



**TOWN COUNCIL
Special Meeting
Cape Charles Civic Center
via Electronic Communications
May 28, 2020
6:00 PM**

This Special Meeting of the Cape Charles Town Council was held by video conference in accordance with Code of Virginia § 2.2-3708.2, subsection A.3, resulting from Governor Northam's March 12, 2020 declaration of a state of emergency for the Commonwealth of Virginia arising from the Novel Coronavirus (COVID-19) pandemic. It was deemed impractical and unsafe to assemble physically due to the highly contagious nature of COVID-19.

The purpose of this meeting was to hear public comment regarding i) the adoption of the Fiscal Year 2020-2021 budget, ii) hear an appeal of the Historic District Review Board decision for 209 Mason Avenue; and iii) updates from the town manager regarding the COVID-19 pandemic emergency. The meeting was live-streamed on Facebook, as well as video-taped for viewing from the Town's website after processing. Public comments were accepted in writing prior to the meeting. Viewers could also submit their comments via Facebook Live and emails to the clerk.

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Special Meeting of the Town Council. Physically present at the Civic Center were Town Clerk Libby Hume and Community Relations Manager Jennifer Lewis. In attendance via Zoom were Mayor Dize, Vice Mayor Bennett, Councilmen Bannon, Buchholz, Follmer and Grossman, Councilwoman Holloway, and Town Manager John Hozey. Also, in attendance via Zoom were Code Official Jeb Brady, Historic District Review Board Chairman Kerry Shackelford and appellant Danny Meyer. There were no members of the public physically in attendance, but there were 93 viewers on Facebook Live.

PUBLIC COMMENTS (on agenda items only):

Town Clerk Libby Hume read 35 comments submitted in writing

SPECIAL MEETING ORDER OF BUSINESS:

A. Adoption of FY 2020-2021 Budget:

Town Manager John Hozey stated that staff worked to draft a balanced budget for FY 2021. This year was especially difficult with the deficit resulting from the impact of COVID-19. John Hozey suggested a budget review in September after the summer season when the budget and appropriation could possibly be adjusted. Pursuant to Code of Virginia § 15.2-2506 a public hearing was held on May 21, 2020.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to adopt Resolution 20200528 Approving the Budget for Fiscal Year 2020/2021 and Making Appropriate for the Fiscal Year.

Mayor Dize read Resolution 20200528.

Councilman Bannon proposed an amendment to the motion to adopt adding \$14K to the budget for a zip line. Councilman Grossman seconded the motion adding that the funds for the zip line could be taken from the fund balance versus using the funding allocated for the Mason Avenue re-striping.

There was discussion as follows: i) Vice Mayor Bennett stated that he had been on Council for 12 years and didn't think there had been a year with as many public comments received as tonight.

There were interesting comments regarding the zip line and re-striping of Mason Avenue. He was in favor of not making any changes to the striping, but he was overruled. As one of the commenters stated, the re-striping could wait until revenue improved. His opinion was that the zip line could also wait until revenue improved. The budget would be reviewed in September and the zip line could be readdressed at that time if revenues had improved. The re-striping was already included in the budget. He added that he was totally opposed to this frivolous expenditure; ii) Mayor Dize expressed his agreement with Vice Mayor Bennett. Staff worked hard to bring forth a balanced budget. The re-striping of Mason Avenue was being discussed before he was elected mayor. He was not in favor of making changes to the proposed budget; iii) Councilman Buchholz stated that we had waited three years to reverse the reverse-angle parking and he was in 100% agreement with Vice Mayor Bennett. The proposed budget was tight, and the zip line was a very frivolous expenditure. He added his agreement with a comment to continue researching less expensive zip lines; iv) Councilwoman Holloway clarified the re-striping of Mason Avenue. It seemed the general public thought the Town was just repainting the lines, but the striping would reverse the direction of parking. She thought it would be great to replace the zip line and she appreciated everyone's comments. It was great to have feedback. Just as everyone was having to make tough decisions at home, the Town had to cut extras as well. Staff did a phenomenal job in bringing a balanced budget. She wanted to support the zip line but it would be irresponsible to support somewhat frivolous expenses at this time; and v) Councilman Follmer stated his agreement with comments from the other Council members.

Mayor Dize asked for a vote on the amended motion.

The motion failed by majority vote. Roll call vote: Bannon, yes; Bennett; no, Buchholz, no; Follmer, no; Grossman, yes; Holloway, no.

Mayor Dize asked for a vote on the original motion.

The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett; yes, Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

B. *Appeal of Historic District Review Board Decision – 209 Mason Avenue:*

Councilman Grossman provided background information as follows: i) A conditional use permit was approved on April 11, 2019 to allow residential units above commercial at 209 Mason Avenue; ii) This building was listed as a contributing structure in the 1990 National Register of Historic Places. Given its historic designation and scope of the project, this proposed project would be considered a rehabilitation project as defined in the historic district design guidelines; iii) The application for a certificate of appropriateness (COA) was reviewed by the HDRB at a number of meetings dating back to June 2019. At their June 18, 2019 meeting, the HDRB approved the COA with several conditions – 1) shop drawings of the windows and doors would be provided; 2) a sample of stone to be used would be provided; and 3) any additions such as awnings needed to be seen by the HDRB; iv) On March 5, 2020, a letter of concern was received from HDRB Chairman Kerry Shackelford regarding replacement of the windows in the building without providing shop drawings for HDRB approval; v) On March 10, a meeting was held with the town manager, code official and property owner explaining that the changes made had altered from the approved COA and that a modification of the COA needed to be submitted for HDRB approval. The property owner had replaced the existing double hung wood windows with double hung fiberglass windows stating that the wood windows were not salvageable; vi) The HDRB reviewed the application for modifications to the approved COA at their March 17, 2020 meeting and denied the request by majority vote; vii) A letter dated March 23, 2020 was received appealing the March 17 Historic District Review Board's (HDRB) decision; viii) In the absence of a town planner to provide specific recommendation based on all the material presented, Town Council needed to decide whether to uphold or deny the appeal; ix) There were two items for Council consideration this evening – 1) a decision regarding the windows; and 2) determination of enforcement actions; and x) Regarding enforcement action, staff recommended the applicant be subject to a fine of \$5,000 for failure to stay within the scope and conditions of the COA.

Danny Meyer, the appellant, was given an opportunity to speak and stated the following: i) He agreed that the windows were to be wooden and the original design was to remove the windows completely. It seemed to him at the time that there would be a loss of horizontal appearance in the approved windows if some of the residents opened their windows and others kept them closed. He felt that the windows that he had installed provided a better appearance. He did not intend to disrespect the HDRB and felt that his only mistake was that he installed fiberglass windows; ii) Throughout the application process, everything he asked for was denied by the HDRB. He had worked with the HDRB and submitted modifications. Every time he came to the board with ideas, the Secretary of Interior's guidelines were read to him. He wished that he had been told at the beginning of the process that there would be no way to make any changes to the building; and iii) If you looked at historic photos of the building and looked at the current building, you would not see any difference. He wanted to produce a product that the Town and its residents would like. It seemed that people, other than the HDRB, liked what had been done. The project was a huge investment and went over his budget. He reiterated that he was doing what he felt was the right thing by installing sash windows. He apologized to the Town for his error.

HDRB Chairman Kerry Shackelford stated that he wasn't offended and that this was a process. He went on to summarize the HDRB's rationale regarding their decisions. (Please see attached.)

There was much debate regarding the wood and fiberglass windows.

Mayor Dize provided an opportunity for each Council member to ask questions or to comment.

Vice Mayor Bennett commented as follows: i) His position regarding the interpretation of the historic district guidelines was well known and he seriously felt that the Town needed to look quickly at revising the guidelines; ii) He appreciated what Mr. Meyer had done for Cape Charles and Mason Avenue. Mr. Meyer purchased a derelict building that would have been demolished like the "yogurt shop." For someone to take on this project was tremendous for the Town, providing jobs to contractors, homes to residents and business to the shops; iii) Mr. Meyer did disregard the conditions of the COA and it was fully appropriate for him to be penalized for that, whether it was intentional or not; iv) He appreciated the complete depth of Councilman Grossman's report which was long, but very detailed and concise. One of the HDRB members stated that they felt the windows looked fine. He also thought the windows were fine and the building looked fantastic. Fiberglass windows required less maintenance and that was fantastic; v) He appreciated Kerry Shackelford and the difficult job that he had to do. We needed to be a little more relaxed in the interpretation of the guidelines; vi) It was incorrect to state that all the windows were lost, when he recalled there being plywood in several of the openings; and vii) Based on what he read and the public comments received, he leaned toward Mr. Meyer and thought the appeal should be approved.

Councilwoman Holloway agreed with Vice Mayor Bennett. She added that she attended the first six meetings of the HDRB and attested that what Mr. Meyer stated was true. Mr. Meyer was told a number of times to come back with new ideas.

Councilman Bannon had no comments.

Councilman Follmer commented as follows: i) He expressed his agreement with Vice Mayor Bennett; ii) He was not a historic preservation expert but had spent time and money on properties that he owned; iii) It was very troubling that the HDRB was using the Secretary of Interiors historic guidelines which were an extremely high hurdle. Cape Charles was not a museum but a town and it was our obligation to find a method of retaining the historical integrity but also allowing for progress to preserve these buildings which were an integral part of our character; and iv) He thought it was a mistake for Mr. Meyer to proceed with the window

replacements, whether it was intentional or not, and agreed that he should be penalized, but it would be ridiculous to require him to remove the windows.

Councilman Buchholz stated his agreement with Vice Mayor Bennett and the other Council members. Everyone knew how he felt about the historic guidelines, so he wasn't going to beat a dead horse. The guidelines were not etched in stone.

Councilman Grossman stated that everybody was saying that we needed to be flexible with the guidelines, but the guidelines were written so the HDRB could use them as criteria to make their decisions. People were saying that they didn't like what the HDRB was doing, but they were simply saying that they didn't like the guidelines.

Vice Mayor Bennett responded that the guidelines were just that. They needed to be looked at and revised accordingly. The HDRB needed to work with applicants to best of their ability to allow them to do what they wanted to do within the framework of the guidelines.

Mayor Dize commented as follows: i) He concurred with Vice Mayor Bennett; ii) He went through the building before Mr. Meyer purchased it. It was a derelict building and wasn't too far from having to be demolished like the building next door; iii) He appreciated the time and money Mr. Meyer had invested in the property; iv) He thanked Councilman Grossman, Code Official Jeb Brady and Town Manager John Hozey for the work they had done to put this package together; v) He thanked Kerry Shackelford for the tough position he was in; and v) He reiterated his agreement with Vice Mayor Bennett's comments and agreed that a possible fine needed to be assessed for Mr. Meyer doing something without approval.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to uphold the appeal and assess a \$5K penalty for violation of the certificate of appropriateness. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

Mayor Dize thanked Danny Meyer and Kerry Shackelford for their time.

C. Town Manager Updates:

John Hozey informed Council as follows: i) He had planned to provide an update regarding last week's Council request to put a plan together to reopen the beach. He had spent a fair amount of time working on the plan, but found out this afternoon that, without notice, Governor Northam approved the reopening of all beaches, effective tomorrow; ii) When the Governor made announcements of this type, he typically provided information and guidance on the state's website. Last week, executive order (EO) 61 was issued. He was waiting for another EO to be issued this afternoon with details of the Governor's announcement. About an hour ago, Councilman Grossman found that EO 61 had been amended versus issuance of a new EO; iii) He did not have a well-formulated plan based on the Governor's announcement. The amended EO included a page of restrictions and with today's decision, the burden was shifted to localities; iv) Some of the restrictions would be difficult to implement, such as 1) Taking everyone's temperatures before they could be permitted to report to work; 2) Hiring full-time staff to monitor the beach; 3) All public areas needed to be cleaned every two hours, etc.; v) The requirements would be difficult to implement and impossible to implement by tomorrow; vi) He felt that the beaches needed to remain closed since the Town was unable to meet all the requirements. He wanted to discuss the issues with Council to make sure everyone was on the same page as we moved forward into the weekend; vii) Some of the requirements were appropriate for a city like Virginia Beach, but not appropriate for a town as small as Cape Charles. It put us in a difficult position, and he welcomed any input. His inclination was to keep the beach closed this weekend. It would be challenging to put something together for next weekend, but it couldn't be done for this coming weekend.

Mayor Dize stated that amended EO 61 required training and deployment of a team to monitor the beach. The Town could not designate a team and establish training in 12 hours and asked for Council's thoughts.

Councilman Bannon preferred to keep the beach closed until staff could get organized to meet all the requirements.

Councilwoman Holloway agreed that a plan needed to be in place adding that she felt the Town missed the ball game by not communicating last week when everyone was watching the Council meeting. A date for reopening the beach needed to be set and we needed to work to do whatever it took to get it done by that date. There were a lot of vacation rentals waiting to hear when the beach would reopen. She suggested a phone call to the Governor's office regarding amended EO 61 to find out what it meant for Cape Charles. She felt Cape Charles was different than other localities and a lot of the requirements didn't pertain to us. Councilwoman Holloway added that she had not yet seen the document.

Councilman Grossman stated that amended EO 61 was explicit regarding compliance to the requirements that were applicable to us.

Vice Mayor Bennett stated his preference to read the document before making a statement regarding what the Town should do. He felt that the beach should remain closed for now but could not offer his opinion until he read the document. He requested that John Hozey forward the amended EO to Council for review.

Mayor Dize asked John Hozey to contact Secretary Strickler tomorrow morning to see if the Governor's office would be willing to work with the Town regarding the requirements. He agreed that the Town was not prepared to open the beach this weekend. The last thing the Town needed was to reopen the beach this weekend and having the State come in and shut things down due to the requirements not being met.

Councilman Follmer expressed his agreement with Councilwoman Holloway regarding tonight's decisions needing to be communicated promptly. People were already posting on social media that the beach was opening tomorrow. He was worried about our small police force being able to control beachgoers this weekend. We needed to be prepared for the challenges and ugliness. It would not be an easy weekend.

Mayor Dize expressed his agreement with Councilman Follmer. People will see where the Governor opened all beaches and come to Cape Charles to see that our beach was closed. Some would be on the beach regardless. Private beaches around the State were open. Our quarter mile of beach was unsafe, but private beaches all around us were safe. The logic didn't make sense. It was also unfortunate that we found out today of the beaches' reopening tomorrow. It would have been good for the Governor's office to notify localities prior to the announcement.

Councilman Follmer added that it was important for the Town to communicate that the Governor reopened the beaches with a list of requirements and that the Town didn't have a choice but had to implement the requirements prior to opening the beach.

John Hozey agreed that the citizens needed some sense of certainty. He agreed with Councilman Follmer that the Town needed to explain why things were being done such as i) The beach was initially closed for a public health reason; and ii) The Governor imposed conditions to reopening. He asked Council to give him a week to get things lined up. Staff would do the best they could. He would contact Secretary Strickler to see if the Town had any leeway. He would try to meet as many of the requirements as possible and have the beach open next Friday. As plans were developed, he would forward them to Council. The cost to the Town would be in the tens of thousands of dollars.

Mayor Dize stated that he would like to reopen the park and tennis courts as well as the fishing pier once repairs had been completed. The playground and gazebos would remain closed per the Governor's EO.

John Hozey asked how Council wanted to conduct future meetings. Discussion last week was to move toward meeting in person with the ability for those with underlying conditions to continue to participate via Zoom. There wasn't enough time to set things up for tonight's meeting, but it could be done for next week. He could have a final plan for Council approval along with some other business.

John Hozey went on to state the following: i) He received notice from Northampton County that the Town's portion of funding from the CARE Act would be \$86,432 which was based strictly on population. The use of the funding was restricted to only bona fide COVID-19 expenses. The beach plan would qualify; ii) The Governor's EO 63 required that masks be worn everywhere. Clarification was received that only patrons in state and local government offices needed to wear masks, not employees. The Governor did not authorize the police to enforce this mandate. This was another well-intended mandate that would wind up making us look bad because the average citizen heard that all people needed to wear masks. If they saw someone walking down the street without a mask, they would be calling the Town to report it; and iii) The Governor's EO 63 also extended the emergency declaration until further notice which extended it indefinitely. The Town's emergency declaration was based on the Governor's declaration so would also be extended indefinitely which gave us the ability to continue to meet electronically. The General Assembly would be back in session in August to address the current legislation regarding meetings during emergencies. No one intended for an emergency to last this long. The current state code allows for an individual Council or Board member to participate electronically in no more than two meetings per calendar year. This would be in effect once the emergency declaration had been lifted.

Councilman Follmer clarified that the requirement for masks was for indoors only. Councilwoman Holloway agreed that masks were required when indoors in public locations. Councilman Follmer added that this would make it simpler for those businesses choosing to require masks be worn in their establishments.

Councilwoman Holloway added that although staff wasn't required to wear masks inside the Town offices, as a level of respect for members of the public coming into the offices, she hoped staff would wear masks when dealing with the public in person. It would be a bad example if staff didn't do so.

John Hozey stated that it was his intention to keep Town Hall closed to the public for now. When staff began interfacing with the public, they would be wearing masks or have plexiglass installed in their work area. Another public message will be sent out tomorrow morning explaining the Governor's mandates, tonight's decisions and plans for reopening the beach next week. Signage would also have to be installed. There were a lot of things that needed to be done in order to meet the Governor's requirements.

Councilman Buchholz asked John Hozey to contact County Administrator Charlie Kolakowski to see if the Town could obtain more funding. We had a unique asset in the County and implementing the requirements, hiring beach ambassadors, etc. would take most of the allocated funding. The Town had to maintain the beach and pay for staffing to patrol, including overtime to the police officers to cover the extended shifts. He hoped the County realized that the Town's population tripled during the summer. John Hozey would contact Mr. Kolakowski.

Mayor Dize thanked John Hozey and staff for their efforts.

Motion made by Councilman Bannon, seconded by Councilman Grossman, to adjourn the Town Council Special Meeting. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes.

The meeting adjourned at 8:35 p.m.

Mayor Dize

Town Clerk

**Comments and Information Provided in Writing
May 28, 2020 Town Council Public Hearing & Special Meeting**

Bob Panek, Tazewell Avenue

Subject: FY 2021 Budget

The Mayor, Council and staff have done a commendable job in developing the budget for next fiscal year in light of the depressed revenue projections caused by the COVID 19 pandemic. I ask that the Council make one adjustment to the budgeted capital projects. Please replace the \$15,000 project to restripe the parking spaces on Mason Avenue, with the \$14,000 project to replace the zip line in the children's playground. Council adopted a Capital Improvement Program policy document in January of this year. The need for proper maintenance of existing Town assets is stressed on page 7: The zip line had reached the end of its service life and was removed about a year ago because of high maintenance costs and safety concerns. It is time to replace this asset and restore the playground to its former functionality. While some people dislike backing in to the parking spaces on Mason Avenue, they are perfectly functional in their current state. New paint can wait until revenue improves. Take this opportunity to do something positive for the children of our Town and those of our guests.

Tim Russell, 522A Washington Avenue

Subject: Replacing the playground zipline, add to 2020-2021 budget

The quality of playground in Central Park contributes to the quality of our community experience and the quality of our visitors' experience, especially children. As a citizen of Cape Charles and someone interested in making changes to substantially improve our community, our visitors' experience of it I am requesting that Council add replacement of the zip line, \$14K, to the 2020-2021 budget. One potential area to find the funds is to delay the repainting of the parking spaces on Mason Avenue, \$15K. The zip line was removed a year ago due to high maintenance costs and safety concerns. Repainting perfectly functional parking spaces because some people dislike backing in can wait until revenue projections improve.

James Regimbal, Bay Creek Fairways

Subject: Central Park

As an owner in Bay Creek Fairways neighborhood, I particularly see the value to the community of summer concerts in Central Park. Please let the Council know that this is a valuable amenity to many in enjoying the Cape Charles experience. I would request that funding to keep the concerts going and also any improvements to Central Park be high on the list of public expenditures.

Joan Natali, 110 Blue Heaven Road

Subject: For Town Council Special Meeting on 5/28

I encourage the Cape Charles Town Council to add the replacement of the Cape Kids Playground zip line (at \$14K) to the budget and to defer the repainting of the parking spaces on Mason Avenue (at \$15K) to a later budget to keep the proposed budget balanced.

The zip line was removed over a year ago due to high maintenance costs and safety concerns and has yet to be replaced. The zip line is an integral part of the Playground and our children, both residents and visitors, deserve to have it replaced.

Repainting perfectly functional parking spaces on Mason Avenue can wait until revenue projections improve.

Rob Smithwick, 11 Kings Bay Drive

Subject: Mason Street parking stripes - please read aloud at council meeting

Hello.

It has come to my attention that funds to repaint parking striping to reverse the reverse on Mason are being considered for another project. I urge you to NOT let that happen. We need to be thinking of our visitors with regard to this change / correction. This has been "in the waiting" a long time and we should complete this already approved project as soon as possible.

Gordon Campbell, At Altitude Gallery

Subject: Letter for the May 28 Cape Charles Town Council Special Meeting.

I encourage the Cape Charles Town Council to add the repainting of the parking spaces on Mason Avenue (at \$15K) to the town budget. I am strongly against suggestions by others to defer the repainting in favor of a zipline (at \$14K) at the Central Park playground.

Ziplines are not a common element at children's playgrounds, and would be used by a small subset of the children utilizing the playground. Most young children do not have the upper body strength to properly utilize a zipline. In addition, at \$14k, I feel the price is excessive for a single piece of playground equipment.

On the other hand, changing parking to a front in angle would yield immediate economic benefits to the town. As you all know the reverse angle parking was implemented by the town with no input from stakeholders along Mason Ave. The town has promised to restripe, the project has been delayed several times now, so please add it to the budget and get it done.

Michael and Jeanne Hollister, 7 Park Row

Subject: Playground Zip Line

We would like the Cape Charles Town Council to replace the Zip Line to the Cape Charles Playground which would cost \$14K instead of repainting the parking spaces on Mason Avenue which would cost \$15K. The Zip Line was a special part of the playground that made it unique, and it was enjoyed by many. This would be a better use of funds. The Zip Line brings happiness to everyone, whereas the paint on the parking spaces don't even look like they need painting.

Thank you!

Michael and Terry Strub, 522B Washington Avenue

Subject: Zip Line at Cape Kids Playground

Terry and I would like to endorse the initiative to restore the zip line to the Cape Kids playground. The playground is usually the first stop when our grandchildren visit Cape Charles and the zip line was the highlight. In fact, three of our grandchildren even made a video in the playground sporting their locally purchased Cape capes. With it's relatively low height and soft earth below, we've never had any safety concerns about their using it. It's absence wouldn't keep them away from the playground, but it would definitely lessen their total enjoyment. Appreciate you taking this request under consideration.

Best wishes and stay healthy,

Suzanne Golibart, Periwinkles Boutique, 215 Mason Avenue

Subject: Money allocated for reversing the reverse angle parking

Dear Mayor, Vice Mayor and Town Council Members,

Thank you for the opportunity to share my comments. I have reviewed the agenda packet and understand that the 2020-2021 Budget is up for approval. I see a line item under Capital Projects Public Works for Mason Avenue Re-stripping at a cost of \$15,000. I strongly encourage the approval of this line item in the budget. As a business owner in Cape Charles I have witnessed first hand the problems that the reverse angle parking has caused. To be more specific here are some examples that my customers have experienced:

*confusion about how to back into the reverse angle parking space

*inability to successfully execute parking - car is either too far to one side or another, car is severely angled incorrectly - both of these scenarios have made the adjacent parking spot unusable

*inability to judge space while backing in - resulting many times in hitting the car in adjacent spot

*frustration in not wanting to reverse angle park resulting in anger toward town and businesses

*inability to see oncoming cars while pulling out of spot due to large SUV or truck parked to the left

I am so pleased to see this line item in the budget and wholeheartedly support it's approval. The business community understood that the reverse angle parking would be reversed a long time ago and have patiently waited for this action. While waiting we had also understood that the process takes a long time due to VDOT.

It appears as if the wait is over. Please approve this line item so that the funds allocated for reversing the reverse angle parking (re-stripping the parking spots) can be used for that exact purpose.

Thank you again for allowing me to share my comments. I look forward to seeing the reverse angle parking reversed soon.

Jordan Dail

Subject: I support the re-painting of the parking

Hello, I am in support for the repainting of the parking situation down Mason, rather than spend \$ on a zip line at the park. Please keep our town's economy and tourism at the top of the priority list.

Ellen Moore, 300 Mason Avenue

Subject: zip line

I am writing this letter to advise you that I am opposed to using funds for a zip line in Central Park and eliminating the funds currently in the budget to restripe parking lines on Mason Avenue.

Since 1995 I have owned property at 203,205, and 300 Mason. During that period I have been active in two businesses; currently owning the Ellen Moore Gallery at 223 Mason. The back in parking has been a problem since its inception. Many customers complain about it and find it difficult to back in properly. I do not remember these negative comments before the parking pattern was changed.

I believe restriping is critical and the funds for this project should not be eliminated from the budget.

Graeme Bisdee

Subject: Proposed Cape Charles FY 2021 Budget

The parks is one of Cape Charles's three greatest assets, (the beach, the park and the harbor), both to residents and our many visitors. One is constantly hearing so many positive comments from both.

I would encourage the Council to add the replacement of the "Zip Line" to the budget. The capital project to re-stripe the parking spaces on Mason Avenue is not a necessity at this time.

I would also like to comment on the lack of funding towards the very popular Central Park "Annual Summer Concert Program". Obviously at present with Covid19 the concerts are not possible. However it would be nice to get some support from the council for Central Park towards possibly holding some concerts, with social distancing if necessary, at the end of the season when everyone will be ready to feel somewhat normal again.

Deborah Markwith, 300 Fulcher Street

Dear Council,

I participated in the public discussion on "reverse the reverse" to eliminate the rear-angle parking on Mason Avenue. All of town has been eager to see the Council's decision of last year implemented. Please make this a priority expenditure in the budget and do not reallocate it to other purposes. Please read this message at tonight's meeting.

Jenny Orr, 121 Strawberry Street

Subject: Comments for tonight's meeting

I encourage the Cape Charles Town Council to add the replacement of the Cape Kids Playground zip line (at \$14K) to the budget and to defer the repainting of the parking spaces on Mason Avenue (at \$15K) to keep the proposed budget balanced.

As a mother of three, I spent lots of time watching my kids enjoy the zip line before it was removed. I heard many families at the playground (before it was closed) mention how much their kids enjoyed it and how it was a very beloved part of the playground. Both residents and visitors loved the zip line, and we would love to see it back in the playground soon.

Mary Paar and Paul Schutz, Focus Optical Boutique, 232 Mason Avenue

Subject: Back in parking

We are Focus Optical Boutique, located at 232 Mason Avenue here in Cape Charles. We would like to state emphatically that we (the town) NEED the parking situation corrected as soon as possible. Tourist season has just begun and already we have personally seen multiple incidents caused by people attempting to back into parking spaces. This issue was voted on and budgeted for and has been delayed for far too long. To divert the funds set aside for this project to replace a zip line on a playground that is not used by the majority of the citizens would be ridiculous. As a business owner and tax payer, we would like to see the dangerous parking issue resolved immediately.

Julie Jones, 538 Monroe Avenue

Subject: Zip line

First of all, I want to thank Mayor Dize, the town council, and the town manager and his staff for their service to this special town, especially during this extraordinarily difficult time. You are having to balance the needs of the business community and the needs of the residents, which requires the wisdom of Solomon.

One of the wonderful attributes of Cape Charles is how child-friendly it is. With the prevalence of childhood obesity, in part brought about a lack of physical activity, Cape Charles offers many opportunities for children to be out of doors.

With this in mind, I would request that you consider restoring the zip line in the playground, especially if this can be done by postponing the restriping of Mason Avenue, thereby incurring no additional impact to the budget.

Thank you all so very much. Cape Charles is truly blessed to have you representing it!

Mark Usry

RE: Central Park

This is a follow-up to a memo written and read at the January meeting of Town Council.

I again would like to request an update on the two items I asked the Town to do in that letter:

1. Replace the weeping willow tree and the bench with a dedication plaque on the bench to Ken A. Kuttler.
2. Locate or have remade the story boards that were placed around town with the proceeds of a Chesapeake Bay Gateways Grant, specifically those storyboards on the following:
 - a. The railroad
 - b. The passenger ferry
 - c. Architecture
 - d. Meteor

And perhaps adding storyboards on: watermen, sustainability and perhaps others.

This memo includes some new questions and requests:

1. I would like to see a copy of the bid and responsibilities for the entity that is to take care of the park. What are they responsible to do? I have asked for this from the former Town Manager at least twice and have yet to receive it. Hoping I don't need to file a FOIA request.
2. The reason I ask is because:
 - a. The jasmine must be trimmed by someone who knows what they are doing. It is taking over and will kill the crape myrtles. It also just needs a good professionally done haircut.
 - b. The flowerbed between the fountain and the roses on the west end needs some plants in it.
 - c. The beds at the north and south entrances to the park need to be reworked.
 - d. The bed at the east end of the park needs to be reworked, where the architecture storyboard is located.
 - e. The beds and the trees need new mulch.
3. What is the budget for replanting and taking care of the park annually?
4. When will the fountain be working again?

Our town has 4 public jewels – the park, the beach, Mason Avenue and the harbor. Those jewels are looking a bit 'casually maintained' at this point.

I appreciate all the hours that those working on Mason Avenue efforts to replant, the new banners, etc. And I have put in my share of hours over the years on a number of projects.

With that in mind – I would like to ask the Town and Citizens for Central Park to each provide up to \$1,000 and I will raise or donate another \$1,000. The \$3,000 will be used to buy new plants for the beds I have mentioned. **I respectfully ask that this request be approved tonight.**

The week of June 8 and 15, unless someone tells me no, I will weed those beds I have mentioned. Anyone who wants to join me weeding is welcome to do so. I hope that the beds and trees may then be mulched asap.

With the money commitment from town and the Park Board and my personal pledge I will buy the plants, plant them and keep them watered until June 27. Anyone else who wants to join in on planting is welcome. I will coordinate keeping the plants watered into the fall to ensure they get a good start.

One final request: I understand that tonight the Town Council has the option to either reinstall the zipline in the children's playground or repaint stripes on Mason Ave. (--is the state not responsible for doing that since it is a state highway? Road?) given that the price of each is about the same. Please reinstall the zipline, the lines while important can wait.

My sincere thank you to each of you who serve on Council, our town employees who do such a wonderful job and so many others in this community that make this town what it is – a great place to visit, live and to be.

Thank you for your time and your response.

Have trowel, will weed!

Ryan and Ahren Foster, Baydream Believer, 125 Strawberry Street

Subject: Budget Discussion 20200528

Dear Council Members

Regarding Central Park, we believe this a major benefit provided by the town to both full time residents and tourists. Unfortunately the zip line has been broken for a while now. I know we are not alone (having discussed with several neighbors) in thinking it should be repaired. I would question the bids as they seem absolutely ridiculous. You could build a 5-story high 200' zip line for about \$10k. We might want to revisit our negotiation strategies.

Thomas McKnight

Subject: FY 2021 Budget Draft_Comments

1. Governor Northam just announced the re-opening of all Virginia beaches beginning, tomorrow, Friday, May 29. Recently short-term renters began returning to Cape Charles. Ideally this will mean increased revenues for the town and businesses. But this will most assuredly mean that more families will be in town, and more kids will be going to the playground. Time to reinstall the zip line. I have grandchildren who were born in Nassawadox, but whose family has moved away. Whenever they visit, they head for the park. The last three times in town they have been disappointed to see that the zip line is still missing. Time to put it back up.

2. Central Park and its concerts are central to the identity of Cape Charles. Treasure and support this institution beyond cutting the grass.

3. While we all want to return to "normal," rates of cases and deaths are high in Northampton even if the raw numbers are small. Continue your efforts to keep the town healthy.

Sharon Moreland, 131 Churchill Downs

Subject: Zip line

I own a home in Cape Charles. As I tax payer, I strongly object to reinstalling the zip line at the children's playground.

I am a retired 39 year veteran elementary public school teacher. I am Very familiar with children's playground habits. It is the town's best interest NOT to reinstall the zip line. That piece of equipment is extremely dangerous as many accidents have occurred in many regions while children as well as adults are using it. Camps, in our area of the Shenandoah Valley, have zip line participants sign legal waivers before getting on the zip line. Zip lines are closely supervised by a paid employee. Accidents still occur with the line itself, or with improper use, even with supervision. Insurance for Cape Charles should increase with the

amount of liability for a zip line. Are you willing to let a child or adult be injured on a zip line? Are you willing to have the zip line supervised and waivers signed? A child can get injured on any piece of playground equipment, but a zip line is one where more serious injury can occur.

Roxanne Ward

Subject: Restriping and Parsons Building

Honorable Mayor and Council of Cape Charles,

I am a business owner in Cape Charles and I have a question and a comment to be read to council but would like to start by saying that your hard work during the Covid-19 pandemic has not gone unnoticed or unappreciated.

First, my question is in regards to the restriping on Mason Avenue to eliminate back in parking. We reopened our shop a couple of weeks ago and even though the town has not fully opened up, we have already witnessed several close calls. I thought eliminating back in parking had already been decided by council after all the public comments regarding safety but I recently heard that the funds for the restriping may be removed from the budget. I hope this is not the case as this is a valid safety issue in need of attention on Mason Avenue daily. I am asking that you, please, do not sacrifice the safety on Mason Avenue by removing these funds.

Second, I have a comment regarding the Parsons Building/Loggias Condos. Being born and raised in Cape Charles, I have a deep connection and love for the historic buildings in town, mainly on Mason Ave. I'm so glad to see life given back to the Parsons Building instead of sitting in ruin and being seen as an eye sore. I have been watching the activity and trying to imagine what the renovations might look like compared to the memories I have as a child in that building and the cold, industrial styles of others I have seen. Just recently, I was given the opportunity to take a tour. I was pleasantly surprised by the light, airy, feel combined with a touch of elegance in these condos, it is such a compliment to this building and far beyond what I expected to see. I have always loved the details on this building and was made aware that the current windows may have to be removed and replaced with the wooden windows. I am not a historian by any sense of the word and I have tried to understand why this might be necessary. If these windows changed the look and personality of the building I would totally agree, however, I can't see the difference. Not only does the clean crisp white line of these windows bring life to the façade, they are maintenance free and are more economical for the resident. Painted wooden windows would be attractive for only a short time since they face the salt air and winds from the water, not to mention the lack of insulation protection from freezing winter winds. As I look at the changes made to the other historic buildings in town, I feel like I must be missing something. Could you please explain and help me understand why these windows are an issue?

Thank you for your time and consideration,

Diane D'Amico, 602 Jefferson Avenue

Subject: Town Council Meeting May 28 2020

I would like to address two issues

1- 209 Mason Ave

Not only should this builder pay a penalty for intentionally installing the incorrect windows he should also be held responsible for removing them and installing the approved windows. He had the opportunity to appeal the required windows within 30 days of the decision being made. He took a gamble that once they were installed he would not be required to replace them. If they are permitted to remain then not only has he knowingly flouted the decision of both the Historic District Review Board and the Town Council he has also installed windows for which no review or approval has been given. Either a \$5,000 penalty and the windows be replaced OR a \$50,000 penalty and the Town will use the money to replace the windows when the town schedule permits.

2- 2020 Budget.

I am against replacing the zip line in Central Park in lieu of re-painting Mason Ave to permit front end parking. In a town where the population is overwhelmingly over 55 and who overwhelmingly approved the front end parking I do not see that a zip line for children is in the "best" interests of Cape Charles citizens. As a member of the Parking Committee who worked long hours on this topic I would be unhappy that my efforts and those of my fellow committee members was so easily disregarded.

Thank you for your attention,

Terry Carney and Nansey Cardone, 1 American Court

This letter is in support of the renovation and revitalization of the Parsons Building, 209 Mason Avenue as is. We have seen this project develop from the first day and I am amazed at the transformation in keeping with the original appearance of the building. Would hope that you and members of the city council have availed yourself to see this beautiful work for living spaces. The project is certainly unique from the interior perspective and still retains the look from when the building was originally built. This is another corner stone project that we should be proud to have in Cape Charles.

Steve Smith, CC Ryder Rentals, Tim's Place Restaurant and Peach Street Convenience

Subject: Support of Parsons Building project

Good day,

I'm writing this in support of Mr. Meyer and his rehab of the Parsons Building (of which my great uncle had built in the early 1900's). Pertaining to the use of fiberglass windows that have the same look as wooden sash windows with the added longevity in our coastal salt environment. Especially when these windows start at eighteen feet above ground (sidewalk) level. Common sense needs to prevail within the Review board's criteria.

Rebecca Bowers

Subject: Fwd: Window type at 209 Mason Ave. Cape Charles

To: Council of the Town of Cape Charles

As buyers of a unit in the Parson Building, we do not feel that the requirement for wooden windows is necessary to preserve the historical appearance of the building. While viewing from outside of the building, it is virtually impossible to tell what type of replacement windows were used.

The additional benefit of energy efficiency and ease of care are positive attributes for condo living. As individuals who value restored architecture, we feel that this feature does not detract from the intent to showcase this wonderful property.

Cristina Carollo, 407 Randolph Avenue

Subject: in support of Parsons Building/Danny Meyer appeal

To whom it may concern -

This is in support of the appeal in front of the Historic Review Board of Mr. Danny Meyer who is renovating the Loggias Condos in the Parsons Building. After walking down Mason Ave and stepping on the opposite side of the street to take a look at the fiberglass windows, I do believe they do not detract from the overall appearance of the building.

Michael Bowers

Subject: Parson's building at 209 Mason Ave (window material)

While vacationing here in Sept 19-23, staying at the Cape Charles hotel, while walking east on Mason Ave, we noticed a poster of condo's being built-in the Parson's building, we returned home to Ashland Va, & after short consideration, decided to inquire into the purchase of same, so we put our house on the market, reserved a condo, & moved here on January 21st. We have been waiting since then to move in. This window matter, delays our whole purpose of coming here, to be a part of a nice friendly, & safe town. I don't feel the material used in the windows, should delay the folks, wanting to live here permanently, from doing so. I appreciate your concern on this matter, & hope it will be decided soon.

Thank you for your time.

In addition to my previous email, we sold our home to move here. My wife's family is from here (ES/Onancock). The existing windows are maintenance free/energy saving, unnoticeable from the sidewalk/across the street, wood windows require maintenance, aren't easy to clean, nor do they save energy. Please allow existing windows to remain.

Thanks again.

Stuart Smith, 27 Kings Court
Subject: Mason 209

I read the record above of the project at 209 Mason. To say I am concerned is an understatement.

You don't have to have a degree in planning or architecture to see that the clear requirements of the Historic Review Board in requiring the developer to provide drawings and other requirements attached to the CoA.

The mea culpa of the developer claiming that he didn't understand or thought he was "doing the right thing" in installing non compliant windows is an insult to the citizens of this town.

Like many who proceed and then beg for forgiveness his pleas are without merit in my view.

His claim that to do what was required in the first place has an exorbitant price to do the change. Too bad. Due diligence on the part of developers is their responsibility. His further claim that he would not have proceeded with the project if he knew HRDB requirements is a threat that has no standing regardless of the level of investment.

We have a wonderful town and we want to encourage investment. And there has been a lot of discussion of the processes of the HRDB and positive changes have moved us forward. I support flexibility when it is in scope and doesn't violate the clear intent of our Historic District requirements.

Whether the council agrees to sustain the HRDB and require the developer to install the required historic materials or overrule the clear requirements of the HRDB in this matter

I do not offer an opinion. But the reason we have a Historic District is a clear mandate from the residents that we find this an important element of our culture and history.

Regardless of council's decision, I believe that the developer should be fined appropriately according to the code for the violations that in my opinion were willful and disrespectful of our governance.

Maryann Ballou, Unit 201 Loggias

I, Maryann Ballou as an elderly woman purchasing Unit 201 in the Loggias, I do not want wooden windows in my condo. This will be my primary residence and I do not want to have to deal with ongoing maintenance in the future, particularly at my age, especially being two stories up in height, will make maintenance unnecessarily costly, burdensome and dangerous to maintain.

Thank you for your time and consideration on this matter.

Sincerely,


Maryann Ballou

LD Davis, 112 Peach Street
Subject: 209 Mason Avenue

Dear Mayor and Council members,

I am writing to you regarding 209 Mason Avenue and the appeal that you will be considering this evening.

The applicant, Mr. Meyer, has been diligently trying to rehabilitate the Parsons Building for more than a year. During that period of time there have been changes to the membership of the HSRB, both the Town Planner and Town Manager left to pursue other opportunities and pre-application meetings came into being. With a changing cast of characters and revised format the road has been difficult and fraught with twists and turns for the applicant. It's time to level the playing field.

Mr. Meyer has taken an iconic building on Mason Avenue that was an eyesore and returned it to its former beauty. As a part of that process there will be condominiums, including an ADA accessible unit, retail space that will add to the quality of life in our town and significant financial benefit the town as well.

While there is a process for approval and many words written to explain the rules and regulations, the missing element seems to be the environmental impact and energy efficiency. We live within an area with an extremely sensitive ecosystem and we should think carefully about the materials that are used in restoring properties around town. Historic features can be retained with the use of modern day products.

The windows in question are 18" or higher off the ground. By their own admission the HDRB has stated that the vast majority of people would be unable determine if the windows were wood or manmade. I would encourage our Mayor and Town Council to vote in the applicants favor.

Robert Suppa, 112 Peach Street

Subject: Appeal to HDRB re:209 Mason Avenue

I would first like to say that America's habit of using wood for exterior trim is coming to an end. Inexpensive lumber is great for framing and interior projects as it is protected from the weather. Using wood for decorating the exterior of a home these days is like having wood tires on a car. They will last a little while but the expense of maintaining, protecting, and eventually replacing a porous natural fiber product is huge. Those synthetic rubber tires are looking pretty good right now, at least to me.

Manufacturers of exterior building products have gone to great expense to gear up and produce a multitude of composite exterior trim, so detailed and intricate that not only does it replicate the look and feel of "historic" types of exterior trim, it far exceeds the performance and durability of wood. I repair exterior trim for folks, and they always ask me to use PVC as replacement material.

I know Mr. Meyer, who purchased the property at 209 Mason Avenue. I have worked for him, He has a lot invested in Cape Charles and he doesn't skimp on quality. I heard that the HDRB wants him to remove the new windows that were installed on his building not because they appear to be historically inaccurate, but because the exterior trim portion is a composite material.

I thought the HDRB made decisions regarding the appearance of historical buildings and homes. Am I wrong? I have looked at the property in question. There's nothing historically odd about it. Unfortunately I did not have my binoculars available to peer up at the windows so I could determine what material was used for the trim. This sounds ludicrous I know, but forcing folks to use wood for exterior trim applications is like ignoring the fact that tires are made of rubber now.

I so cling to the hope that reason and logic will prevail over the dogmatic principles and practices that are now in place.

Lindsay Cassada

Subject: Leadership Re: Beach Opening

Mr. Hozey, Mr. Dize, and Cape Charles Town Council (via clerk'),

First, I'd like to express my appreciation to each of you for your service to Cape Charles. I am writing to inquire of plans, if any, by our Town representatives to submit a proposal to our State leaders to open the Cape Charles public beach. I'll admit, at times I've been confused by some of Governor Northam's announcements and directives, having been under the impression all beaches would be opening on or about 6/10/20. However, seeing Virginia Beach successfully submit a plan to open their beaches prior to Memorial Day weekend, has left me wondering the intentions of our Town representatives regarding the opening of the beach. Is the Town's leadership developing a plan to submit to Governor Northam? What pro-active measures are being taken?

Seeing quotes such as this in the Eastern Shore Post are dis-heartening to say the least: "The town has not been able to stop visitors to date. What we've done so far is slowed it down as best we could. We tried to make the town as uninviting as possible to guests" by closing public facilities such as restrooms, parks, and the fishing pier, he said. (John Hozey). As a member of the Cape Charles community, it embarrasses me to see such blatant lack of hospitality. This attitude also causes me great concern for our businesses, restaurants, and lodging facilities who need responsible tourism to stay afloat. On the same thread, seeing a large BEACH CLOSED sign on 13 is infuriating (and misleading). The Beach is restricted, not closed.

To be clear, I am 100% in support of necessary means to stop the spread of sickness, such as masks and social distancing. I do recognize the fears and concerns of town residents. However, I am extremely worried for the future of the Town's economy, if one of the "Friendliest Beach Towns in America" continues with the current "unfriendly" attitude towards guests. Our family owns a second home/vacation rental property at 606 Washington Avenue. Without question, we cancelled all Spring rentals prior to the Town's voluntary request.

We watched the Town create an ordinance prohibiting rentals, later rescinded. We have not yet voiced concerns over our Town representative's actions, as we have concurred with the necessity. As we ventured into town little by little, we have worn our masks. We've kept distance from others. We've made purchases in Town we rarely make at home, simply to support local businesses and restaurants. We now come forward to ask for leadership in opening the beach, as well as other Town facilities (pier, once repaired; tennis courts, park).

In summary, I believe individuals should be given the opportunity to socially distance themselves at the beach, on the fishing pier, on the tennis courts, at the park - all outdoor locations. My family and I have watched all Town Council Facebook Live meetings and we will continue to do so, with hopes this issue will actively be addressed by our leadership.

We very much appreciate the time and attention you give to the Town we have grown to love just as much (if not more) than our primary home town.

Richard Barrett and Carrie Setliff-Barrett, 209 Mason Avenue #2C

**Richard J. Barrett / Carrie Setliff-Barrett
209 Mason Avenue
Unit 3C
Cape Charles, VA
757-679-7777**

May 28, 2020

To Whom It May Concern:

My husband and I have purchased a unit on Mason Avenue in Cape Charles, Unit 3C, Loggias. It has been brought to our attention that there is a possibility that all windows may be required to be replaced with wood windows.

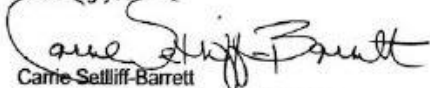
These units are being purchased costly high end Pella windows which meet the high expectations of the purchasers. Wood windows will very quickly become a costly maintenance issue for this wonderfully appointed building. A quality vinyl window will last for more than 20 years. The budget for the condo association is designed to accommodate vinyl windows, not wood windows.

Additionally, vinyl windows will save money on energy bills as the insulation in the frame of the window itself is energy efficient. Vinyl windows require no maintenance as they never need painting or scraping. This will enhance the visual of the town vs windows with ongoing maintenance requirements, scaffolding and painting not to mention the potential risk of injury to foot traffic, etc.

The building also has handicapped units and wood windows would be burdensome and potentially dangerous to folks who may be unable to reach the windows for maintenance needs.

This is a poor overall decision which will diminish the value of the units rather than enhance them.

Thanking you,


Carrie Setliff-Barrett
Co-Founder Image Business Interiors
Virginia Beach, VA


Richard J. Barrett
Senior Partner
Vandeventer Black, LLP
Norfolk, VA

L. Barrett Cree
114 Pine Street
Cape Charles, VA 23310

Town Council of Cape Charles
clerk@capecharles.org
Cape Charles VA 23310

209 Mason Ave, Appeal

Dear Members of the Board,

First let me say thank you for finding unorthodox methods of continuing to make yourself and these meetings available to your constituents, through social media plat forms. I wish you all well and safe in these difficult time for our town.

I appreciate you allowing me to share my concerns on how the Historical Review Board (HRB) has approached their duties and implementing National Historical Guideline on to certain projects and dismissing the long standing Town's Historical guidelines which so many of this citizens have been able to utilize and implement previously.

The HRB over the last year and half has held this project to the (National Historical Guideline Standard) which serves as a strict guideline only when a tax credit is involved, which is not the case here! This is not a historical renovation! This is adapt and re-use, of what had been an eye sore of a building to the town for years.

Remember, the Yugurt store coming soon, that is no long a standing structure? That much how this building sat for years. Finally, someone had the nerve to step up and invest in this building. Creating living in place and ADA housing. As well setting restriction on vacation rental to create a full-time residence community for the town.

I believe this project has been more in keeping to the building, leaving the buildings exterior appearance unchanged to the eye. I believe this project and Mr. Meyer's investment will serve this town well for many, many years.

I cannot point to any other Mason Ave Building renovation project, that has been more in keeping to its original appearance than what has occurred here at the Parsons Building. Current purchasers who were drawn to this project for it's historical charm are all opposed to removing the current maintenance free, fiberglass windows and replacing with the same exact same looking window, now with high maintenance.

If it is appearance that is of concern, hands down a fiberglass window wins. Verses wooden windows requiring scraping, sanding, and painting. Somehow practicality does not seem to be considered in the HRB approach and decision related to these windows, which are 2 and 3 stories high. A person could not even distinguish the difference between fiberglass or wood at that height.

It seems hard to believe we are even here, discussing whether high-quality windows should be replaced with inferior high maintenance windows. Which setup costly and needlessly dangerous scenarios of scaffolding, ladders and worker going up 2 and 3 stories high, above foot-traffic our sidewalk. In my opinion accepting the HRB ruling goes completely against the Towns Historical Guidelines in this instance.

Lastly, I'd like to say Mr. Meyer has made every effort to fulfill his promise to this Town. And has delivered a product, this town and residence can be proud of. Please, listen to the residence purchasing these condos. Please vote yes and approve Mr. Meyer's appeal and support this project.

Sincerely,


Barrett Cree

Susan Gay

Subject: For City Council Re: Beach Opening

My husband and I have lived in Cape Charles for over 5 years. We love our town, businesses, people and natural beauty. I am asking that, **at a minimum, our public beach remain closed for another month.** This will enable everyone to assess the facts after 5 weeks of re-opening.

As I write this email, ***VIRGINIA CASE NUMBERS ARE ON THE UPSWING ONCE AGAIN.*** I believe it would be irresponsible to open up such a public facility of which all the out of towners will visit stores, restaurants, parks....they WILL spread cases to our Town of Cape Charles. I would guess there is a large portion that come from surrounding states which is even more detrimental in waiting it out to assess cases after a few more weeks.

This is not a time to worry about freedoms, what's fair or not, or just complain about rules. We should all be focused on this critical health emergency, if only for a few more weeks.

Thank you for listening.

David Kabler, Blue Heron Realty

Subject: Historic review Parsons Building

Please accept my advice to reverse Historic Review Board demand for wooden windows in the Parsons Building renovation project. It's all about the look so if the modern windows presently installed look like historic windows and are better maintained, please bear with the leniency. It makes total sense!

Kerry Shackelford, Chairman of the Historic District Review Board

Cape Charles Town Council
Appeal of HDRB Decision for 209 Mason Ave

5/21/2020

The applicant has presented plans to the board on numerous occasions, at each of these submissions the board held to several principles stated in the guidelines as listed below.

Pg 19:

The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

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

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Pg 39:

Retain original windows and doors, including glass hardware to the extent possible. For new construction, use window and door styles that relate to those found in the district. These styles are described below. Windows styles vary by sash design primarily, but elements such as sills, lintels, decorative caps, and shutters should also be respected. Doors vary by amount of glass, number of panels, and decorative features.

Pg 41:

Retain all elements, materials, and features that are original to the building or are sensitive remodeling and repair them as necessary.

Pg 42:

Restore as many original elements as possible, particularly the materials, windows, decorative details, and cornices

The board's intent was to keep the front of the building as original as possible; this included the store fronts, windows and doors along with other features of the structure. We did not want the widows changed especially the trim and frames that defined the window openings. The discussions centered around the use of the window openings as a seasonal opening by adding sash that would be able to swing out or in. This would not require the removal of the frames or trim and the original sashes could even be retained and stored for future use. A design was never finalized it was only a concept and we wanted the applicant to provide shop drawings to prevent him from wasting time and money doing something that would not be accepted. The conditional approval was given to help keep the project moving and not hold up the whole building just

because of the design of the windows not being complete. The problem with the current windows is that the original windows are now gone, frames, exterior and interior trim are gone and lost from the record. The board never at any time entertained an idea of replacing the existing windows. Our conditional approval was clear and left no room for doubt before any alteration to the windows could take place shop drawings would be required so that they could be approved.