of a planned unit development (PUD). The information was detailed in Item D.1 of the staff report. She wasn't arguing the issue but wanted to point out the distinction for this case.

The motion was approved by unanimous vote.

- C. *Reappointment of Northampton County Joint Industrial Development Authority Representative:*
Mayor Dize stated that Mr. John Burdiss was currently the Cape Charles representative to the Northampton County Joint Industrial Development Authority (Joint IDA). His term on the Joint IDA would be expiring on March 31, 2020. Mr. Burdiss expressed his desire to continue his service on the Joint IDA for another four-year term.

Motion made by Vice Mayor Bennett, seconded by Councilman Bannon, to reappoint Mr. John Burdiss to the Joint Industrial Development Authority of Northampton County and Its Incorporated Towns for another four-year term, expiring March 31, 2024. The motion was approved by majority vote with Councilwoman Burge abstaining.

- D. *Utilities Extension:*

Project Manager Bob Panek stated that the Town received the proposed contract change order from Hurt & Proffitt to complete the design, prepare construction plans, specifications and bidding documents, and an estimate of probable cost for the wastewater force main. The cost would be about \$30.5K with another \$7.5K for bidding services if Council decided to put the project out to bid. This proposal did not include construction administration and engineering. The Town had not yet received a proposal for the water service extension. This project was not included in the FY 2020 budget. \$30K was currently budgeted in the Wastewater Fund to update electrical service at the Washington Avenue pump station. An estimate of about \$34K was received from the A&N Electric Cooperative and an electrician would have to be hired for another \$4-5K, which would put the project overbudget. Bob Panek recommended replacing the Washington Avenue pump station project with the utilities extension project. The Washington Avenue pump station electrical work could be re-budgeted in FY 2021 since the Town had better estimates of the cost.

There was some discussion regarding other possible funding options and the importance of completing the utilities extension.

Treasurer Deborah Pocock added that this could be done as a budget transfer versus an allocation of funding since adequate funding was already included in the budget.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to continue with the change order funding from the Washington Avenue pump station project. The motion was approved by unanimous vote.

- E. *Sidewalk Committee Report:*

Mayor Dize stated that in the fall of 2019, he had established an ad-hoc sidewalk committee comprised of former Town Planner Zach Ponds, Councilman Grossman, Ms. Dianne Davis and Mr. Rob Smithwick. The committee was tasked with identifying areas currently without sidewalks and locations of damaged sidewalks and making suggestions regarding how the Town should install new or replace existing sidewalks.

Mr. Smithwick provided a summary of the committee's findings and recommendations. (Please see attached.) Mr. Smithwick added that a homeowner had contacted VDOT notifying them of a damaged sidewalk and VDOT repaired the damages. Other property owners with damaged sidewalks could do the same. The project totaled about \$500K and could be done in phases.

Councilman Grossman stated that the costs were estimated after contacting concrete contractors for ballpark numbers. A payback option was included to possibly reimburse property owners who had installed their own sidewalks. The recommended reimbursement would be up to \$2K based on when the sidewalk had been installed up to 10 years. Property owners would have to apply for the reimbursement. This option would not apply for homes that had been sold since the sidewalk installation. The total of potential reimbursements could be \$61,500 if everyone applied. This information was provided to be added to the 5-Year Capital Improvement Plan (CIP).

Vice Mayor Bennett thanked Councilman Grossman and the entire committee for their work. They presented a great plan, but the estimated total was high and the project would need to be spread out over several years, most likely more than the four years estimated in the plan. It needed to be included in the CIP.

Councilwoman Burge stated that Ms. Dianne Davis talked to her about another area on Washington Avenue that needed to be added to this plan. Maintenance of the existing sidewalks was another issue. Councilwoman Burge suggested providing this information to Mr. Chris Isdell, our local VDOT resident engineer, for his review and inviting him to a future meeting to discuss this issue. Let him know the safety issues involved. Cape Charles was the recipient of a grant to repair the sidewalks in town several years ago. Vice Mayor Bennett added that the Town received all the grant funding because at that time, we were the only locality that had a plan.

There was much discussion as follows: i) the potential for injuries from tripping was significant; ii) ADA ramps were needed; iii) grants were being researched; iv) Council requested Mayor Dize to contact VDOT; and v) Town Code § 62-4 needed to be amended to reflect the policy.

F. *Budget Amendment Request for Mason Avenue Restrooms:*

Mayor Dize stated that the need for public restrooms on Mason Avenue had been apparent over the last several years. The Town had been using porta-johns during the busy season and Festive Fridays, but complaints were received from businesses and residents regarding the location of the porta-johns. The library extended their hours of operations to provide access to their restrooms. Staff researched several models of upscale portable restroom facilities and a two-stall unit would cost \$23K, plus cost of electric, water and sewer access, for a total of approximately \$30K. Staff was looking at possible locations to accommodate water and sewer hookups. Staff would clean and maintain the unit. Mayor Dize went on to state that Deborah Pocock reviewed the cost estimate and provided a funding recommendation to transfer \$10K from the Recreation/Events budget which was allocated for porta-john rentals, \$3K from the Planning Department for personnel lapse, and \$17K from transient occupancy tax (TOT) revenue anticipated to be received over the amount budgeted for FY 2020. A budget amendment would be necessary to increase the TOT revenue from \$150K to \$167K.

Motion made by Councilwoman Burge, seconded by Vice Mayor Bennett, to amend the FY 2020 budget to appropriate \$17K of transient occupancy tax revenue for the acquisition of a mobile restroom unit. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to purchase the mobile restroom unit as described. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Councilman Bannon, calling for a short recess before going into executive session. The motion was approved by unanimous vote.

The meeting recessed at 7:47 p.m. Staff and the members of the public left the meeting.

At 8:00 p.m. Mayor Dize called the meeting back to order.

Motion made by Councilman Buchholz, seconded by Councilman Bannon, and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:

Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Purchase or Sale of Town Property

Paragraph 7: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probably litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

Specifically: Update on Pending Legal Matters

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to return to open session. The motion was approved by unanimous vote.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to adjourn the Town Council Special Meeting and Executive Session. The motion was approved by unanimous vote.

The meeting adjourned at 8:50 p.m.

Mayor Dize

Town Clerk

Comments and Information Provided in Writing February 6, 2020 Town Council Special Meeting

Kerry Shackelford, Chairman of the Historic District Review Board

Town of Cape Charles
Re-325 Mason Ave Appeal

2/27/2020

The Boards decision to offer a conditional approval of the application for 325 Madison was based on the following sections of the guidelines.

Pg. 19, # 3

Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development such as adding conjectural features or architectural elements from other buildings should not be undertaken.

#5.

Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

#6.

Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new features shall match the old design, color, texture and other visual qualities and where possible materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

Pg. 41, #4

Consider replacing windows and doors only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. Do not use preplacement windows or doors that substantially change the size, glazing pattern, finish, depth of reveal, appearance of the frame or mutin pattern.

Pg. 42, # 6

Construct new windows and doors of wood or metal and match the style of the building. On store fronts, use painted wood or steel doors with large areas of glass.

Pg. 48, #5 Storefronts

Reconstruct missing elements (such as cornices, transoms, and bulkheads) if documentation is available. Otherwise design new elements that respect the character, materials and design of the building. Avoid using materials and elements that are incompatible with the building or district, including aluminum-frame windows and doors, aluminum panels or display framing, enameled panels, textured wood or artificial siding wood shingles, mansard roofs, metal awnings, coach lanterns, small-paned windows, plastic shutters, inoperable shutters, or shutters on windows where they never previously existed. False historical appearances like "colonial," "Olde English," or other theme designs should not be use.

Taking into consideration the above guidelines let us review the facts of the application.

1. During pre-application the applicant expressed a desire to remove the existing awning and use a historical photo as the basis for restoring the facade. The applicant was told that this was possible, but it would be wise to investigate the area above the existing awning to evaluate the condition of the cornice and area above the awning. The reason for this was that the photo, and the physical evidence would have to be used as the source of design in the restoration of the original façade.
2. The application submitted included the intent to remove the existing awning and add several architectural elements to the façade of the structure that are not supported by the photograph or physical evidence. Specifically, the changes include:
 1. Adding a door that is not consistent with other historic store front doors on Madison Ave, or the photo. The existing door can stay or one that is in keeping with the other historic doors on Mason.
 2. Adding wood and panel molding to create a paneled effect on the exterior façade that is not show in the photo.
 3. Add a metal awning. The historic photo clearly shows a retractable canvas awning. The board suggested a fixed canvas awning replicating the one shown in the photo.

4. Adding large Faux gas lanterns on the exterior which are not evident in the historic photo.

The existing awning and storefront are serviceable and in good repair and can be retained. However, if removed the guidelines are very clear about adding elements that have no historic basis for the existing structure. As such the elements shown in the photo along with any surviving physical evidence remaining become the basis for the restored design.

Kerry Shackelford
HDRB Chairman

Sidewalk Committee

Meeting Dates: December 12, 2019, February 6, 2020, February 11, 2020
Committee members: Zach Ponds, Paul Grossman, Rob Smithwick, Dianne Davis

Objective

To complete, repair, and maintain all sidewalks throughout the town of Cape Charles.

Rationale

The interruption of, deteriorating, and overgrown sidewalks throughout town streets cause pedestrians to cross into the roadways. As traffic continues to increase in town, this has become a safety concern for all. Not least of which are children, parents with strollers, and wheelchairs. Additionally, our visitors and residents will be able to enjoy a safe walk throughout town, no matter their destination.

In our initial meeting, we discussed the information described below. It is understood that this information contains estimated costs, sizes, and timing. Final costs will be based on formal and accepted bids.

Reference Material

Eastern Shore of Virginia Sidewalk Study, Inventory and Needs Assessment prepared by A-N Planning District Commission, November 2017

Committee Objectives, in order of priority

A. New Sidewalks

- 1) Complete sidewalks the entire west length of Fig Street. This section is most important to accommodate pedestrian traffic between the Oyster Farm area and the town businesses, currently battling heavy and speeding traffic. [Note that Community Trail is envisioned on east side and will be considered in the future. May want to partition town council to move to Fig Street phase before Phase IV Bay.]

Action Completed: Review for needed repairs on the west side of Fig and to determine the amount of new needed to run from Randolph to Washington: Approximately 840 LF from Randolph to Washington on the west side of the street. However, there is a sidewalk already completed in the east side of Fig from Madison to Washington. Therefore, the need for west side of Fig St reduces to 270 LF from Randolph to Madison. [Note that there are ADA ramps at each corner.]

Project Phase	Linear Feet needed	SqFt (5' wide)	Cost (\$10/sq ft)	Cont. 50%	PM 15%	Total Project Estimate
1	270	1350	\$13,500	6750	2025	\$22,000

- 2) ADA Ramps are needed for Washington Avenue community trail (exist at Peach Street). Needed at Nectarine, Plum, Strawberry and Pine.

Project Phase	Number of Ramps	Estimated Cost (\$3000 each)	Contingency 50%	PM 15%	Total Project Estimate
2	4	\$12,000	\$6,000	\$1,800	\$19,800

Reference:

http://www.virginiadot.org/projects/resources/NorthernVirginia/AppendixL_PlanningLevelCostEstimate.pdf

- 3) Prioritize, in sections, the remaining sidewalk installations as determined by site visits. It was agreed that the priority would be set based on the highest percentage of entire street completed to date.

Phase	Linear Feet needed	SqFt (5' wide)	Cost (\$10/sq ft)	Cont. 25%	PM 15%	Total Project Estimate
3	5,280	26,000	\$260,000	\$66,000	\$39,000	\$365,000
4	2,440	12,200	\$122,000	\$30,500	\$18,300	\$170,800

Phase boundaries

Phase 3 – western section perimeter: Washington-Peach-Tazewell – Harbor-Jefferson-Bay

Phase 4 – northeastern section perimeter: Washington-Peach-Monroe-Fig

Not included because of less pedestrian travel or trees:

- Existing or new Cul-de-sacs north of Washington Ave: Seabreeze Court, Bay Vistas Way and Winter Quarter Court.
- Sidewalks on east side of Fig Street (old trees) or streets east of Fig Street

- 4) This group needs to generate input by end of February into the 6 yr capital improvement plan for town council consideration. See below.

Phase	Scope	2021-22	2022-23	2023-24	2024-25	Total
1	Fig Street	\$22,000				\$22,000
2	ADA Ramps	\$19,800				\$19,800
3	Western Section	\$33,000*	\$166,000	\$166,000		\$365,000
4	NE Section				\$170,800	\$170,800
		\$74,800	\$166,000	\$166,000	\$170,800	\$577,600

*target sidewalks needed on west side of Central Park

Optional consideration (not recommended by Committee)

Provide a schedule for reimbursement of current homeowner (that still own their property) that installed sidewalk sections going back 10 years. This option is only being considered to address potential issues with homeowners that have already paid for installing their sections.

Repayment of owner installed sections

- | | |
|---|------|
| 1) Installation within the past 12 months | 100% |
| 2) Installation between 12 and 36 months | 75% |
| 3) Installation between 36 and 72 months | 50% |
| 4) Installation between 72 and 120 months | 25% |
| 5) Installation older than 120 months | 0% |

Time Period	Years (simplify estimate)	Estimate Full Reimbursement	Estimate Prorated Reimbursement
within the past 12 months	2019 and future	\$44,500	\$44,500
12 and 36 months	2016-2018	\$14,000	\$10,500
36 and 72 months	2013-2015	\$9,000	\$4,500
72 and 120 months	2010-2012	\$8,000	\$2,000
Total Estimate		\$55,500	\$44,500

Assumptions/Notes for this reimbursement option:

- Building permits for single family residence in historic district plus a review of historic review board submittals in 2019 for potential builds. Estimate 41 homes involved.
- Some homes that were built already had sidewalks installed. If owners repaired portions as they had pathways or driveways installed for their residences, these were not counted as reimbursable.
- The proration of reimbursement was arbitrarily selected and can be changed.
- Although sidewalk costs were estimated at \$10 per sq ft, actual costs to the owners when originally installed would be expected to be higher given the smaller magnitude of work involved. For example, one recent home on Jefferson required 15 linear feet of sidewalk and cost \$2500.
- It was estimated that future homes will be built before the Town had sidewalks installed. It is recommended that the Town still require sidewalks installed by owners and reimbursed upon completion (rate \$10 per sq ft).
- Current owners of the property would have to apply to the Town with adequate documentation that demonstrated sidewalks were included in scope of work. Actual breakout of sidewalk costs not required.

- Anticipated questions and answers
 - How long will a homeowner have to apply for reimbursement? Owners will have 18 months from the announcement to file for repayment.
 - If a home was sold after the original owner installed the sidewalk, can that original homeowner receive a refund? No. Reasoning is that the owner received their money back, for the entire cost of construction, from the sale of the home.

B. Repairs to Sidewalks

It is our understanding that VDOT is responsible for maintenance of sidewalks (refer to VDOT Urban Construction and Maintenance Program Manual, June 2015, pages 75 and 80). The my.VDOT website contains a mechanism for reporting a specific issue on a sidewalk, or pedestrian or bicycle path. Recently for a new house on Washington Avenue that had previous broken sidewalk, VDOT replaced the sidewalk at no cost using this complaint mechanism.

Therefore, in parallel to installing new sidewalks, it is our recommendation that repairs begin throughout Town where necessary by contacting VDOT.

Action Needed: The town planner had contacted VDOT to review their responsibility of repairs and whether the town can provide a prioritized list to them to work at no cost to the town. VDOT has not responded to both email and phone contact. The committee has elevated this to mayor for assistance.

Working estimates

Estimated costs, previously charged to owners, was \$25 per linear foot. (A linear foot is defined as 1' along the road X 5' wide) With an average lot width of 40', the probable cost per lot repayment would be \$1,000 at 100%.

New installation of sidewalk

According to Precision Safe Sidewalks, estimated costs would be approximately \$10 per square foot. (It's understood that Precision does NOT install new, or replace completely, any sidewalks. They only repair existing sidewalks, per my conversation with Julian Brooks on 12/12/19, but he did provide this estimate.) One lot section of sidewalk, 5" X 40', equates to 200 sqft. 200 X \$10 = \$2,000 per lot.

Validation of Costs

This installation estimate was confirmed by contact with national construction contractor with the caveat that this applies to large amounts of sidewalk installation. They are tracking approx. \$25/lf for curb and gutter. For 5" sidewalk with 4" of stone base, they are tracking \$9.00/sq ft. If you're doing 10', our pricing won't apply. 500', it will. Heard back from other estimators across the US. Use 22/lf for curb and gutter, 7/sf for sidewalk. That's assuming wage scale for the workers, and a decent amount of production for the concrete crew.

Recent cost for installing only 15 LF (75 sq feet) was \$2500 on Jefferson Ave resulting in \$166 per LF.

Committee Recommendations

1. It is understood that this project will span a few years to allow for budget allocation and contractors to complete the project. We are estimating that this is accomplished over a 4-year period. It is important to start the project as soon as possible. It is our recommendation that a budget line item be added starting in the fiscal year 2021-2020 and this project added to the 6-year capital improvements plan.
2. When the Town Council adopts this capital project for sidewalks, considering the number of years it will take to implement, we recommend that homeowners continue to be required to add sidewalks and, upon request, to be reimbursed for up to \$10 per sq ft. of new sidewalk added (not repaired).
3. The committee has prioritized scopes of work which can be altered. Installation of new sidewalks should work in parallel to sidewalk repairs.
4. We do not recommend the reimbursement options for sidewalks previously installed.

Note: These items are estimates, suggestions, and open for discussion. Scope of actual work needs to be verified prior to bidding process.
