



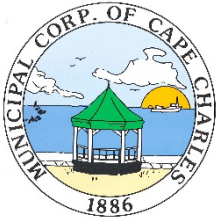
TOWN COUNCIL
Special Meeting
June 4, 2020
Cape Charles Civic Center
via Electronic Communications
6:30 PM

1. Introduction by Mayor Dize
2. Call to Order
 - A. Roll Call
 - B. Establish quorum
3. Public Comments re: Agenda Items Only (accepted via email to clerk@capecharles.org during the meeting)
4. *Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
 - C. Approval of Financial Reports
 - i. January 31, 2020
 - ii. February 29, 2020
 - iii. March 31, 2020
5. Special Meeting Order of Business:
 - *A. Appeal of Historic District Review Board Decision – 301 Madison Avenue
 - B. Recognition of Employees Celebrating Significant Anniversaries
 - C. Town Manager Updates
 - i. Beach Re-opening Plan
 - ii. 2020 July 4 Activities
5. Adjournment

June 4, 2020 Town Council Special Meeting

Item 1 – Introduction to Meeting by Mayor Dize

- This special meeting of the Town Council is being held electronically as provided under Code of Virginia Section 2.2-3708.2 Subsection A.3 which permits public bodies to meet by electronic communications without a quorum physically assembled at one location since, on March 12, 2020, Governor Northam declared a state of emergency for the Commonwealth of Virginia arising from the novel Coronavirus (COVID-19) pandemic.
- The purpose of this meeting is for i) approval of the minutes from the February and March meetings; ii) approval of financial reports for January, February and March; iii) appeal of Historic District Review Board decision at 301 Madison Avenue; iv) recognition of employees celebrating significant anniversaries; and v) updated from the town manager regarding the beach re-opening plan and July 4 activities.
- An audio recording is being made of this meeting. This meeting is also being live-streamed on Facebook, as well as being video-taped for viewing from the Town's website after processing.
- Public comments will be accepted this evening via Facebook Live and emails to clerk@capecharles.org. Comments were also solicited to be emailed to the Clerk prior to the meeting.
- All votes taken this evening will be by roll call vote and recorded in the minutes.
- Any Council members who leave the meeting or arrive after start of the meeting must verbally note their attendance.
- Only essential business of the Town of Cape Charles can be done in this manner.
- These procedures will remain in effect until the COVID-19 crisis has been alleviated.
- Do any of the Council members have any questions about this process?



DRAFT
TOWN COUNCIL
Special Meeting & Executive Session
Cape Charles Civic Center
February 6, 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 Planner Zach Ponds, Treasurer Deborah Pocock, Human Resources Specialist Jodi Outland, Capital Projects Manager Bob Panek, and Town Clerk Libby Hume. There were 14 members of the public in attendance.

APPEAL OF HISTORIC DISTRICT REVIEW BOARD DECISION – 2 TAZEWELL AVENUE:

Town Planner Zach Ponds provided an overview of the appeal of the Historic District Review Board’s (HDRB) decision regarding the application for the Certificate of Appropriateness as follows: i) At their meeting on December 16, 2019, the HDRB denied the applicant’s request to replace the existing casement windows on a single-family dwelling with vinyl windows; ii) The applicant’s reasons for appealing the decision was based on the extensive amount of vinyl windows already in the historic district, the remodeling of two specific houses which were permitted to install vinyl windows in lieu of wood, and the consistency of the windows in the addition and the original house to be the same style to improve the overall appearance of the house; iii) In response to the applicant’s reasons, Zach Ponds stated that although there were vinyl windows in the historic district, the guidelines were clear that replacing original wood windows with vinyl windows was not allowed, and the 1980s/90s addition did not have the same standards of design as an original historic structure, which was clear in the Town’s guidelines as well as at the state and federal level; and iv) The staff recommendation was for Council to uphold the decision of the HDRB.

The appellant, Mr. Dave Hainsworth, was not in attendance but was represented by his nephew, Mr. Taylor Stover, who stated the following: i) There were currently nine vinyl windows on the house and the homeowner wanted to keep the windows contiguous; ii) He didn’t understand the difference in standards. Vinyl was allowed years ago; iii) The subject house was listed as a non-contributing structure until the 2019 update of the National Register of Historic Places for Cape Charles, when it was designated as a contributing structure based on the age of the structure. The property owner had not been notified of the change in designation, nor was he able to obtain copies of any documentation relating to the change; iv) The house didn’t look like a historic home; v) The owner had high utility bills and wanted to upgrade the existing windows with more efficient vinyl windows to reduce his bills; and vi) All the windows wrapping around the front of the house, in the enclosed sunroom along Bay Avenue, were vinyl, and the owner would like to replace the other windows in the house to match.

Councilwoman Burge asked whether the homeowner had participated in the pre-application meeting. Mr. Stover did not know, adding that he just recently became involved in the situation.

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 the following: i) The HDRB had approved replacing some of the windows with vinyl because they were told that the windows being replaced were vinyl, but when he inspected the windows, he noted that they were actually wood. If the HDRB knew that these particular windows were wood, they would not have approved replacing them with vinyl ; ii) He had worked with many historical districts and he was unaware of any localities that notified citizens of an updated register since the National Register of Historic Places was compiled and maintained by National Park Service, not the individual localities.

There was much discussion regarding the update of the register and contributing and non-contributing structures.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to uphold the decision of the Historic District Review Board. The motion was approved by majority vote with Councilwoman Holloway opposed.

Mayor Dize announced that this would be Zach Ponds' last meeting, adding that Council appreciated all that he had done for the town.

PUBLIC COMMENTS (AGENDA ITEMS ONLY):

Council permitted comments from Ms. Beth Walker regarding an issue not on the evening's agenda.

Beth Walker, 1 Mason Avenue

Ms. Walker stated that the Northampton Hotel was experiencing severe water issues constituting an emergency. For several months, the Town's water softener had been leading resin beads into the drinking water. The issue had caused extensive damage to the hot water heater and reverse osmosis system and they were also having water pressure issues. She had called a plumber and paid \$1,600 to flush the water heaters which were clogged solid. She found out about the problem with the softener earlier today and the softener was apparently being repaired today. It was unacceptable for the residents and business owners not to be notified of the issue with the drinking water and she asked Council to follow-up with Public Utilities Director Dave Fauber.

Mayor Dize stated that he would contact Dave Fauber regarding the issue.

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

SPECIAL MEETING ORDER OF BUSINESS:

A. *Proposed Zoning Ordinance Text Amendments – Article IV, §§ 4.5 and 4.6 – Off-Street Parking and Loading Requirements:*

Zach Ponds stated that the review of these sections began at the March 5, 2019 Planning Commission meeting and was completed at the November 5 Planning Commission meeting. He presented a PowerPoint presentation to Council at the November 21 regular meeting giving an overview of the proposed changes.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to approve the text amendments to Article IV, §§ 4.5 and 4.6 as presented to become effective immediately. The current parking standards were original to the zoning ordinance and it was many years overdue to address off-street parking issues and loading standards. The amendments met the intent of the zoning ordinance to have orderly and safe parking for a variety of uses. The motion was approved by unanimous vote.

Councilman Grossman noted that amendments were also proposed for Article II – Definitions which needed to be approved as well.

Motion made by Councilman Grossman, seconded by Councilwoman Burge, to approve the proposed definitions in Article II as presented. The motion was approved by unanimous vote.

B. *Health Insurance Review:*

Human Resource Specialist Jodi Outland presented the 2020 health insurance rates for Council review adding that a decision needed to be made since the policy period renewed on April 1 and all staff needed to be enrolled by mid-March. (Please see attached.)

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the health insurance premium coverage by the Town as recommended by staff. The motion was approved by unanimous vote.

C. *FY 2020 Mid-Year Budget Review:*

Treasurer Deborah Pocock gave a summary of the mid-year budget report. There was much discussion regarding the following.

General Fund Capital Projects – 1: \$300K was budgeted for survey/engineering, lead and asbestos abatement, and installation of an elevator for the second and third floors of the library building for potential town offices. \$50K was budgeted for exterior work to the library, which was deferred from FY 2019. \$81,655 had been expended for the library exterior project, which was an over-expenditure of \$31,655. \$128K had been transferred from this budget line to the harbor infrastructure project, which left a total of \$140,345. Estimates were provided by Public Works Director Dave Fauber for work in the town hall. \$10K was estimated to repair the walls in the clerk's office, utility clerk's office and the finance department closet and to install door keypads for security. \$50K was estimated for sealing off the firehouse ceiling under the administrative offices to keep the fumes from the firetrucks from penetrating the offices above. Last year on several occasions, staff was sent home when the carbon monoxide detectors went off from the fumes. \$80,345 potentially remained for diversion or further investment in the library third floor or Civic Center for ADA accessibility.

There was much discussion as follows: i) Vice Mayor Bennett stated that it would be very difficult to seal off the fire department. Better estimates from a professional were needed. There was additional discussion regarding installation of exhaust fans. It was agreed that a fire department should not be attached to the town hall; ii) Councilwoman Burge added that the town had repeatedly put money into the town hall building to try to keep it together and remodel it in every possible way, but it was still inadequate. She felt that Council needed to make a commitment for a new building. Davenport presented information to Council regarding the town's financial status. Council needed to get serious about the situation. She didn't want to spend another \$50K on the building. A better office was needed; iii) Councilwoman Holloway agreed that Council should not approve the \$50K without having a better estimate of potential costs. Council could approve the \$10K and the \$50K as a contingency. There was some discussion regarding previous estimates for projects that ended up costing much more; and iv) Mayor Dize stated that the leaks in the building needed to be stopped.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve allocating \$10K for leak and security repairs in the town hall as outlined in the report. The motion was approved by unanimous vote.

General Fund Capital Projects – 2: \$155K was budgeted as the town's match for Phase III of the Trail project. As of January 27, 2020, \$7,148.59 had been used, but there could be other Land Studio invoices pending. \$147,851 remained and could be used for other projects if the trail project was pushed to FY 2021. A number of other potential projects were listed totaling \$143,420: Strawberry Street Parking lot resurface and stone \$15K; Central Park fence, built in the fall 2019 \$9,360; Preservation Plan Phase III (unbudgeted amount) \$25K; Golf cart path to the Cape Charles Brewing Company rerouting behind the Cape Charles Museum \$15K; Land Studio Reverse Angle Parking Engineering \$15K; Rebid costs for Trail Project Phase III (for FY 2021 build) \$15K; Installation of security cameras and electric at the park restroom, playground, gazebo and beach restroom \$30K; maintenance agreement on camera system \$1,060; and new playground equipment (zipline and gagaball pit) \$18K.

There was much discussion as follows: i) Councilwoman Burge stated that the \$145K would have to be allocated next year for the Trail Project if it was used for other items. Deborah Pocock explained that some of the recommended items were urgent such as the Central Park fence which was already built; ii) The Preservation Plan Phase III was unbudgeted but there was a verbal agreement that it would be \$30K. Councilman Grossman explained that Phase 3 was to obtain the analyzed data; iii) There was too much going on in the area to continue with the golf cart path. An easement would be necessary. It would be a private entity getting the benefit of the path. It

was a consensus not to move forward with the golf cart path rerouting at this time; iv) The Land Studio reverse angle parking engineering was a necessity. Bob Panek stated that he was still waiting on the proposal and added that a survey may have to be completed. The original company provided a diagram and a base line survey did not seem to have been performed. An update would be provided to Council once the estimate was received; v) Bob Panek stated that he was waiting for a fee proposal to rebid Phase 3 of the Trail Project; vi) Deborah Pocock stated that only one bid had been obtained for the security cameras. The cost might be reduced if other bids were received. Councilman Grossman asked that security cameras be added for the library since staff worked in the building alone; vii) Councilman Buchholz stated that hard numbers needed to be obtained. In years past, the actual costs always exceeded the estimates. The Town would estimate \$10K for a project which would come in at \$30K. \$147K could turn into \$300K; viii) Councilwoman Burge asked about the priority of these projects that Council would take money that was set aside for the Cape Charles Trail Project Phase 3 and spend it on something else when we would be looking for that money for the trail. She preferred to identify two or three items that were priorities and maintain the commitment for the trail project, even if the exact numbers were unknown. The money was already spent for the Central Park fence. The Preservation Plan was unbudgeted, but the project was halfway to completion. Reverse angle parking was very important. Councilwoman Holloway added that the other items could be discussed for the FY 2021 budget; and ix) Mayor Dize disagreed with Councilwomen Burge and Holloway adding that the Town had spent a lot of money repairing vandalism in Central Park and security cameras were necessary. Cameras were also needed at the beach. The Town had a rape in Central Park several years ago and it could have been prevented if there were cameras installed. Councilwoman Holloway stated that she was hesitant to move forward without actual estimates.

General Fund Operating Budget: Deborah Pocock provided an overview of the budget analysis for the General Fund operating budget. \$22K was available in the Community Events budget which could be used for a cleaning contractor for the existing bathrooms and public buildings, or the Town could build a restroom or purchase portable restrooms this spring. The Code Enforcement/Building & Planning fees received were \$40K higher than anticipated. Miscellaneous taxes and fees collections were \$13K higher than anticipated. A request was received for \$1,200 funding for Ukefest which would be held in the Town in June 2020.

There was much discussion regarding i) the restrooms and location and whether to build a brick and mortar facility or purchase a nice portable unit. A portable unit could be purchased for \$23K to \$50K, but a facility could be built for approximately \$60K. If a portable unit was purchased, the Town would be responsible for pumping it out; ii) Councilwoman Burge asked about the uncommitted loan proceeds amounting to \$53,800. Deborah Pocock responded that it was included as part of the trail project funding; iii) Deborah Pocock added that the transient occupancy tax (TOT) revenue looked to be about \$30K higher than budgeted. A budget amendment could be done to appropriate the additional TOT revenue to use for a bathroom facility. Councilwoman Burge asked that the issue of purchasing or building a bathroom facility be on a future agenda for further discussion and decision; iv) Councilwoman Burge had drafted a policy for community support and money had already been allocated for the FY 2020 budget. Council had agreed that a consistent application process was necessary for community support funding. Councilwoman Holloway expressed her support for the Ukefest event but added that they could possibly apply for a Northampton County grant. Mayor Dize would ask Jen Lewis to send a letter to Ukefest regarding application submittal for the FY 2021 budget.

Utility Fund Operating Budget – Sewer: i) The Phase 1, electrical work for the Washington Avenue pump station upgrade was underestimated by \$11K; ii) There was a \$27,500 shortage in the sewer operating budget primarily due to greatly elevated sludge disposal costs which could possibly be due to brewery waste; iii) The cost of the mixers were higher than anticipated by \$2K; iv) Only \$10K of \$20K budgeted had been spent to date in engineering costs; v) There was about \$9,500 in anticipated savings in tourism zone credits as eligible applicants were on a payment plan with already reduced rates; vi) Electricity costs were \$18K higher than budgeted; vii) There

was \$2K in fuel savings; viii) The net loss in the Utility Fund was estimated to be about \$138. The amounts would be monitored, and expenses would be adjusted accordingly; and ix) Mayor Dize stated that with the sewer issues at the Bay Creek condos, the 20 sewer pods might have to be replaced.

Harbor Fund: The possible loss in the Harbor Fund was \$7,524 mostly due to the state's changes to the striper season. The fund would be monitored, and expenses would be adjusted accordingly.

General Fund – Request for Additional Police Officer: Deborah Pocock stated that Chief Pruitt requested that a new officer start by March 1. The estimated salary plus benefits for an experienced officer would be \$50,577 annually, whereas the cost for an uncertified officer would be \$48,196 annually. An uncertified officer would have to attend the police academy and would not be available for duty until after the summer season.

D. *Cape Charles Community Trail, Phase 3:*

With the bid from Conrad Brothers being higher than budgeted by about \$80K, Capital Projects Manager Bob Panek recommended rebidding the project.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to defer and rebid the project as recommended.

There was discussion as follows: i) Bob Panek would notify VDOT. The Town was awaiting a fee proposal from Land Studio and the scope of work would be reduced. The Town would then submit the revised plans for VDOT review. The project would go out for bids in July; ii) Councilwoman Holloway asked about the timeline and notification to residents regarding the reduced scope of work; and iii) Bob Panek stated that the reduction would be mostly landscaping and some improvements on the south side. Everything would be presented to Council for approval.

The motion was approved by unanimous vote.

E. *Harbor Parking Lot Turnaround Contract:*

Bob Panek stated that only one bid was received which was about three times the estimated amount based on concrete work recently done for the Town. A new bid was advertised with bids due on February 14. The bid package was also sent to local contractors. This item would be on the February 20 regular meeting for contract award.

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

The meeting recessed at 8:28 p.m. Staff and the majority of the members of the public left the meeting.

At 8:46p.m. Mayor Dize called the meeting back to order.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, 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 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Town Manager

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: Potential Purchase or Sale of Real Property

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

Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business of industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

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: Potential New Business

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 Public Hearing, Regular Meeting and Executive Session. The motion was approved by unanimous vote.

The meeting adjourned at 11:22 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
Town Council, Appeal of HDRB
2 Plum Street

2/1/2020

The Historic District Review Board denied the replacement of original wood windows at 2 Tazewell Avenue based on the following items in the guidelines:

1. Pg. 39, #1. Retain original windows and doors, including glass hardware to the extent possible.
2. Pg. 41, #2. Repair original windows and doors by patching, splicing, consolidating, or otherwise reinforcing the original material.
3. Pg. 41, #4. Consider replacing windows and doors only when they are missing or beyond repair.

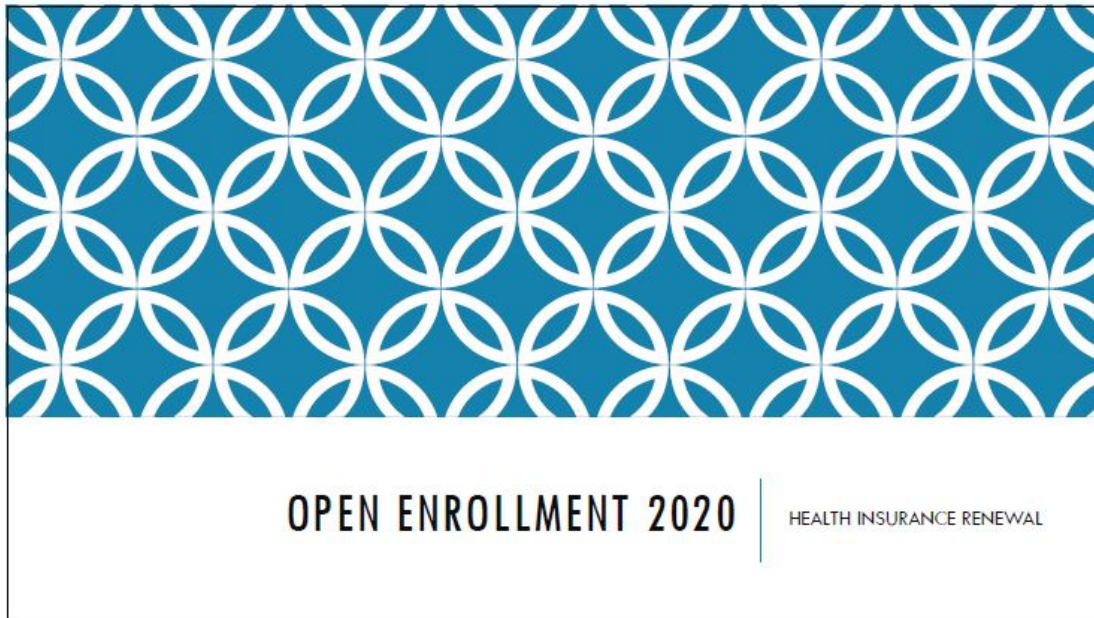
Windows are a defining element in the overall character of the buildings in Cape Charles and as defined in the guidelines the objective of the HDRB is to help retain all the defining elements on all structures where possible.

I have reviewed the windows at 2 Tazewell Avenue, and they are in good condition and only need minor repair, glazing, and paint. The existing storms are in poor condition and they can be replaced in kind and the energy efficiency of the openings will be greater than that of a replacement window. I would also suggest the owner review the insulation, heating equipment, as these would be more likely to contribute to the extreme energy costs.

I would be happy to help the owner by reviewing the insulation and equipment to offer some ideas that will have a real impact on the heating costs.

Kerry Shackelford
Chair, HDRB

Jodi Outland, Cape Charles Health Insurance Renewal Review



SUMMARY

Last year the Town decided to switch away from Anthem and go with a self-funded plan with Cigna. In doing so the Town projected to save over \$8,000 over the previous plan year.

Primarily because the vast majority of employees chose the *Flexible Savings Account* option, (at \$41.67 per month, less than the “benefit dollar” amount allotted \$80.47), the Town recouped another \$11,600 in the current budget year.

2

For our renewal, because the Town had extremely high claims for a 3 month period, as well as an aging demographic, our rates had a significant increase of 30%.

We had a few employees drop their children, due to cost, which made our average age higher than it was in 2019. All of these factors caused our rates to increase.

AGE+CLAIMS affects rate of premiums.

3

The increase in CIGNA premiums and subsidies is 10% over what was budgeted last year.

BUDGETED MEDICAL BENEFITS-2019 PLAN YEAR	\$216,000.00
RENEWAL MEDICAL BENEFITS -2020 PLAN YEAR	\$238,322.40
INCREASE	\$22,322.40
Increase in CIGNA + subsidies from last plan year	10.3%

4

2018-2020 HEALTH INSURANCE COSTS-MEDICAL

Plan Years April-March Anthem/Cigna	Employee –Only Premium	Annual Budgeted Cost	Annual Realized Cost
2018-19	\$623.43	\$224,434	\$224,434
2019-20	\$600.00 (amt allotted)	\$216,000	\$196,662
2020-21	\$677.15	\$238,322*	??
		*Includes proposed subsidiaries	

5

HOW CAN WE CONTROL COSTS?

Every year the Town offers a standard Health Plan that is affordable to the Town and still value added to each employee. Having a co-pay plan for example, is perhaps the #1 most important feature (vs. a High Deductible Health Plan with an HSA.)

The Town also offers a less costly plan that has a higher deductible but has lower premiums. This is the plan that almost all of the employees who have dependents choose. It is still a value added plan and does have lower co-insurance than the first plan.

6

CONTROLLING COST

Due to the increase of cost to the Town a way to control costs is to eliminate the benefit of paid AFLAC and FSA for individual employees. While these benefits will still be offered, employees will have to pay for them out of pocket on a pre-tax basis.

HOWEVER, if the Town offers a \$500.00 FSA to employees who choose the higher deductible plan, this will save the Town roughly \$578 per year, per employee. Even if only six employees choose to enroll in the Plan 2, the savings will be \$3,468 per year.

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WHY WOULD THIS WORK

Employees who have been on the FSA have learned what an excellent benefit this is to them and to family members as well. A good number of our employees are healthy and are not expecting to hit a deductible and very well may choose to take the \$500 FSA Benefit. This is a way to still offer an additional benefit option to employees.

8

DEPENDENT COVERAGE

32% of our Town employees have dependents enrolled in the Town health plan. The cost continues to outpace COLA increases. Last year family coverage on the higher deductible plan was \$377 per pay period. In 2020, without a subsidy, it will be \$531 per pay period. That is \$13,806 per year just for the medical premiums paid by the employee.

Employee and Children currently pay \$113 per pay period on the higher deductible plan. Next plan year this deduction will rise to \$191 (\$5,000 for the year).

Accomack County currently pays a portion of dependent premiums on a sliding scale, depending on which tier they choose. (See Exhibit A) Many jurisdictions are having to be creative in offsetting employee costs in order to recruit and retain employees.

See Exhibit B, hand out, for actual payroll data on health insurance deductions.

9

WHAT CAN THE TOWN DO ABOUT THIS?

Continue to cover the individual employee at the higher plan amount (Plan 1). If employees take Plan 2, the difference helps offset their payroll deduction (we have done this every year in the past).

Continue to offer a subsidy for dependent coverage using the 2019 Health Rebate from Anthem and some of the savings from the 2019-2020 plan year. Roughly \$100 per month spread across employees paying dependent premiums. (Budget funding will come out of fund balance, not current year revenue.)

THIS MAY ENCOURAGE MORE EMPLOYEES TO ENROLL THEIR CHILDREN AND THUS REDUCE OUR COSTS. LOWERING AVERAGE AGE OF OUR CENSUS POPULATION WILL REDUCE PREMIUMS.

10

LOOKING TOWARDS 2021

We will have another employee become Medicare eligible 1/2021 which should reduce costs in the Plan Year 2021-2022. Since the group is self funded, the Town may also have a favorable claims year which will save us additional money in 2021-2022. *Our situation last year was unusual.*

We will continue to compare plans moving forward to find the most favorable outcome.

11

DENTAL * VISION* FSA* AFLAC

Delta Dental had a 2.9 decrease in premiums which will save the Town roughly \$300 a year.

Vision rates did not increase. This is an employee paid benefit except employees who waive medical coverage may chose to enroll in VSP at no cost.

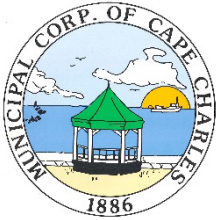
The FSA continues to be a very popular benefit with more than half of all employees enrolled.

AFLAC has also proven to be value added. The employee who experienced the high claims had AFLAC coverage which reimbursed him for almost all of his out of pocket costs.

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13



DRAFT
TOWN COUNCIL
Public Hearing, Regular Meeting & Executive Session
Cape Charles Civic Center
February 20, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Public Hearing, Regular 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 and Town Clerk Libby Hume. There were 13 members of the public in attendance.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING COMMENTS:

There were no comments to be heard nor any comments submitted in writing prior to the meeting.

Motion made by Councilman Buchholz, seconded by Vice Mayor Bennett, to close the Town Council Public Hearing. The motion was approved by unanimous vote.

RECOGNITION OF VISITORS / PRESENTATIONS / RECOGNITIONS:

A. Community Rating System Plaque Presentation – Zane Hadzick

Mr. Zane Hadzick from the Federal Emergency Management Agency (FEMA) presented the Town with a plaque for the Town achieving a Community Rating System (CRS) rating of 8. With this CRS rating, property owners in the special flood hazard area would qualify for a 10% discount in their flood insurance premiums. Property owners in other areas of the Town would qualify for a 5% discount. Mayor Dize and Code Official Jeb Brady accepted the plaque.

PUBLIC COMMENTS:

Natalie Smith, 701 Prestwick Turn

Ms. Smith addressed Council regarding issues with the sewer system in the Fairway Condos. She described a number of instances, dating back to 2013, where raw sewage had backed up into her bathroom causing much damage to her bathroom, walls and closet. The last instance was in January 2020. She had notified the Town after each incident and was told that it was an issue with the pod which was installed on the public side of the system. With the most recent instance, Town staff dug up the sewage line and discovered two large pieces of concrete in the lines which were causing a blockage. This most likely occurred during construction. She requested a schedule of pod cleaning and maintenance and notification of any future problems that were discovered.

Mandy Crouch, 206 Tazewell Avenue

Ms. Crouch stated that she had been coming to Cape Charles for 20 years and had two young children. She had difficulties finding activities for her children so she created a Facebook page, Cape Charles Parents. She came tonight to inform everyone about the page and asked that the information be shared with others.

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

CONSENT AGENDA:

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. January 16, 2020 Public Hearing, Regular Meeting & Executive Session

- ii. January 22, 2020 Executive Session
- C. Approval of December 31, 2019 Financial Report
- D. Monthly Department Reports

Vice Mayor Bennett asked that the Community Relations department report be pulled from the Consent Agenda for discussion.

Motion made by Councilman Grossman, seconded by Councilman Bannon, to approve the Consent Agenda, with the exception of the Community Relations department report, as presented. The motion was approved by unanimous vote.

Vice Mayor Bennett asked about the Farmers' Market and the extent of the Town's involvement.

Mayor Dize explained that Jen Lewis contacted him when she heard that the Historical Society was no longer going to be holding a farmers' market. She met with vendors and they wanted to have the market at Strawberry Street Plaza. One of the vendors measured the area and laid out space for 25 vendors. A Use of Facility Form would be completed by each vendor and they were required to have liability insurance. The Town would assign the vendor spots. Once all the spots were assigned, no additional vendors would be permitted. It would be up to the vendors to set up and take down their equipment each week. One of the vendors volunteered to take the lead. The Town had contacted the Virginia Risk Sharing Association (VRSA), the Town's insurer regarding any liability to the Town.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to accept the Community Relations department report as submitted. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

A. *Virginia Port Authority Aid to Local Ports Grant Request:*

Capital Project Manager Bob Panek stated that over the years, the Town had made good use of the Virginia Port Authority (VPA) Aid to Local Ports (ALP) program to improve the Harbor as part of the Harbor Redevelopment Program. Currently, the Town was working on four phases of the harbor rehabilitation plan. Council approved \$253K this fiscal year for Phases 1-3 of inner harbor rehabilitation (north and east sides), as well as paving the turnaround at the watermen's memorial and installing light poles along the boardwalk between the bath house and The Shanty restaurant. Phase 4 would complete the rehabilitation on the south side of the inner harbor, which presented an opportunity for a new ALP grant request. If fully successful in obtaining the grant, the Town could receive about \$89K of an approximate \$120K project. He and Harbor Master Charlie Farlow met with VPA representatives to provide information regarding the Town's projects which was well received. Bob Panek proposed submittal of an official application for the ALP grant which was due March 1.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Burge, to authorize Mayor Dize to request a Virginia Port Authority Aid to Local Ports grant in the amount of \$88.8K for Phase 4 of the inner harbor rehabilitation. The motion was approved by unanimous vote.

B. *Harbor Parking Lot Turnaround:*

Bob Panek stated that Council had approved installation of a concrete paving at the harbor parking lot turnaround in front of The Shanty restaurant, which would be a semi-circle around the Watermen's Memorial. This project was part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An invitation for bids was advertised a second time with bids due February 14, 2020. Six bids were received ranging from \$25,000 to \$40,229. The apparent low bid was slightly more than the estimate; however, this bidder was nonresponsive since they were licensed as only a Class C contractor, which only permitted the contractor to work on projects with a maximum contract value of \$10K. The next low bidder was Phillips Housing and Development, LLC of Chesapeake

at \$30,628. While the price was more than anticipated, it was still reasonable and there should be sufficient flexibility in the remaining harbor work to absorb the overage. The contractor indicated the work could be completed prior to The Shanty's opening date of March 4, barring any unusual weather. The restaurant owner was willing to accept the risk instead of deferring the project to next January.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize Mayor Dize to execute a contract with Phillips Housing and Development, LLC in the amount of \$30,628. The motion was approved by unanimous vote.

C. Inner Harbor Sidewalks:

Bob Panek stated that Council had approved the installation of concrete sidewalks along the north and east sides of the inner harbor, replacing the badly deteriorated wood walkway. This project was part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An invitation for bids (IFB) was advertised with bids due February 14, 2020. The IFB was structured for a base bid for the north side and a bid alternate for the east side to provide flexibility in executing the overall rehabilitation project. Five bids were received, ranging from \$75K to \$111.5K. The low bidder was Ace Construction Company of Portsmouth with a base bid of \$51.6K and bid alternate of \$23.4K. While the price was higher than anticipated, it was reasonable and there should be sufficient flexibility in the remaining rehabilitation work to absorb the overage.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to authorize Mayor Dize to execute a contract with Ace Construction Company in the amount of \$75K. The motion was approved by unanimous vote.

D. Harbor Management Company Request for Proposals:

Bob Panek stated that for several years, some members of Council expressed their interest in exploring opportunities for contracting out management of the Town Harbor with the objective of improving performance. At the January 2, 2020 strategic planning Session, Mayor Dize presented comprehensive background information on the Town Harbor and the pros and cons of contracting out its management. Council directed that a request for proposals (RFP) be prepared to solicit proposals for evaluation. Contracting out management of the Town Harbor could range from hiring a management firm for a fee, to leasing the property to a firm for a specified rental payment to the Town. Degree of control and operational visibility were dependent on the arrangement. The draft RFP took the approach of hiring a management firm for a fee and also solicited a possible management fee structure which was partially dependent on improvement in financial operating results.

There was some discussion as follows: i) Councilwoman Burge stated that the RFP was well done and comprehensive. She appreciated the incentive based fee structure being included, but was unsure if any management companies would propose that type of structure; ii) Councilman Grossman suggested including the specific information that needed to be included in the weekly activity reports as well as information regarding routine inspection of facilities and the provision of security monitoring. Bob Panek responded that his intent was to keep it as open as possible to allow the management firm to propose their plan; iii) Typical RFPs allowed about 30 days for submittal of a proposal. Vice Mayor Bennett recommended allowing at least 45 days for submittal deadline; iv) Councilman Bannon asked about the employees currently working at the harbor. Bob Panek stated that the RFP included a specific request for a transition plan for the current employees to become private employees of the management firm; and v) There was some general discussion regarding the performance of the harbor over the past several years.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Burge, to approve moving forward with advertising of the RFP for harbor management services as presented. The motion was approved by unanimous vote.

NEW BUSINESS:

A. *Appointment of Planning Commission Representation to the Historic District Review Board:*

Mayor Dize stated that Diane D'Amico resigned her position as the Planning Commission representative to the Historic District Review Board (HDRB) effective October 29, 2019. Historically, the Planning Commission nominated a representative to the HDRB to act as a liaison between the Commission and the HDRB, however, it was not required per Article VIII of the zoning ordinance. At their December 3, 2019 meeting, the Planning Commission recommended Town Council appointment of Michael Strub to be the Planning Commission representative on the HDRB.

Motion made by Councilman Bannon, seconded by Councilman Grossman, to appoint Michael Strub as the Planning Commission representative to the Historic District Review Board. The motion was approved by unanimous vote.

B. *Appointment of Interim Zoning Administrator:*

Mayor Dize explained that the Cape Charles Zoning Ordinance § 2.4.1 required Council appointment of a zoning administrator to serve under the direction of the town manager. Zach Ponds was the zoning administrator and his last day was February 19, 2020. An interim zoning administrator needed to be appointed. Mayor Dize recommended the appointment of Kelly Lewis Parks who was the planner/GIS specialist for Northampton County.

There was much discussion regarding this item. Ms. Parks would be working for the Town after hours on a contract basis performing erosion & sediment (E&S) control site plan reviews and zoning administration.

Motion made by Councilwoman Holloway, seconded by Councilwoman Burge, to appoint Kelly Lewis Parks as the interim zoning administrator and E&S site plan reviewer. The motion was approved by unanimous vote.

C. *Wayfinding Committee Findings:*

Councilman Buchholz recused himself from discussion and voting on this item due to his ownership of Eastern Shore Signs.

Mayor Dize stated that the wayfinding committee had met on multiple occasions to identify the best design, location and content for wayfinding signs in the town and directly adjacent to the town limits. The design was produced by OTTO.

Motion made by Councilman Bannon, seconded by Councilman Grossman, to approve the wayfinding design, proposed locations and proposed content.

Council reviewed the information provided and there was discussion as follows: i) Councilwoman Burge noted that Council could approve the locations but VDOT might not be agreeable since the signs would be located in their rights-of-way; ii) Councilman Grossman asked whether the signs were in compliance with Zoning Ordinance Article IV which outlined sign regulations. Councilwoman Holloway responded that former Town Planner Zach Ponds had checked all the sign specifications; iii) Vice Mayor Bennett asked whether cost estimates had been discussed. Mayor Dize stated that the Town budgeted \$68K for this fiscal year. Councilwoman Holloway interjected that Zach Ponds had Cape Charles Main Street prioritize the signs based on importance. Councilwoman Burge asked that, at least, the replacement signage needed to be completed; iv) Mayor Dize noted that the provided information stated that Cape Charles Main Street didn't want to use business names on the signage but the plans showed "Bay Creek Golf" which should be changed to "Golf."

The motion was approved by unanimous vote.

Councilwoman Holloway noted that Ms. L.D. Davis, who served on the wayfinding committee along with Mollie Pickron and Diane D'Amico, was in attendance and she wanted to thank her personally for her work on the committee.

D. *Cape Charles Main Street Support Letter:*

Councilwoman Holloway and Councilman Buchholz recused themselves from the discussion and vote on this item due to serving as President and Vice President of Cape Charles Main Street, Inc.

Mayor Dize stated that the Town began researching the Virginia Main Street Program in September 2015 and staff had attended a number of workshops and met with the Virginia Department of Housing and Community Development over the next couple of years. On July 6, 2017, Council appointed a Community Enhancement Program Board which was charged with organizing and applying to become a Virginia Main Street Affiliate. The board made great strides during their first year in generating active community support and in organizational formation. They incorporated themselves as Cape Charles Main Street, Inc. and obtained their tax-exempt status under Internal Revenue Code § 501(c)(3). In April 2018, the Community Enhancement Board was dissolved by the Town Council and Cape Charles Main Street, Inc. became an official non-profit organization and partner with the Town. Since their incorporation, Cape Charles Main Street had been working toward obtaining their designation as a Virginia Main Street Community and were named as the first Virginia Downtown community in 2018. There were numerous requirements to obtaining the Virginia Main Street Community designation, one of which was ongoing financial support by the locality. Cape Charles Main Street Program Director Karen Zamorski requested a letter pledging the Town's financial support over the next five years. There was no requirement for a specific dollar amount in the letter and the actual amount of financial support would be discussed and determined annually during the budget process.

Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to authorize Mayor Dize to sign the letter pledging the Town's financial support of Cape Charles Main Street, Inc. and provide the letter to Cape Charles Main Street to include in their Virginia Main Street Community Designation application packet. The motion was approved by unanimous vote.

MAYOR AND COUNCIL COMMENTS

Councilwoman Burge stated that she was glad to see so many people in attendance this evening and would look at and try to share the Cape Charles Parents Facebook page.

Councilman Grossman stated that, for the benefit of facilitating the February 29 public input session, he had drafted a slide presentation for the mayor's use.

Councilman Bannon reminded all that the February 22 Town Council Retreat had been canceled.

Vice Mayor Bennett commented as follows: i) He thanked Mayor Dize for the RFP for a harbor management company adding that he was anxious to see it on the street and asked for notification when it was advertised; and ii) He asked Mayor Dize to respond to Ms. Smith with a copy of the response to him.

Councilwoman Holloway comments on the following: i) She stated that several residents contacted her about the water flush taking three nights. She had to tell her guests that they couldn't use water or flush toilets for three nights. Could the water system flush be divided into areas? If this happened during the summer, it would be a major issue. Did the water system flush take three nights to perform? Could the flush begin at midnight versus 10 PM? She didn't know what to tell the people who contacted her. Mayor Dize stated that the water system flush was done periodically to clear the lines. By starting at 10 PM, staff was able to drain the tank and have it refilled by 6-7 AM to ensure residents had adequate water to start their day. If the flush began later, staff could not guarantee ample water for people when they were getting ready for work in the morning. Councilwoman Burge noted that water system flushes were mainly done during times of low usage and weren't needed

during the summer months. There was much discussion regarding this issue and tourists; ii) Annually, she requested signage regarding golf carts not being permitted in Central Park as well as rack cards to be placed in vacation rentals explaining the golf cart regulations. She saw everything that went on in the park and was just waiting for a terrible accident. Mayor Dize informed Councilwoman Holloway that he would take care of the issue; and iii) She thanked Mayor Dize for stepping in as interim town manager adding that she had no idea of everything he sacrificed to keep the town running for three months.

Councilman Buchholz stated that staff needed to keep an eye on the Bay Creek sewer issue and report back to Council and residents in the area. For the Town to let the issue go on for so long was unacceptable.

Mayor Dize commented as follows: i) He had already emailed Ms. Smith. The flapper valve was already installed in the line. He believed that the concrete that was removed from the line was the problem. There were about 27 pods around town and there was one at the Oyster Farm which services the restaurant and event center. To his knowledge, there had only been one problem with that pod. He spoke to Billy Powell who would set up a preventative maintenance schedule on all pods. Councilman Buchholz asked if staff could leave door hangers to notify residents that they had checked the system; ii) He thanked Jeb Brady and staff for doing what was necessary for the Town to receive the plaque from FEMA; iii) He wanted to remind everyone of Cape Charles Day on March 7 and invited all to come out and get hamburgers and hot dogs cooked by Council; iv) He thanked the staff for stepping up to get things done; v) He thanked everyone for their patience; vi) The Town Council Retreat was rescheduled for a Thursday in April; and vii) He introduced Mr. John Hozey as the new town manager adding that he was very pleased to have him on board.

Mayor Dize read the announcements, adding that he wanted everyone to attend the public input session on February 29. He wanted public engagement regarding the regulation of boat, trailer and RV parking on the Town's streets.

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

The meeting recessed at 7:37 p.m. The members of the public and staff left the meeting.

At 7:51p.m. Mayor Dize called the meeting back to order.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, 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: Potential Purchase or Sale of Real Property

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.

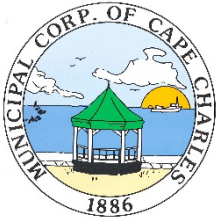
Motion made by Councilman Buchholz, seconded by Councilman Bannon, to adjourn the Town Council Public Hearing, Regular Meeting and Executive Session. The motion was approved by unanimous vote.

The meeting adjourned at 9:14 p.m.

Mayor Dize

Town Clerk

DRAFT



DRAFT
TOWN COUNCIL
Public Input Session
Cape Charles Civic Center
February 29, 2020
11:00 AM

At approximately 11:00 a.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Town Council Public Input Session. In addition to Vice Mayor Bennett, present were Councilmen Bannon and Grossman, and Councilwomen Burge and Holloway. Mayor Dize and Councilman Buchholz were not in attendance. Also, in attendance was Town Clerk Libby Hume. There were 31 members of the public in attendance.

Vice Mayor Bennett began by recognizing Mr. John Hozey, the new town manager, who would be starting on March 9, adding that he was looking forward to working with him. Mayor Bennett went on to state that the Town was contemplating an ordinance change regarding the parking of boats, motor homes, trailers, etc. on the Town's street. Council was in favor of gathering information in collaborative dialogue versus limiting public input to three minutes during a meeting. The session would begin with Councilman Grossman presenting information to the attendees regarding how we got here and what was being proposed. Following the presentation, the floor would be opened for comments and discussion. Mayor Bennett asked everyone to identify themselves before speaking.

Please see attached for Councilman Grossman's presentation.

Town Clerk Libby Hume read comments that were submitted in writing prior to the meeting. (Please see attached.)

Comments received were as follows:

- Safety:
 - A safety issue for pedestrians, children, animals, etc.
 - Safety issues with the parking of boats, trailers, etc. on street corners. Visibility was difficult even with large pickup trucks parked on corners.
 - Safety was most important, especially with the narrow streets.
 - Access needed to be maintained for emergency vehicles and garbage trucks. This was very important. There would be an issue if an ambulance had to go around the block to find a parking spot and was unable to make it in time to someone in need.
 - Safety issues could be enforced without an ordinance. The police can issue tickets for large vehicles parked along the streets which cause traffic to cross into the opposite travel lane to pass. A new ordinance would not help the issue.
 - Aesthetics vs safety. Also, a courtesy issue. Convenience or inconvenience of being able to park by your home, especially during the summer.
 - Difficult for senior citizens, handicapped citizens, etc. to have to park a block away from their homes and walk. The town had a lot of senior citizens and this was a real safety issue.
 - Golf carts also pose a safety concern.
 - In Cape Charles, the yellow lines and curbs were nothing but suggestions. Safety needed to come first – fire trucks had a wide turning radius and could not make the turns on many of the streets.
- Aesthetics:
 - Aesthetically, it looked awful for both residents and visitors. She talked to people coming into town and they said the same thing – it looked awful.
 - Cape Charles should not be a parking lot. If someone could afford their big toys, they needed to take responsibility for it. The idea of a boat parking area in Town was not a good idea. It would be like the lot coming into Town where boats, trucks, etc. were

currently permitted to park. It looked terrible and was not a good introduction for visitors coming into the Town. Some cities had an attendant who would mark a car tire to identify the time a vehicle was parked in any area. If the vehicle was still there when the attendant came back around, the owner received a ticket.

- Aesthetics vs safety. Also a courtesy issue. Convenience or inconvenience of being able to park by your home, especially during the summer.
- Vacation Rentals/Summer Visitors:
 - The citizens knew that the property in front of their homes didn't belong to them, but a vacation rental could bring in 10 or more people with just as many vehicles, including boats, golf carts, trailers, etc. Sometimes they were here for over a week parking wherever they could. A boat was parked in front of a church for a month taking the space away from others. Some people have second homes here and park their boats, trailers, etc. on the Town's streets while they're at their main home out of town.
 - This was a seasonal problem.
 - Summer vacation rentals have numerous people staying in them with multiple cars, trucks, golf carts, trailers, etc. Sometimes they even park in the neighboring driveways so the residents could not get into their own driveways.
 - B&Bs were required to offer a certain number of parking spaces for their guests. During summer, vacationers in the summer rentals take up the parking spaces which were supposed to be reserved for B&B guests.
 - Most of the houses being built or purchased and renovated were for summer vacation rentals. This brought more density here and the streets could not accommodate the number of vehicles.
 - If parking regulations were enacted, it would be difficult to get the message out to the visitors regarding where they could park their boats, RVs.
 - Visitors could be charged to park here. Possibly charge an up-charge, fair and equitable one.
- Need for alternate location:
 - The Town should provide an alternate location for citizens to park their boats, RVs, etc., at an affordable cost, if any.
 - If the Town enacted an ordinance, would it be required to provide alternative parking locations?
 - There was no legal requirement for the Town to provide an alternate location but morally, it needed to identify locations.
 - Council leaned toward the benefit of the residents. Every resident had encountered issues regarding being able to park close to their homes.
 - It was impractical to make people park their boats and trailers elsewhere. It would be more detrimental to the residents over anyone else. Suggested including some type of tariff to visitors versus residents. If these types of vehicles were required to be moved off the street, alternate locations needed to be presented. Many people didn't have backyards or driveways. It was understood why something needed to be done, but there also needed to be options.
 - Residents with alleys also had difficulty accessing their backyards for parking boats, etc.
 - A suggestion was for the Town to contact the owner of the parking lot by the Oyster Farm that remained mostly empty, for a temporary agreement to allow for boat storage until the Town could identify an alternate location. Another area that could be leased was the former little league area.
- Added expense to boat and RV owners:
 - The Town needed to provide an option. If people had to pay \$200-400 per year, it would be too much and cause some to sell their boat, which would impact the tax base.

- Presents an expense to boat and RV owners. Where would they go? There was no convenient place to store. There was typically a cost for storage.
- When a boat owner purchased their boat, they budgeted the costs. If the Town required the boats be stored elsewhere at a cost to the boat owner, it would be an additional, unbudgeted expense.
- Weight vs. Size:
 - Weight based restrictions were impractical and unenforceable.
 - Possibly the size of a vehicle should be considered versus the weight.
 - Size was the issue.
 - Issue with oversized vehicles, boats, campers, etc. in front of Town Hall, even during the winter months. This impacts citizens' ability to come to the Town Hall to conduct their business.
- Enforcement:
 - If the ordinance was enforced and went to the court system since the ordinance currently showed this as a misdemeanor. Who would prosecute the case for the town? The Commonwealth Attorney would not prosecute the town's cases. The town would need its own attorney.
 - Councilwoman Burge responded that this section could be changed to allow for civic charges.
 - If a vehicle was in violation, it needed to be ticketed. Whatever decisions were made, they needed to be enforced consistently without favoritism.
 - In Virginia, these items could be enforced by traffic control for safety, obstructing traffic, etc. If the vehicle had to move across the line of traffic in order to pass the parked vehicle, the parked vehicle was in violation of state law.
 - The bottom-line would be enforcement. Need to work together. Trying to put 10 pounds of stuff into a five-pound bag. The Town couldn't accommodate what it didn't have space for.
- Charge to Park:
 - Suggestion to issue parking stickers for property owners.
 - If the Town instituted a charge for visitors to park at the beach, this could have a negative effect on the residents in the first several blocks from the beach, as beachgoers would park in the neighborhood.
- Suggestions:
 - Possibly institute time limits for parking on certain narrow or heavily traveled streets for loading and unloading. The main concern should be Randolph Avenue and Plum Street by the Town Hall.
 - The Town needed to look at VDOT minimum standards for each street and restrict vehicles wider than eight feet and possibly more than three axles.
 - Need to look to the long term. Some might not think parking was a problem now, but what would it be in the next five years?
- Miscellaneous:
 - One resident had a boat but stored it at a friend's house on Seaside Road. He would like to be able to park it in front of his house on weekends when he was here.
 - There were no restrictions in the historic district regarding parking boats, trailers, RVs in backyards, if accessible, but such vehicles could not be parking in yards in the Bay Creek development.
 - If restricted parking on the narrow streets, it would move the boats to the other streets, and they would become parking lots for boats, campers and trailers.
 - Some people who didn't live in Town or own property in Town parked their boats in Town since there was no cost and no enforcement.

- There was ambiguity regarding watercraft. A kayak could be considered a watercraft. The term motor home was vague. This could include conversion vans, campers on pickup trucks, etc.
- Why is a boat or camper considered as being more dangerous than a vehicle? Other vehicles were out there that were just as wide as a boat – pickup trucks, vans, delivery trucks. How big of a problem was this? If the Town restricted boat and trailer parking, visitors would go elsewhere, and the Town would lose tax revenue.
- Speeding was more of a problem than boats parked on the streets.
- A middle ground would be the ultimate solution. Glad to hear that Council was looking for a solution that would benefit the people who lived here.
- There could be a lot of unintended consequences with parking restrictions.

Vice Mayor Bennett thanked everyone for coming out on a Saturday. It was a tremendous session and a lot of great comments were received across the board. It would be a difficult task going forward. Council would do their best to move this forward.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adjourn the Town Council Public Input Session. The motion was approved by unanimous vote.

The meeting adjourned at 12:32 p.m.

Vice Mayor Bennett

Town Clerk

**Comments and Information Provided in Writing
February 29, 2020 Town Council Public Input Session**

PowerPoint Presentation

Public Session: Promoting Discussion on Permitting Boats/RV Parking on Cape Charles Streets



2/29/2020

Cape Charles Civic Center

Moderator: Mayor Dize

1

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Purpose

- Discussion as to why this topic?
- Review of current code restrictions/limitations
- Review of options others have implemented
- Open dialogue



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Why this topic?

Pros: Placing restrictions on boat/RV parking

1. Neighbors/people don't want to see
2. Impact to available parking spaces
3. Narrow street access – emergency vehicles and road becomes one way street
4. Anyone (resident or not) can park in front of your house or in town

Cons: Why restrictions will hurt

1. Inconvenient to boat/RV owners
2. Visitors bring boats – hurts tourism
3. No convenient place to park and store
4. Will need to enforce

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Current Town of Cape Charles Code Restrictions

- Town Code § 42-90 addresses this issue by prohibiting the parking of “travel trailers, coaches, motorized dwellings, tent trailers, boat trailers, amphibious houseboats and the like” on “any public street or public right-of-way for more than 48 hours.”
- The Commonwealth of Virginia is a Dillon Rule state where local governments have limited authority and can pass ordinances only in areas where the General Assembly has granted clear authority. Therefore the current code cannot be enforced without the Town being granted the authority to do so. [Until now!]

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State Authority Granted to Cape Charles

In the 2019 General Assembly, the Code of Virginia § 46.2-1222.1 now authorizes the Town of Cape Charles and certain other localities to regulate or prohibit the parking on any public highway “of any or all of the following: i) watercraft; ii) boat trailers; iii) motor homes; and iv) camping trailers;”

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Solution Spectrum

1. No restrictions
2. Do something
3. Prohibit entirely, all the time.

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Prohibit (Vienna, VA)

- Prohibit watercraft, motor homes, camping trailers, boat trailers, vehicles w/ 3 or more axles, gross weight > 12,000 lbs, vehicles transporting ≥ 16 except school buses on public roadways for any length of time.
- Exceptions – actively loading or emergency repairs.

Sec. 9-13.2 Parking of Watercraft, Boat Trailers, Motor Homes and Camping Trailers and other Devices Prohibited on Public Streets. (Adopted 10-18-11)

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On-Street Parking Time Limit (Virginia Beach, Florence NJ)

VB - Major recreational equipment and non-commercial trailers parked or stored in residential areas are subject to the following limitations:

- No recreational equipment shall be in any public street or public right-of-way for more than three hours.

Virginia Beach City Code Section 16-41.2. Parking and Storage of Recreational Vehicles.

Florence, NJ - No trailers of any type, trailer devices, campers, motorized or vehicle-drawn recreation vehicles with or without sleeping quarters, vehicles in tow, boat or boat trailers, vehicles that cannot move under their own power and which can be operated legally on the highways of the State of New Jersey, or non-passenger-type vehicles, may be parked on any street located in any zone for more than two hours in any one-week period except where actively engaged in loading or unloading operations.

Florence NJ Code Article I, Section 108-2. Storage and Parking on Streets.

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On-Street Parking Time Limit (Oceanside, CA and Cape May, NJ)

- (a) No person shall store or cause to be stored any vehicle upon any street.
- (b) A vehicle shall be considered stored when it has been left standing upon a street without having been moved more than one-tenth of a mile within a seventy-two (72) consecutive hour period.

Oceanside Traffic Code Section 10.4. Storage of vehicles prohibited.

- No person shall park a boat trailer with or without a boat upon any street for longer than twenty-four (24) hours

Cape May § 7-22.4. Parking of boat trailers.

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Banned During Summer (Avalon, NJ)

- New regulations prohibit parking of boat and watercraft trailers on residential streets from June 1 through Sept. 30, regardless of whether such trailer is licensed and/or registered.
- It requires anyone parking a boat or watercraft trailer on the street between Oct. 1 and May 31 to do so “directly in front of, and immediately adjacent to, the curb or property line of any property owned by the trailer owner, or occupied by the trailer owner as a tenant under a written lease, with the owner of the property.”

Section 8-16.4. Parking of Trailer-type Vehicles Prohibited on Borough Streets During Certain Times

Section 8-16.5. Boat and Watercraft Trailers

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On-Street Parking Narrow Streets (Oceanside, CA, Newport Beach, CA and St John, MO)

The city traffic engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed thirty (30) feet.

Oceanside Sec. 10.9. - Parking prohibited on narrow streets.

The City Traffic Engineer is hereby authorized to place signs or markings indicating no parking upon any street when the width of the roadway does not exceed twenty (20) feet, or upon one side of a street as indicated by such signs or markings when the width of the roadway does not exceed thirty (30) feet.

12.40.150 Parking Prohibited on Narrow Streets.

St. John, MO, Section 350.050. Parking Prohibited on Narrow Streets.

No examples found for boats/RV on narrow streets

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On-street Parking – attached to vehicle (Sea Isle City, NJ)

- a. No person shall park, or cause to be parked, any commercial motor vehicle, noncommercial truck, truck, omnibus, school bus, pole trailer, trailer, or recreational vehicle with a gross vehicle weight of four tons or any camper, recreational vehicle, boat or utility trailer, regardless of weight, on any City street at any time.
- b. Exceptions.
 - 1. The provisions of paragraph a shall not apply to any vehicle which is parked upon any street for the purpose of loading or unloading supplies, materials, foodstuffs or other such items or construction vehicles during construction.

Sea Isle City § 7-8.1 Parking of Certain Vehicles Prohibited on Certain Streets.

- Boat trailers can only be parked on the street if they are attached to a vehicle that tows them. 2009 quote from City Solicitor in article

Source of idea

12

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On-Street Parking – Parking Districts (Fairfax and Prince William Counties)

- Community Parking Districts (CPD) prohibit the parking of watercraft, motor homes, campers, trailers, vehicles greater than or equal to 3 axles, vehicles with a GVWR greater than or equal to 12,000 lbs., and vehicles transporting greater than or equal to 16 passengers (except school buses) on public streets in residentially zoned areas.
- Exemptions include: vehicles temporarily parked, for up to 48 hours, for the purpose of loading, unloading or preparing for a trip.

Code of the County of Fairfax, APPENDIX M. - Community Parking Districts

Prince William County Code Section 13-320.1. Designation of watercraft, boat trailer, motor home, and camping trailer "restricted parking" zones.

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Returning to Solution Spectrum for discussion

1. No restrictions
2. Do something, examples seen;
 - a. Setting time limits
 - b. Setting seasonal limits
 - c. Setting limits on narrow streets
 - d. Must be attached to a vehicle
 - e. Establishment parking district or specific street restrictions.
 - f. Other
3. Prohibit entirely, all the time.

} Or combination

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Solution Discussion



Whatever the solution,
MUST be enforceable!

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Becky Lowe, 606 Monroe Avenue

Hello, my name is Becky Lowe, I live at 606 Monroe Ave. I have a camper parked on Nectarine. I will not be able to attend the meeting on the parking of recreational vehicles, so I would like to make my voice heard. I spoke to Zack Ponds, but he was not sure what all would be discussed, may have parking on certain streets only. I want to know if "recreational vehicles" include campers, boats AND golf carts. I would like to know that all recreational vehicles will have to abide by the same rules.

I often park my camper at Cherrystone campground, but most of the time it stays on Nectarine. If I keep my camper parked at Cherrystone campground, do I have to pay town taxes on my camper, which is \$378 per year? Another thought is concerning vacationers that come to town and bring their boats. I am curious how things will work out for them.

We all know how high property taxes are in this area, especially having to pay town and county taxes. Mine total to \$5491 per year. I paid less taxes in Hampton, and got a lot more for my dollar. I didn't have to worry about the corrosive water, I had access to natural gas versus having to pay more for propane heat, and of course had better internet access. I suppose you have to pay more to live in paradise? I am not sure I can afford to live in this town. I warn my friends who say they would love to live here. I just say it aint cheap!

Becky Lowe

Gilbert & Delores Somers, 600 Monroe Avenue

We need your input! February 29, 2020 at 11:00 a.m. at the Civic Center. Town Council workshop regarding the regulation of the parking of certain vehicles on the town's streets.

Too Many R.V's, Boats parked on streets! Dangerous on narrow streets.

Account Number	BILL NUMBER	LOCATION	BILL DATE	AFTER DUE DATE	DUE DATE
040-0001080-0	956	040 0001080	1/24/2020	\$120.79	2/21/2020
					TOTAL DUE
					\$109.81
					Amount Paid
					<i>109.81</i>

GILBERT DELORES SOMERS
PO BOX 97
SCOTSVILLE VA 24590



600 Monroe Ave

Laura Dove, 535 Monroe Avenue

PHONE: 757-331-3259
EXT: 14

LAURA DOVE
19976 SHELburne GLEBE ROAD
PURCELLVILLE, VA 20132

See enclosed payment
+ note below

Account Number	BILL NUMBER	BILLING DATE	AFTER DUE DATE	DUE DATE	TOTAL DUE
040-0001790-1	98	1/24/2020	\$120.79	2/21/2020	\$109.81
Service Period		Days	Location		Service
12/16/2019		1/16/2020	31	040 0001790	Water Sewer Trash
Service Address					Amount
535 MONROE AVENUE					\$32.94 \$62.00 \$14.87
Meter Number	Current	Previous	Usage		
04001790	857850	857840	10		
04001790	857850	857840	10		
Current:					\$109.81
Previous:					\$0.00
Total Due:					\$109.81

Attention: Please Read Note Below

We need your input! February 29, 2020 at 11:00 a.m. at the Civic Center. Town Council workshop regarding the regulation of the parking of certain vehicles on the town's streets.

I can't be there but maybe boats over a certain size shouldn't be on the streets. But you have to provide an alternative.

Parking in the back yard is not that attractive either

Eric Feuillatte, 201 Monroe Avenue

Dear Chairman and Council Members,

The purpose of this meeting is to discuss the vehicle parking situation in the historic district of Cape Charles. Unfortunately, I am traveling abroad and respectfully ask you to read this letter to the attendants of the meeting.

Over the years I notice that boats and other vehicles were parked for months on my street (Pine) that do not belong to any residents. This is not acceptable and creates a prejudice to the community. This issue should be addressed and remediation enforced.

I favor to let residents to park their boats in front of their houses or at a near convenient location and to charge the visitors a right to park, especially during the summer season from Memorial Day to Labor Day. Some streets may be restricted to boat parking for security and safety reasons. The town should then provide a convenient location, free for the residents and at a required fee for the visitors.

Why free for the residents? We pay town real estate and asset taxes and we are required to maintain at our own expense the front of our house that technically belongs to DOT.

In many beach communities, visitors pay for parking. Visitors' cars and golf carts should pay parking on Bay avenue. The revenues will offset some of the costs for security and safety currently financed by resident taxpayers.

I hope the resolutions the town will take will provide fair solutions for the residents and enforceable clear rules and regulations for visitors.

Sincerely,
Eric Feuillatte

Stephen K. Fox, P O Box 630

In considering the recreational vehicle parking on Town streets, I offer for your consideration this perspective on motor homes and RV's. If not restricted in Town and especially on the Beach front, the Town risks becoming a "free" alternative to established camp grounds, e.g., Cherrystone, site proximate to Bridge Tunnel entrance, and Kiptopeake State Park. We have already experienced several incidents of overnight parking of such vehicles on the Beach. Skf

Cape Charles Parking Workshop,

Unfortunate circumstances prevented me from attending this workshop today, but I did want to share some of my thoughts on the parking situation in Cape Charles.

The town of Cape Charles has really grown over the 27 years that I have been here. Until just a few years ago, we could go to the beach and always find a parking spot next to the beach everyday, except for the week of 4th of July. Hopefully we can all agree that the town's most valuable asset, is its seaside appeal. I believe that most people come to this town because of its beach, harbor, and fishing pier. A large part of this drawl is the love of being on the water. Those who live here as well as those who visit for weekends and holidays love to spend their time on the water in their boat. It would not be a welcoming town if boats were not be allowed on the street. Since most lots are only 40' by 140', with narrow alleys, and lack of driveways, it does not give most people enough space to store a boat on their property. A possible alternative would be for the town to supply a no cost boat parking area for visitors and homeowners alike. This may free up some parking in town.

Other areas that I see may help in the parking, would be to limit camper parking in town. I can see where someone passing through town could bring a camper to maybe go to the beach, or visit our town, but maybe to restrict it to a 4 hour limit. There may be an ordinance about this already that I am not aware of presently. Another area that may help our parking would be to install more visible signs, at both ends to direct people to the additional parking south of Mason Avenue. There has been many times in the summer when Mason Avenue was full, but the additional parking area was only half full. That shows me that the signs may not being seen by visitors. Hopefully the town is looking at purchasing some of the railroad property for additional parking to help the downtown area.

Another asset that the town has is the use of golf carts. Golf carts have steadily increased every year. Since my wife goes to beach almost every day during the summer, she has been noting that some days that there are almost as many golf carts as cars on Bay Avenue. Golf cart drivers have no single way they park their cart. Some on a slant, some park the same as cars and some pull straight in towards the sidewalk. This past summer, I have seen some golf carts pull in between cars, so to block them from pulling out the parking spot. Last week I went out with my tape measure and measured some of the roads to see what could be done. I measured Monroe Avenue, since it a single lane road, and it measured 17 1/2', then I measured Jefferson Avenue, a double lane road and it measured 36'. This showed me that we need around 18 feet for a parked car and a roadway. Then I measured Bay Avenue and found out that the road closest to the bay was 32' and the other side of the road measured 24' with a 2' medium strip. So I thought, what if we allowed golf carts to park on the bayside of the medium strip, that would still leave plenty of room for cars to park next to the sidewalk, and if we removed the medium strip, we may be able to park 2 rows of golf carts in the middle of the road.

I am sure that this workshop will provide many possible solutions on the parking issue that face all of us in the town of Cape Charles.

Thank you for your time on this matter,



Robert Mucha

627 Monroe Avenue

Karen & Rick Lowe, 101 Tazewell Avenue

Attention: members of the Town Council

We are the owners of 101 Tazewell. It is a vacation rental, but we use the house in the off-season and love the town. We understand both sides of the issue but feel that it might be difficult for town visitors who have boats or golf carts to find a place to put them. An additional consideration is whether the town wants to take on the enforcement of such an ordinance. Since this is a water oriented community, we would expect that bringing water related devices might be important to some visitors. We are also concerned about the full time residents who have boats, and should enjoy the right to park them near their homes. The Bay Storage facility has only 4 spaces for boats, and none are available as they are in such high demand that renters pay for months and years in advance. We understand that during the summer all the extra cars make street parking challenging for residents, but that is part and parcel of towns that rely on seasonal tourism.

Karen and Rick Lowe

My name is Sue Panek. I have lived in town for about 15 years.

I enjoy living in this seaside town and would like to see it remain a friendly place in which to live, work, and vacation. I have always felt safe navigating the streets, whether by car, bicycle or as a pedestrian.

I would like to see a decision limiting parking of certain vehicles based on:

1. Safety and common sense
2. A survey using VDOT **minimum** standards for curb to curb, drive lane, and parking widths to see how each CC town street measures up against the standards
3. Alternative parking options for oversize vehicles
4. Enforcement costs and concerns
5. A second survey to determine a possible need for permitting restrictions due to future increases in residential and visitor volume

I do not believe that RVs, boats, and other vehicles on public streets should be banned solely for esthetic reasons. Gated communities with private roads, such as Bay Creek, exist for those who desire to live in a more homogenous and restrictive neighborhood. Esthetics should go hand in hand with safety.

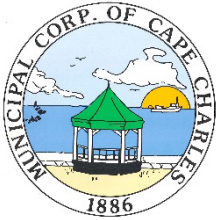
Safety and common sense should dictate that the town utilize VDOT standards to determine the curb to curb, drive lane, and parking widths of each street before banning certain vehicles. VDOT **minimum** standards for parking spaces average 8x20 feet for mixed use and commercial, or 7x20 feet for residential areas. For safety reasons, I feel it would be prudent to limit parking to vehicles that are no wider than 8 feet from the curb, in order to allow for reasonable driving lane width. VDOT **minimum** curb to curb standards are 28 feet for streets with parking on both sides, and 22 feet for streets with parking on one side. Since CC has both type streets due to medians, both standards need to be used to determine safe driving lane widths for each street. Based on these standards a minimum driving lane width would be 12 feet. Large cities have minimums of 10 feet.

I would not want to alienate or burden residents and visitors with severe restrictions since most homes in Cape Charles have no driveways. Therefore, I think the town needs to also determine if alternate parking options could be made available. Perhaps a few spaces could be set aside at the town harbor for weekly visitor rentals. Another option might be renting railroad space from the Accomac-Northampton Transportation District Commission, with parking costs passed on to the consumer.

As to enforcement, I would suggest the town rely on the police force to issue citations to those illegally parked. Private citizens could also call in to the police to report the same. During the high rental season, the town might want to employ a part time officer to help with enforcement. To be fair to vacation renters, property managers could inform renters of restrictions and options. My informal observations from living here for 15 years is that the percentage of oversized vehicles is small in comparison to the total parking available. Hopefully, that would not put an undue burden on enforcement.

I want CC residents and visitors to be able to enjoy our seaside town for years to come. Putting safe, reasonable, common sense restrictions in place as needed is a step in the right direction.





DRAFT
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

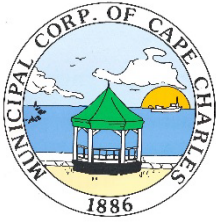
This installation estimate was confirmed by contact with national construction contractor with the caveat that this applies to large amounts of sidewalk installation. They are tracking approx. \$25/lf for curb and gutter. For 5" sidewalk with 4" of stone base, they are tracking \$9.00/sq ft. If you're 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.



DRAFT
TOWN COUNCIL
Special Meeting
Cape Charles Civic Center
via Teleconference
March 30, 2020
6:30 PM

This Special Meeting of the Cape Charles Town Council was held by teleconference 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 address the emergency and adopt Ordinance 20200330 declaring a local emergency and disaster created by the COVID-19 pandemic. An audio recording was made of the meeting, and the meeting was also 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 Mayor Dize, Town Clerk Libby Hume, Community Relations Manager Jennifer Lewis and Project Manager Bob Panek. In attendance via telephone were Vice Mayor Bennett, Councilmen Bannon, Buchholz and Grossman, and Councilwoman Holloway. Councilwoman Burge joined the teleconference at 6:33 p.m. There were no members of the public physically in attendance. There were 107 viewers on Facebook during the live stream.

PUBLIC COMMENTS (AGENDA ITEMS ONLY):

Town Clerk Libby Hume read ten comments submitted in writing prior to the meeting. (Please see attached.)

SPECIAL MEETING ORDER OF BUSINESS:

- A. *Ordinance 2020030 – An Emergency Ordinance of the Town Council of the Town of Cape Charles, Virginia, Declaring a Local Emergency and Disaster Created by the COVID-19 Pandemic; Appointing the Town Manager as the Town's Director of Emergency Management; and Adopting Temporary Changes in Practices and Procedures, Public Meetings and Deadlines as Necessary to Address Continuity of Government Associated with the Pandemic Disaster:*

Mayor Dize asked Town Manager John Hozey to provide background regarding the proposed ordinance.

John Hozey stated that things began with the March 12, 2020 Executive Order #51 issued by Governor Northam declaring a state of emergency. On March 13, Phase 1 of the Cape Charles Incident Operations Plan (IOP) was put in place. On March 20, Cape Charles went into Phase 2 of the IOP which significantly restricted public access to the town's facilities. On March 23, Governor Northam issued Executive Order #53. On March 24, Northampton County declared a state of emergency and this morning, issued a press release asking people not to visit the Eastern Shore. Earlier today, Governor Northam issued Executive Order #55 which contained a stay-at-home order. Tonight, Cape Charles' declaration of a state of emergency was before Council for action. Ordinance 20200330 would designate the town manager as the director of emergency management to coordinate with Northampton County to develop a plan. The Ordinance also enabled electronic meetings for the Town Council, Boards and Commission, provided appropriate notice was given, allowed public participation, and only pertained to action items of an immediate nature. Legal counsel needed to be consulted to see if an item or topic qualified.

Adoption of this Ordinance permitted the town manager to make decisions that did not require adoption of any ordinances by Council and provided more flexibility to allow the Town to conduct business. If adopted, the Ordinance would be in effect for six months or when the Town Council deemed it was no longer needed.

Motion made by Councilman Buchholz, seconded by Councilwoman Burge, to adopt Ordinance 20200330 An Emergency Ordinance of the Town Council of the Town of Cape Charles, Virginia, Declaring a Local Emergency and Disaster Created by the COVID-19 Pandemic; Appointing the Town Manager as the Town's Director of Emergency Management; and Adopting Temporary Changes in Practices and Procedures, Public Meetings and Deadlines as Necessary to Address Continuity of Government Associated with the Pandemic Disaster.

Mayor Dize asked for comments from Council.

Councilwoman Burge stated that the most important part of the ordinance was that it allowed for continuity of government to meet in electronic meetings without a quorum being physically present in one location. The COVID-19 virus situation constituted a disaster. She felt the ordinance provided the Town with the ability, as outlined in Governor Northam's Executive Orders 53 and 55, to do a lot of the things the citizens mentioned in public comments.

Councilman Grossman was in favor of adopting the ordinance adding that all the bells and whistles were included.

Councilman Bannon agreed that the ordinance would help the Town accomplish what the citizens wanted.

Vice Mayor Bennett had no comments to add at this time.

Councilwoman Holloway thought the ordinance was wonderful in providing Council with the direction needed to get through this situation, particularly the lodging issue to contain the spread of the virus as much as possible.

Councilman Buchholz expressed his agreement with the others' comments.

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

Mayor Dize proceeded to read Ordinance 20200330 in its entirety.

Mayor Dize stated that the Northampton County Board of Supervisors would be meeting on April 2 and suggested Council providing support for the County's measures regarding COVID-19 and asked for Council comments. Being a town, Cape Charles fell under Northampton County and whatever was adopted by the County affected the Town as well. The County was asking for support from its incorporated towns.

Councilman Buchholz stated that being in a Dillon-rule state, the Town was restricted on what we could or couldn't do.

Councilwoman Holloway stated that decisions needed to be made regarding lodging businesses that could not wait until after the Northampton County Board of Supervisors meeting. Each passing day put the Town at further risk. Something needed to be done and she asked whether the adoption of Ordinance 20200330 provided the Town with any authority to act on this issue.

John Hozey stated that he spoke with legal counsel and there were some options regarding short-term/vacation rentals. A specifically worded ordinance would have to be drafted by legal counsel for adoption by Council.

Councilwoman Holloway reiterated the urgency of the issue with the nice weather already bringing people here. The Governor's closing of the beach could help. The Town could ask the owners of short-term/vacation rentals to close or not accept reservations for the duration of the pandemic. She closed her bed and breakfast (B&B) for three weeks as it wasn't worth the risk of potentially spreading the virus in Town. Each day the Town delayed in making a decision, increased the risk.

Mayor Dize stated that he would contact County Administrator Charlie Kolakowski regarding Council's concerns.

Vice Mayor Bennett stated his agreement with Councilwoman Holloway's concerns. He was in support of Northampton County, but Cape Charles was more of a tourism destination than other parts in the county. The Town could not afford to wait and needed to do something within our legal authority as soon as possible. When patrolling, the police force needed to be looking for gatherings of more than ten or people in close contact with each other. He was in full agreement with the citizens' concerns. Council needed to look out for Cape Charles and its citizens.

Councilman Bannon agreed with Vice Mayor Bennett and Councilwoman Holloway and added that his house was surrounded by seven Airbnbs and one couple just came into town. He was 83 years old and at risk. Council needed to move as quickly as possible and shut the short-term/vacation rentals down.

Councilman Grossman stated that he didn't think the Town had the authority to shut down the short term/vacation rentals, but Council did have the ability to ask people to take action along those lines. If the Northampton County Board of Supervisors moved in that direction, he was in support of them.

Councilwoman Burge stated that the Town could certainly ask and encourage property owners and rental management companies from renting their properties during this time. She didn't think the Town had the authority to stop people from coming, but the Town could ask them to reschedule their visits.

Councilman Buchholz expressed his agreement with all comments.

Mayor Dize asked Councilwoman Burge if Cape Charles would fall under the County if the Board of Supervisors voted to close the short term/vacation rentals in the county. Councilwoman Burge responded that it could cover the Airbnb, VRBO, and online vacation rentals, but not the B&Bs since they were by the Town under conditional use permit.

Vice Mayor Bennett stated that the first item in the Governor's Executive Order 55 mandated people to remain in their place of residence. Second homes were not the property owners' place of residence. Their place of residence would be where they voted and lived regularly. If the Town followed the Governor's order, the definition of a second home was not the property owner's residence.

There was much more discussion regarding the issue with short term/vacation rentals, but the general consensus was to ask all vacationers to stay away and ask short term/vacation rentals to not take reservations or have vacationers stay in their properties for the duration of the pandemic. Another meeting would be scheduled to discuss enforcement of the issues after John Hozey spoke to legal counsel.

Mayor Dize stated that Governor Northam's Executive Order 55 closed beaches, except for exercise and fishing, but the Town also had the fishing pier and Central Park and asked for Council comments regarding these two areas.

Councilwoman Burge stated that there were no issues with Central Park since it was open space. No groups of ten or more should be permitted and social distancing should be observed. The fishing pier was another issue since space was limited.

Councilman Grossman asked whether the fishing pier needed to be viewed as an extension of the beach.

Councilman Bannon stated that the park should be left open and treated the same as the beach. He felt the pier should be closed.

Vice Mayor Bennett stated his preference was to close the pier and limit access to the park similar to the beach.

Councilwoman Holloway stated that from her house she could see the park and people were using the park appropriately, especially since the playground was closed. The tennis courts also needed to be closed. She was in agreement with closing the pier.

Councilman Buchholz agreed that the pier needed to be closed. The park would be handled like the beach. Signage needed to be placed at each location and everyone needed to be reminded to keep the social distance.

John Hozey stated that some good guidance was received to move forward.

Mayor Dize commented that the Town needed to i) stress to our full-time residents who might have returned from traveling abroad or from other areas to self-quarantine themselves for fourteen days; ii) remind everyone to wash their hands regularly; iii) remind everyone to practice social distancing; and iv) remind all of no groups of more than ten.

Councilwoman Holloway added that she felt that the residents were not the issue, they knew what to do. The Town needed to focus on people from outside of Town.

Vice Mayor Bennett disagreed adding that full-time residents were not all living by the Governor's order. He knew of some residents who had traveled abroad and were going all over town. People needed to pay attention and stay apart.

Councilman Buchholz recommended hand delivering the notice to real estate agents and management companies. Mayor Dize added that notices should also be hand-delivered to the residents of the Myrtle Landing Apartments.

Councilman Bannon commended the police department for contacting the elderly residents in town each morning to make sure they were okay.

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

The meeting adjourned at 7:42 p.m.

Mayor Dize

Town Clerk

**Comments Provided in Writing
March 30, 2020 Town Council Special Meeting**

Kim Dunton, 5 Monroe Avenue

Dear Mayor and Town Council members,

I am concerned not only about the visitors/renters who are presently in our town but also the ones who will be arriving as the weather becomes warmer. Actually, due to school closings for the remainder of the school year, families may be booking/arriving earlier than normal. Tangier, Chincoteague, Dare and Currituck Counties, as well as the state of Florida have already put measures in place to help curtail the spread of the COVID 19 virus into their areas. I am interested in knowing if our elected officials are working on a plan to protect its full time residents; a large majority falling into the "above 60" age bracket who are the most vulnerable (according to the CDC). Presently, there are 2 diagnosed cases of COVID 19 in Accomack County and 1 in Northampton County. Cape Charles is a renters' paradise. Where will our renters be coming from? Areas with a high incidence of COVID 19? It is a fact that people have already left areas like New York for warmer climates, transporting the virus with them. With take-out only restrictions on restaurants and bars, the closing of theaters, etc., groups greater than 10 prohibited to meet and 6-foot social distancing, what are they going to do once they get here? Where will they shop for food? Our local Food Lion chain has had very limited food items to offer to its own local clientele the past 2 weeks. My husband and I are following the Federal Government's recommended guidelines by limiting our activities outside the home in order to protect not only ourselves, but our family members, neighbors, and friends. Isn't it fair to expect our town officials to also do what is necessary to keep its residents as safe as possible?

Kim Dunton

Kathy Glaser, Alyssa House B&B

Subject: Coronavirus concern for meeting on 3/30

While I understand the need to keep the computer lab open at the library, I would like to know if they

are limiting visitors and what they are doing to disinfect equipment between users?

Kathy Glaser

David Kabler, Supervising Broker, Blue Heron Realty Co, 113 Mason Avenue

Subject: COVID-19 citizen response - please read into the public record

To the Mayor and Town Council of Cape Charles,

I appreciate your leadership during this time of crisis in combatting the dreaded COVID-19 virus. It is becoming more apparent each day that we must take bold initiative to enlist each and every citizen of our community to step in line as a soldier in the war to fight the virus. There cannot be any shirking of duty here, and you as our leaders must establish the health protocols for all of us to follow. Extreme measures will be the order of the day if we are to minimize and contain the spread of the virus among our population.

If you cannot legislate, you can resolve the following:

That a State of Emergency exists in the Town of Cape Charles.

That the Virginia Governor's orders be followed.

That all non-residents and tourists stay away from the Town except for essential needs.

That all non-essential businesses including vacation rental lodgings close their doors.

That citizens practice the CDC health guidelines and social distancing.

That residents stay home.

Our citizens want to cooperate. Please bark out your orders and we shall follow!

Sincerely,

David L. Kabler

Stephen K. Fox, 1 Monroe Avenue

Subject: Report a Concern

Brief Description of Problem

The Council should consider emergency regulations to address the potential of mass congregation on the public beach in light of the virus and the emerging warm weather. It is not unlikely that folks with second homes may elect to "shelter in" @ Cape Charles, resulting in overpopulation on the beach under these emergency circumstances.

Joann Bawiec, Strawberry Street

Subject: Report a Concern

Brief Description of Problem

Why are non essential businesses still open? retail shops still open this weekend on mason ave. Visitors? lot of visitors this weekend. - our of state plates, etc. Over 40 vehicles parked along the beach. Stay at home orders??? Porch happy hour -- great idea -- except for the group gatherings around town. It seems like the restrictions set by our governor are not been complied with and no enforcement in cc. The safety of all residents is at stake. But it seems like spring break around town.

Jodi Outland

Subject: My 2 cents input for 3/30/20 TC Emergency Meeting

There seems to be a significant uptick in out of state license plates. We have seen New York, New Jersey and Pennsylvania on our street alone. The states that are most affected and have been asked to shelter in place are NJ, NY and CT.

- Prohibit visitation to the Town from any of the states that are highly affected such as the above. (NJ, NY, CT and perhaps more?) Look at what Rhode Island is doing.
- Do not allow any vacation renters at this point.
- Close the fishing pier as that is an area that it is hard to keep social distancing.
- Allow the beach to remain open, however, prohibiting access from out of state. I am not sure how this would be enforced other than asking people for ID's? Or just to do a beach sweep on the weekends and make sure people are social distancing and if they are not they have to leave the beach? Maybe ask Chincoteague how they are doing this and if it is working? I would really like the beach to remain open as it is the one refuge that local residents have to get some peace. It is about the only true escape some of us have right now.
- Explore the use of the road sign board to use at the entrance to the Town to convey the message about social distancing.

Ami Butta

Subject: Vacation rentals

Greetings,

We are aware that a number of vacation rental owners are allowing guests to come to town. Other towns have stopped this and I am wondering if Cape Charles will consider doing the same. We all remain at greater risk with this not controlled, at least for a while.

Thank you,
Ami Butta

Michael Rabdau

Subject: Isolating Cape Charles

Cape Charles could isolate itself from the outside by establishing two checkpoints to screen people coming into town. If we had self-testing kits we could ensure the towns safety and perhaps keep the town from harms way and better support our local businesses.

Michael

Anna Vita Lee

Subject: Comment for tonight's Emergency Town Council Meeting

Dear Town Council, Mayor Dize & Town Manager Hozey:

Governor Northam's Stay at Home Order for Virginians will do a great deal to keep us safer but it will not prevent visitors from visiting Cape Charles. People in outbreak areas are fleeing to small towns like ours and that's how COVID-19 is spreading to rural America. Here's a link to a USA Today article titled 'Not Just a Big City Issue - Coronavirus Cases Soar in Rural America Popular with Tourists'. You can find this same article from many other media outlets as well.

<https://www.usatoday.com/story/news/nation/2020/03/28/coronavirus-cases-soar-outside-new-york-rural-countrieshit-hard/2926572001/>

Many of our bed & breakfast and Airbnb owners have voluntarily taken their rentals off market to protect our community but a number of rentals remain on market and very actively renting through property management companies over recent weeks.

The Town of Chincoteague issued Executive Order #1, closing all accommodations to visitors, after confirming with the States Attorney that they had the legal power to do so. I'm requesting that Cape Charles do the same starting this week, given the incredibly limited regional medical facilities at our disposal. We also have many residents who are older and/or with underlying conditions who would have a difficult time surviving COVID-19. Cape Charles has 1 case and our neighbors in Accomack County already have 6 cases, and we know that cases in all counties in Virginia will continue to grow until mid May.

Thanks to each of you for the work you're doing to keep our community, county and region safe during this time!

Sincerely,
Anna Vita Lee

Ryan & Ahren Foster, 125 Strawberry Street

Subject: Today's Special Meeting Comment

We arrived in town on March 4th for our children's spring break and have stayed since once schools closed. We have canceled numerous rentals, and have had a few others even cancel proactively. We are not taking ANY bookings currently and of course will re-evaluate this as the situation evolves and changes. We hold this town and it's residents first in priority and that is why we canceled our bookings. Losing the revenue is gut-wrenching, but losing our neighbors would not be bearable. We hope the town can help persuade others do the same. Hopefully this summer things will be thriving again, but we are willing to shut down our business until this has passed and would appreciate the town backing our choice and helping others make the same. We have already seen numerous visitors and even some daily rentals from other properties and it is beyond frustrating and heart breaking.

January 2020 Treasurer's Report

Page 1 – Cash Position

- Wells Fargo pass through accounts #308 and 300 have sizable increases in January, however, this is due to debt service payments that are held in the bank prior to being released to the bondholder. These balances will level out in February's report.
- \$175,000 was transferred from the money market account to general the operating account to cover the debt service principal and interest payments. \$108,000 of this amount was a Pinnacle Public Finance Bond B principal payment.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- Trail Project Phase 3 expenses were \$1,902.
- \$1,096 was paid for stormwater drain repairs.
- 225 new waste cans were purchased and distributed by public works.

Page 4 – Tax Collection Rate

- 2019 Real property tax collections are already higher than the anticipated amount, and 95% of what was billed.

Page 5 – Tax Revenue Trends

- Transient Occupancy, Sales and Meals taxes continue to steadily increase.
- Permit and Planning fee growth is notable.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
January 31, 2020

<u>Cash on Hand</u>	<u>12/31/2019</u>	<u>1/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$791,566	\$530,532	-\$261,034
Atlantic Union Bank Money Market Account	\$1,782,073	\$1,608,870	-\$173,203
LGIP Account 1 - Unrestricted	\$103,473	\$103,625	\$151
LGIP Account 2 - Unrestricted	\$297,436	\$297,917	\$481
Total Cash On Hand	\$2,974,549	\$2,540,944	-\$433,605

<u>Restricted and Reserved Cash Balances</u>	<u>12/31/2019</u>	<u>1/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$784,091	\$784,091	\$0
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loans	\$31,454	\$31,454	\$0
PNC SNAP Account- 2013 Bond Proceeds - Principal	\$544,367	\$544,367	\$0
PNC SNAP Account- 2013 Bond Proceeds - Interest	\$45,653	\$46,559	\$906
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$2,716	\$2,718	\$2
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,179	\$258,447	\$268
Wells Fargo 2010 Debt Service pass through account #300	\$2,857	\$33,080	\$30,223
Wells Fargo 2010 Debt Service pass through account #308	\$639	\$130,639	\$130,001
Total Cash Held in Reserve	\$1,670,387	\$1,831,787	\$161,400
Total Cash - All Accounts	\$4,644,936	\$4,372,731	-\$272,205

DEBT SERVICE

Net Debt as of Current Reporting Month End \$7,329,255

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

January 31, 2020

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY19
GENERAL						
REVENUE - Operating	\$113,908	\$2,068,869	\$2,289,042	\$82,421.34	\$3,580,706	63.93%
EXPENDED - Operating	\$214,461	\$1,339,938	\$1,446,668	\$106,730.31	\$2,805,563	51.56%
NET	(100,553)	728,932	842,374	113,443	775,143	
REVENUE - CAPITAL GRANTS & LOANS	0	22,402	2,042	(20,360)	813,867	0.25%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	53,481	444,255	242,637	(201,618)	1,589,010	15.27%
TOWN CONTRIB. & PENDING GRANTS	(53,481)	(421,853)	(240,595)	181,258	(775,143)	
PUBLIC UTILITIES						
REVENUE - Operating	139,204	954,050	1,004,735	50,685	1,689,134	59.48%
EXPENDED - Operating	94,304	583,770	486,964	(96,807)	1,146,690	42.47%
NET	44,899	370,280	517,771	147,491	542,444	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	11,200	74,200	184,868	110,668	169,600	109.00%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	192,585	465,368	564,648	99,280	712,044	79.30%
TOWN CONTRIB. & PENDING GRANTS	(181,385)	(391,168)	(379,780)	11,387	(542,444)	
HARBOR						
REVENUE - Operating	13,661	389,912	408,061	18,148	1,060,080	38.49%
EXPENDED - Operating	35,927	416,267	429,848	13,580	692,473	62.07%
NET	(22,266)	(26,355)	(21,787)	4,568	367,607	
REVENUE - GRANTS & LOANS	0	20,906	18,803	(2,104)	375,765	5.00%
EXPENDED - Capital Projects, Debt Svc	67,782	149,607	164,891	15,284	743,372	22.18%
TOWN CONTRIB. & PENDING GRANTS	(67,782)	(128,701)	(146,088)	(17,387)	(367,607)	
SANITATION						
REVENUE	16,766	114,891	117,962	3,071	214,546	54.98%
EXPENDED	17,105	97,475	115,824	18,349	214,546	53.99%
NET	(339)	17,417	2,138	(15,278)	0	

FY 2020 Capital Improvement Project Tracking Report

As of:
1/31/2020

	FY20 Status or Start Date	Percent of Completion	FY20 Budgeted	FY20 QTR 1 Expended	FY20 QTR 2 Expended	FY20 QTR 3 Expended	FY20 QTR 4 Expended	FY20 YTD Expended	(Over)/Under Budget
General Fund									
Wayfinding Signs	Pending	0%	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ -	68,000
Parking lot Improvements	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Repair Exterior of Library Building Phase 2 Library Upper Floor office study and prep; ADA entrances, water damage repair and ventilation at Municipal Center, cost overrun for library exterior work, \$31,655.	Complete	100%	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	50,000	-
	Library exterior excess, remainder pending	11%	\$ 300,000	\$ 33,665	\$ -	\$ -	\$ -	33,665	266,335
Beach Sand Replenishment	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Fishing Pier Upgrade Phase 1	Pending		\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Storm Drain CCTV & Mapping	In process	43%	\$ 30,000	\$ -	\$ 11,846	\$ 1,096	\$ -	\$ 12,942	\$ 17,058
Multi- Use Trail phase 2 closeout	Completed FY19, but sidewalk was damaged	3%	\$ 200,000	\$ 5,000	\$ -	\$ -	\$ -	5,000	195,000
Multi- Use Trail phase 3 Construction FY19 Rebuild Entrance to Tazewell Alley & Park Row	Engineering	1%	\$ 750,000	\$ -	\$ 4,749	\$ 1,920	\$ -	\$ 6,669	\$ 743,331
	Complete	100%	\$ 10,930	\$ 10,929	\$ -	\$ -	\$ -	10,929	0
subtotal			\$ 1,448,930	\$ 99,594	\$ 16,594	\$ 3,016	\$ -	\$ 119,205	\$ 1,329,725
Water Fund									
No projects budgeted		#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
subtotal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Sewer Fund									
4 New Mixers (Upgrades)	Complete	100%	\$ 30,000	\$ -	\$ 31,936	\$ -	\$ -	31,936.00	(1,936)
Odor Reduction at Mason & Bay Ave Washington Ave Pump Station Upgrade Phase I - electrical	Pending	0%	\$ 13,000	\$ -	\$ -	\$ -	\$ -	\$ -	13,000
	Pending	100%	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	30,000
subtotal			\$ 73,000	\$ -	\$ 31,936	\$ -	\$ -	\$ 31,936	\$ 41,064
Harbor Fund									
Inner Harbor Rehab.	In Process	17%	\$ 125,000	\$ 15,475	\$ 5,825	\$ 132	\$ -	\$ 21,432	\$ 103,568
In-shore Breakwater/Wave Attenuator	Pending	5%	\$ 500,000	\$ 24,250	\$ 2,240	\$ -	\$ -	26,490	473,510
Wi-Fi Upgrade & Server	Planning Phase	14%	\$ 7,500	\$ -	\$ 1,019	\$ -	\$ -	1,019	6,481
Shade Sail	Pending	0%	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	8,000
Fuel Pump Repair/Upgrade from FY19 FWD	Complete	100%	\$ 47,897	\$ 47,897	\$ -	\$ -	\$ -	47,897	-
subtotal			\$ 688,397	\$ 87,622	\$ 9,084	\$ 132	\$ -	\$ 96,839	\$ 591,559
Sanitation Fund									
Trash Can Replacements	complete	50%	\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	11,857.64	(1,816)
subtotal			\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	\$ 11,858	\$ (1,816)
TOTAL			\$ 2,220,369	\$ 187,217	\$ 57,614	\$ 15,006	\$ -	\$ 259,837	\$ 1,960,532

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
January 31, 2020

YTD 2019 Real Estate Tax Collections

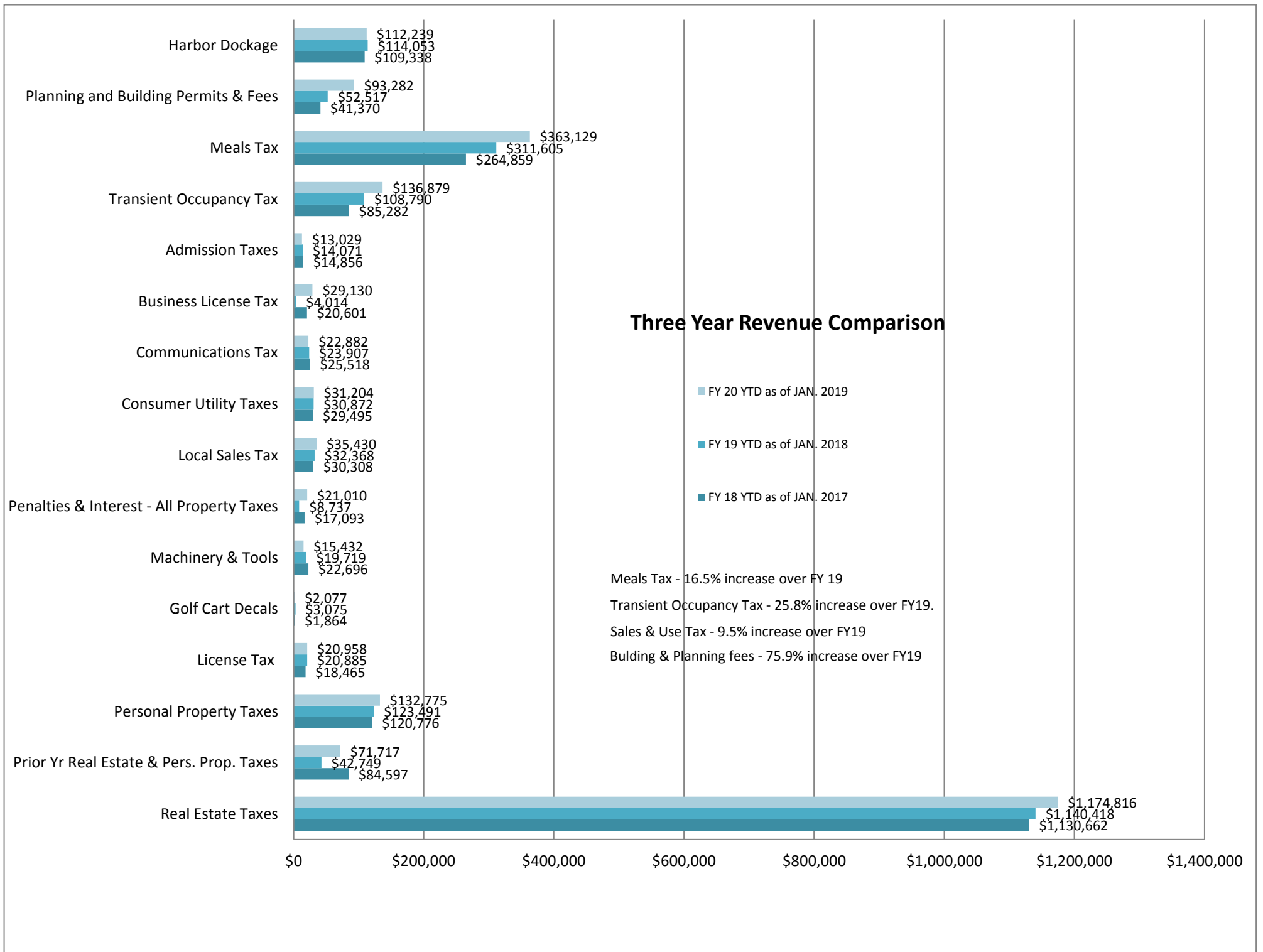
Total Taxable Land Value	\$	160,149,400	
Total Improvement Value	\$	260,882,300	
Exemptions	\$	(5,731,435)	
Additional Assessments (SCC Utility)	\$	3,672,005	
Total Real Estate Value (taxable)	\$	418,972,270	
Total Budgeted	\$	1,155,000	
Total Tax Billed	\$	1,233,840	
Total Adjustments	\$	(1,741.54)	
Total Collected YTD (percent of billed)	\$	<u>1,174,816</u>	95%
Amount Due per Accounts Receivable	\$	57,282.00	

**YTD 2019 Personal Property Tax, Machinery and Tools Tax
& 2019 License Tax Collections**

Total Personal Property Value	\$	14,452,600	
2019 Initial Assessment Exonerations	\$	(154,500)	
Personal Property Value, billed	\$	14,298,100	
Total Budgeted	\$	130,000	
Total Tax Billed less PPTRA	\$	213,122	
Total Adjustments & Additional Exonerations	\$	(7,228)	
Total Collected YTD (percent of billed)	\$	<u>169,165</u>	82%
Amount Due per Accounts Receivable	\$	36,728.36	

YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty Collections

Total Budgeted	\$	154,500	
Total Collected (percent of budget)	\$	<u>92,727</u>	60%
Amount Due Per Budget	\$	61,773	



February 2020 Treasurer's Report

Page 1 – Cash Position

- Wells Fargo pass through accounts #308 and 300 have sizable decreases in February, however, this is due to debt service payments that were held in the bank on Jan 31st prior to being credited to the Town's debt account.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- \$148,264 was expended for the in-shore breakwater/wave attenuator.

Page 4 – Tax Collection Rate

- No comments.

Page 5 – Tax Revenue Trends

- Transient Occupancy, Sales and Meals taxes continue to steadily increase.
- Permit and Planning fee growth is notable.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
February 29, 2020

<u>Cash on Hand</u>	<u>1/31/2020</u>	<u>2/29/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$530,532	\$679,268	\$148,736
Atlantic Union Bank Money Market Account	\$1,608,870	\$1,610,431	\$1,561
LGIP Account 1 - Unrestricted	\$103,625	\$103,766	\$141
LGIP Account 2 - Unrestricted	\$297,917	\$298,366	\$449
Total Cash On Hand	\$2,540,944	\$2,691,831	\$150,886

<u>Restricted and Reserved Cash Balances</u>	<u>1/31/2020</u>	<u>2/29/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$784,091	\$784,091	\$0
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loans	\$31,454	\$31,454	\$0
PNC SNAP Account- 2013 Bond Proceeds - Principal	\$544,367	\$544,367	\$0
PNC SNAP Account- 2013 Bond Proceeds - Interest	\$46,559	\$47,397	\$837
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$2,718	\$2,744	\$26
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,447	\$258,708	\$261
Wells Fargo 2010 Debt Service pass through account #300	\$33,080	\$2,877	-\$30,203
Wells Fargo 2010 Debt Service pass through account #308	\$130,639	\$697	-\$129,943
Total Cash Held in Reserve	\$1,831,787	\$1,672,766	-\$159,021
Total Cash - All Accounts	\$4,372,731	\$4,364,596	-\$8,135

DEBT SERVICE

Net Debt as of Current Reporting Month End

\$7,329,255

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

February 29, 2020

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY19
GENERAL						
REVENUE - Operating	\$224,183	\$2,068,869	\$2,513,171	\$82,421.34	\$3,580,706	70.19%
EXPENDED - Operating	\$188,175	\$1,339,938	\$1,636,177	\$296,239.88	\$2,805,563	58.32%
NET	36,008	728,932	876,993	148,062	775,143	
REVENUE - CAPITAL GRANTS & LOANS	0	22,402	2,042	(20,360)	813,867	0.25%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	0	444,255	259,718	(184,537)	1,589,010	16.34%
TOWN CONTRIB. & PENDING GRANTS	0	(421,853)	(257,676)	164,177	(775,143)	
PUBLIC UTILITIES						
REVENUE - Operating	137,844	954,050	1,142,578	188,528	1,689,134	67.64%
EXPENDED - Operating	92,563	605,357	581,565	(23,792)	1,146,690	50.72%
NET	45,281	348,693	561,013	212,320	542,444	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	21,800	74,200	206,667	132,467	169,600	121.86%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	21,800	443,781	586,448	142,667	712,044	82.36%
TOWN CONTRIB. & PENDING GRANTS	0	(369,581)	(379,780)	(10,199)	(542,444)	
HARBOR						
REVENUE - Operating	5,444	389,912	432,307	42,395	1,060,080	40.78%
EXPENDED - Operating	31,075	416,256	460,923	44,667	692,473	66.56%
NET	(25,631)	(26,344)	(28,616)	(2,272)	367,607	
REVENUE - GRANTS & LOANS	0	20,906	0	(20,906)	375,765	0.00%
EXPENDED - Capital Projects, Debt Svc	148,629	149,618	313,520	163,902	743,372	42.18%
TOWN CONTRIB. & PENDING GRANTS	(148,629)	(128,712)	(313,520)	(184,808)	(367,607)	
SANITATION						
REVENUE	16,626	114,891	134,588	19,697	214,546	62.73%
EXPENDED	17,089	97,475	132,913	35,438	214,546	61.95%
NET	(464)	17,416	1,674	(15,742)	0	

FY 2020 Capital Improvement Project Tracking Report

As of:
2/29/2020

	FY19 Status or Start Date	Percent of Completion	FY20 Budgeted	FY20 QTR 1 Expended	FY20 QTR 2 Expended	FY20 QTR 3 Expended	FY20 QTR 4 Expended	FY20 YTD Expended	(Over)/Under Budget
General Fund									
Wayfinding Signs	Pending	0%	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ -	68,000
Parking lot Improvements	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Repair Exterior of Library Building Phase 2 Library Upper Floor office study and prep; ADA entrances, water damage repair and ventilation at Municipal Center, cost overrun for library exterior work, \$31,655.	Complete	100%	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	50,000	-
	Library exterior excess, remainder pending	11%	\$ 300,000	\$ 31,655	\$ -	\$ -	\$ -	31,655	268,345
Beach Sand Replenishment	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Fishing Pier Upgrade Phase 1	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Storm Drain CCTV & Mapping	In process Completed FY19, but sidewalk was damaged	107%	\$ 30,000	\$ -	\$ 11,846	\$ 20,188	\$ -	32,034	(2,034)
Multi- Use Trail phase 2 closeout		3%	\$ 200,000	\$ 5,000	\$ -	\$ -	\$ -	5,000	195,000
Multi- Use Trail phase 3 Construction FY19 Rebuild Entrance to Tazewell Alley & Park Row	Engineering	1%	\$ 750,000	\$ -	\$ 4,749	\$ 4,450	\$ -	9,199	740,801
	Complete	100%	\$ 10,930	\$ 10,929	\$ -	\$ -	\$ -	10,929	0
subtotal			\$ 1,448,930	\$ 97,584	\$ 16,594	\$ 24,638	\$ -	138,817	\$ 1,310,112
Water Fund									
No projects budgeted		#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
subtotal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Sewer Fund									
4 New Mixers (Upgrades)	Complete	100%	\$ 30,000	\$ -	\$ 31,936	\$ -	\$ -	31,936.00	(1,936)
Odor Reduction at Mason & Bay Ave Washington Ave Pump Station Upgrade Phase I - electrical	Pending	0%	\$ 13,000	\$ -	\$ -	\$ -	\$ -	\$ -	13,000
	Pending	100%	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	30,000
subtotal			\$ 73,000	\$ -	\$ 31,936	\$ -	\$ -	31,936	\$ 41,064
Harbor Fund									
Inner Harbor Rehab.	In Process	17%	\$ 125,000	\$ 15,475	\$ 5,825	\$ 498	\$ -	21,798	103,202
In-shore Breakwater/Wave Attenuator	Engineering	35%	\$ 500,000	\$ 24,250	\$ 2,240	\$ 149,084	\$ -	175,574	324,426
Wi-Fi Upgrade & Server	Planning Phase	21%	\$ 7,500	\$ -	\$ 1,019	\$ 549	\$ -	1,568	5,932
Shade Sail	Pending	0%	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	8,000
Fuel Pump Repair/Upgrade from FY19 FWD	Complete	27%	\$ 47,897	\$ 12,745	\$ -	\$ -	\$ -	12,745	35,152
subtotal			\$ 688,397	\$ 52,470	\$ 9,084	\$ 150,130	\$ -	211,684	\$ 476,713
Sanitation Fund									
Trash Can Replacements	225 cans received, paid for in Jan.	50%	\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	11,857.64	(1,816)
subtotal			\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	11,858	\$ (1,816)
TOTAL			\$ 2,220,369	\$ 150,055	\$ 57,614	\$ 186,626	\$ -	394,295	\$ 1,826,074

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
February 29, 2020

YTD 2019 Real Estate Tax Collections

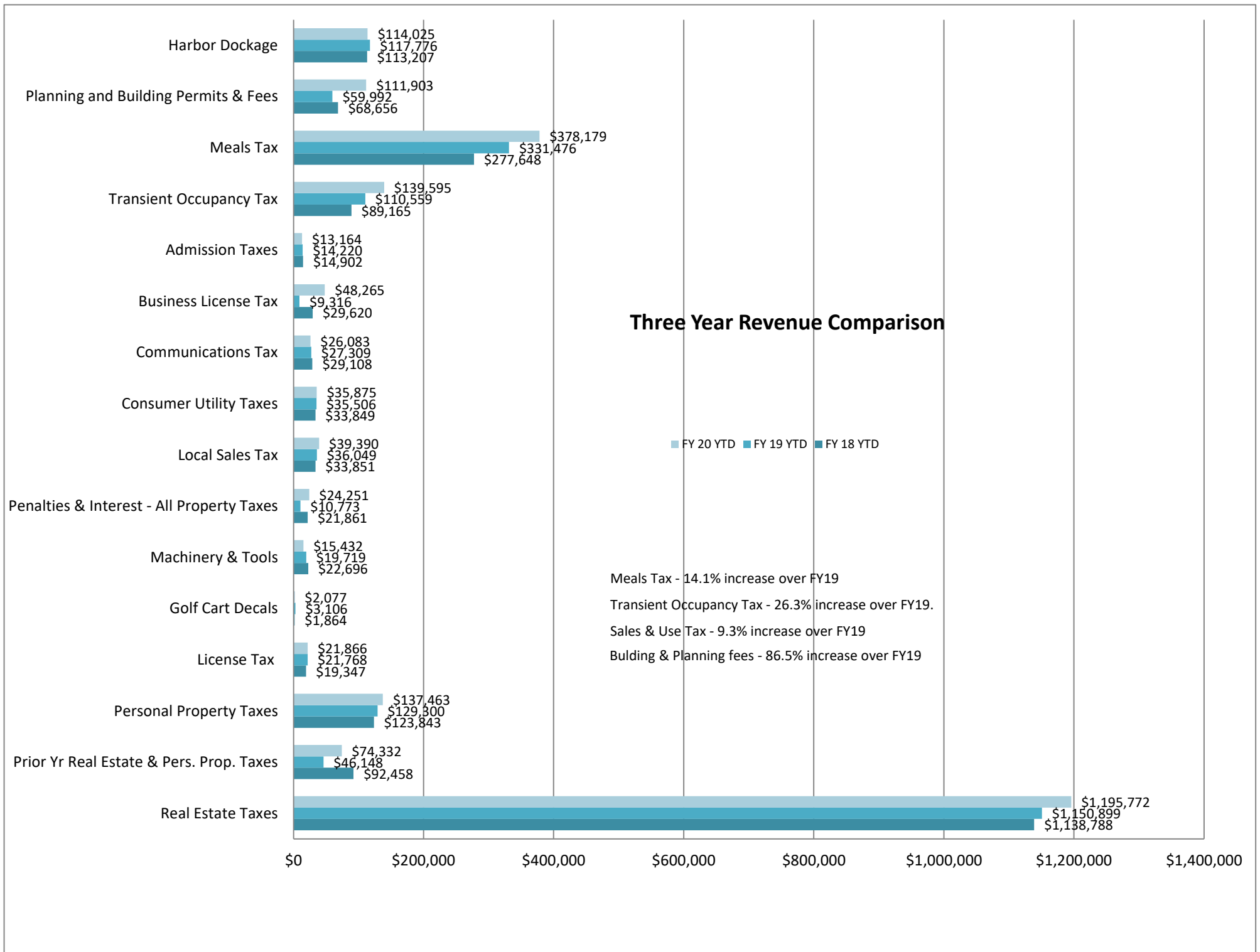
Total Taxable Land Value	\$	160,149,400	
Total Improvement Value	\$	260,882,300	
Exemptions	\$	(5,731,435)	
Additional Assessments (SCC Utility)	\$	3,672,005	
Total Real Estate Value (taxable)	\$	418,972,270	
Total Budgeted	\$	1,155,000	
Total Tax Billed	\$	1,233,840	
Total Adjustments	\$	(1,740.94)	
Total Collected YTD (percent of billed)	\$	<u>1,195,772</u>	97%
Amount Due per Accounts Receivable	\$	36,326.97	

**YTD 2019 Personal Property Tax, Machinery and Tools Tax
& 2019 License Tax Collections**

Total Personal Property Value	\$	14,452,600	
2019 Initial Assessment Exonerations	\$	(154,500)	
Personal Property Value, billed	\$	14,298,100	
Total Budgeted	\$	130,000	
Total Tax Billed less PPTRA	\$	213,122	
Total Adjustments & Additional Exonerations	\$	(9,031)	
Total Collected YTD (percent of billed)	\$	<u>174,761</u>	86%
Amount Due per Accounts Receivable	\$	29,330.60	

**YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty
Collections**

Total Budgeted	\$	154,500	
Total Collected (percent of budget)	\$	<u>98,583</u>	64%
Amount Due Per Budget	\$	55,917	



March 2020 Treasurer's Report

Page 1 – Cash Position

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- \$1,840 was expended for the WiFi upgrade/server project in the Harbor office.
- \$60,055 was expended for the inner harbor rehab project.

Page 4 – Tax Collection Rate

- No comments.

Page 5 – Tax Revenue Trends

- Transient Occupancy, Sales and Meals taxes continue to steadily increase.
- Permit and Planning fee growth is notable.
- A large portion of the business license increase over 2019 is due to contractors' licenses.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
March 31, 2020

<u>Cash on Hand</u>	<u>2/29/2020</u>	<u>3/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$679,294	\$509,195	-\$170,099
Atlantic Union Bank Money Market Account	\$1,610,431	\$1,411,768	-\$198,663
LGIP Account 1 - Unrestricted	\$103,766	\$103,885	\$119
LGIP Account 2 - Unrestricted	\$298,366	\$298,744	\$378
Total Cash On Hand	\$2,691,856	\$2,323,591	-\$368,265

<u>Restricted and Reserved Cash Balances</u>	<u>2/29/2020</u>	<u>3/31/2020</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$784,091	\$784,286	\$195
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loans	\$31,454	\$31,454	\$0
PNC SNAP Account- 2013 Bond Proceeds - Principal	\$544,367	\$544,367	\$0
PNC SNAP Account- 2013 Bond Proceeds - Interest	\$47,397	\$48,144	\$747
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$2,718	\$2,752	\$35
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,708	\$258,953	\$244
Wells Fargo 2010 Debt Service pass through account #300	\$2,877	\$2,895	\$18
Wells Fargo 2010 Debt Service pass through account #308	\$697	\$760	\$63
Total Cash Held in Reserve	\$1,672,740	\$1,674,042	\$1,302
Total Cash - All Accounts	\$4,364,596	\$3,997,633	-\$366,963

DEBT SERVICE

Net Debt as of Current Reporting Month End \$7,329,255

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

March 31, 2020

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY19
GENERAL						
REVENUE - Operating	\$89,618	\$2,268,091	\$2,602,789	\$82,421.34	\$3,580,706	72.69%
EXPENDED - Operating	\$208,627	\$1,638,378	\$1,840,092	\$201,713.59	\$2,805,563	65.59%
NET	(119,009)	629,713	762,697	132,984	775,143	
REVENUE - CAPITAL GRANTS & LOANS	0	22,402	2,042	(20,360)	813,867	0.25%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	0	474,569	264,431	(210,138)	1,589,010	16.64%
TOWN CONTRIB. & PENDING GRANTS	0	(452,167)	(262,389)	189,778	(775,143)	
PUBLIC UTILITIES						
REVENUE - Operating	135,297	1,220,516	1,277,875	57,359	1,689,134	75.65%
EXPENDED - Operating	51,643	704,529	633,208	(71,321)	1,146,690	55.22%
NET	83,653	515,987	644,667	128,680	542,444	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	21,200	109,250	227,867	118,617	169,600	134.36%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	21,200	526,178	607,648	81,470	712,044	85.34%
TOWN CONTRIB. & PENDING GRANTS	0	(416,928)	(379,780)	37,148	(542,444)	
HARBOR						
REVENUE - Operating	11,986	370,094	425,491	55,397	1,060,080	40.14%
EXPENDED - Operating	91,717	442,018	558,395	116,377	692,473	80.64%
NET	(79,731)	(71,924)	(132,904)	(60,980)	367,607	
REVENUE - GRANTS & LOANS	0	0	18,803	18,803	375,765	5.00%
EXPENDED - Capital Projects, Debt Svc	0	92,876	307,765	214,889	743,372	41.40%
TOWN CONTRIB. & PENDING GRANTS	0	(92,876)	(288,962)	(196,086)	(367,607)	
SANITATION						
REVENUE	16,373	133,811	150,960	17,149	214,546	70.36%
EXPENDED	17,282	136,233	150,195	13,962	214,546	70.01%
NET	(909)	(2,422)	765	3,187	0	

FY 2020 Capital Improvement Project Tracking Report

As of:
3/31/2020

	FY19 Status or Start Date	Percent of Completion	FY20 Budgeted	FY20 QTR 1 Expended	FY20 QTR 2 Expended	FY20 QTR 3 Expended	FY20 QTR 4 Expended	FY20 YTD Expended	(Over)/Under Budget
General Fund									
Wayfinding Signs	Pending	0%	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ -	68,000
Parking lot Improvements	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Repair Exterior of Library Building Phase 2 Library Upper Floor office study and prep; ADA entrances, water damage repair and ventilation at Municipal Center, cost overrun for library exterior work, \$31,655.	Complete Library exterior excess, remainder pending	100% 11%	\$ 50,000 300,000	\$ 50,000 31,655	\$ - -	\$ - -	\$ - -	\$ 50,000 31,655	\$ - 268,345
Beach Sand Replenishment	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Fishing Pier Upgrade Phase 1	Pending		\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Storm Drain CCTV & Mapping	Complete	107%	\$ 30,000	\$ -	\$ 11,846	\$ 20,188	\$ -	\$ 32,034	\$ (2,034)
Multi- Use Trail phase 2 closeout	Completed FY19, but sidewalk was damaged	3%	\$ 200,000	\$ 5,000	\$ -	\$ -	\$ -	\$ 5,000	\$ 195,000
Multi- Use Trail phase 3 Eng/Construction FY19 Rebuild Entrance to Tazewell Alley & Park Row	Engineering Complete	1% 100%	\$ 750,000 10,930	\$ - 10,929	\$ 4,749 -	\$ 4,450 -	\$ - -	\$ 9,199 10,929	\$ 740,801 0
subtotal			\$ 1,448,930	\$ 97,584	\$ 16,594	\$ 24,638	\$ -	\$ 138,817	\$ 1,310,112
Water Fund									
No projects budgeted		#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
subtotal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Sewer Fund									
4 New Mixers (Upgrades)	Complete	100%	\$ 30,000	\$ -	\$ 32,034	\$ -	\$ -	\$ 32,033.96	\$ (2,034)
Odor Reduction at Mason & Bay Ave Washington Ave Pump Station Upgrade Phase I - electrical	Pending Deferred	0% 100%	\$ 13,000 30,000	\$ - -	\$ - -	\$ - -	\$ - -	\$ - -	\$ 13,000 30,000
subtotal			\$ 73,000	\$ -	\$ 32,034	\$ -	\$ -	\$ 32,034	\$ 40,966
Harbor Fund									
Inner Harbor Rehab.	Construction	65%	\$ 125,000	\$ 15,475	\$ 5,825	\$ 60,552	\$ -	\$ 81,852	\$ 43,148
In-shore Breakwater/Wave Attenuator	Construction	35%	\$ 500,000	\$ 24,250	\$ 2,240	\$ 149,084	\$ -	\$ 175,574	\$ 324,426
Wi-Fi Upgrade & Server	In process	45%	\$ 7,500	\$ -	\$ 1,019	\$ 2,389	\$ -	\$ 3,408	\$ 4,092
Shade Sail	Deferred	0%	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,000
Fuel Pump Repair/Upgrade from FY19 FWD	Complete	27%	\$ 47,897	\$ 12,745	\$ -	\$ -	\$ -	\$ 12,745	\$ 35,152
subtotal			\$ 688,397	\$ 52,470	\$ 9,084	\$ 212,025	\$ -	\$ 273,579	\$ 414,819
Sanitation Fund									
Trash Can Replacements		100%	\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	\$ 11,857.64	\$ (1,816)
subtotal			\$ 10,042	\$ -	\$ -	\$ 11,858	\$ -	\$ 11,858	\$ (1,816)
TOTAL			\$ 2,220,369	\$ 150,055	\$ 57,712	\$ 248,521	\$ -	\$ 456,287	\$ 1,764,081

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
March 31, 2020

YTD 2019 Real Estate Tax Collections

Total Taxable Land Value	\$	160,149,400
Total Improvement Value	\$	260,882,300
Exemptions	\$	(5,731,435)
Additional Assessments (SCC Utility)	\$	3,672,005
Total Real Estate Value (taxable)	\$	418,972,270

Total Budgeted	\$	1,155,000	
Total Tax Billed	\$	1,233,840	
Total Adjustments	\$	(2,744.32)	
Total Collected YTD (percent of billed)	\$	<u>1,197,649</u>	97%

Amount Due per Accounts Receivable ,

**YTD 2019 Personal Property Tax, Machinery and Tools Tax
& 2019 License Tax Collections**

Total Personal Property Value	\$	14,452,600
2019 Initial Assessment Exonerations	\$	(154,500)
Personal Property Value, billed	\$	14,298,100

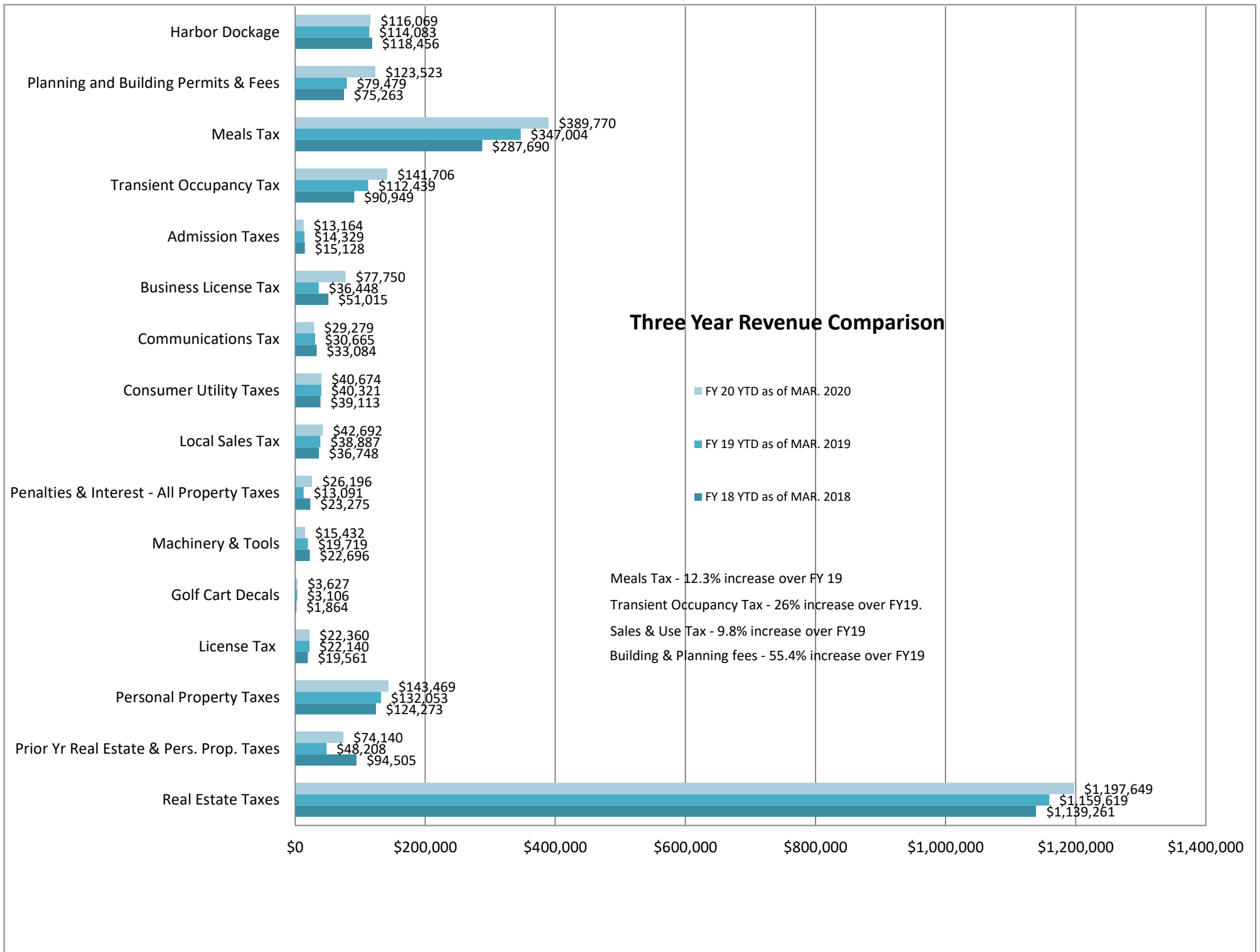
Total Budgeted	\$	130,000	
Total Tax Billed less PPTRA	\$	213,122	
Total Adjustments & Additional Exonerations	\$	(9,282)	
Total Collected YTD (percent of billed)	\$	<u>181,261</u>	89%

Amount Due per Accounts Receivable \$ **22,578.72**

**YTD Prior Year Real Estate Tax, Personal Property Tax, Interest and Penalty
Collections**

Total Budgeted	\$	154,500	
Total Collected (percent of budget)	\$	<u>100,336</u>	65%

Amount Due Per Budget \$ **54,164**



 TOWN OF CAPE CHARLES	AGENDA TITLE: Hearing – Appeal of Historic District Review Board’s Decision for 301 Madison Avenue		AGENDA DATE: June 4, 2020
	SUBJECT/PROPOSAL/REQUEST: Appeal of Historic District Review Board’s Decision for 301 Madison Avenue Renovations		ITEM NUMBER: 5A
	ATTACHMENTS: See staff report for specific attachments		FOR COUNCIL: Action (x) Information ()
	STAFF CONTACT (s): Paul Grossman	REVIEWED BY: Town Manager John Hozey Code Official Jeb Brady	

APPEAL REQUEST:

A letter was received from the applicants for a renovation project at 301 Madison Avenue to appeal the decisions made by the Historic District Review Board at the April 30, 2020 meeting. Information concerning the application, reviews conducted and appeal are summarized below in chronological order. This staff report will address only appeal aspects, i.e., pertaining to chimney removal and need for HDRB review of rear deck railing design.

BACKGROUND:

This property is listed as a 1930’s brick and concrete block church and ‘contributing’ in the National Register (1990). However, the applicant/owners had provided evidence that this is not an accurate classification. In the 1930’s, a small 540 SF wooden structure was built on the property and used for the original church. In 1947, it was relocated to the lot next door (Lot 149). The current structure was built in 1949. It operated as a church through 1984 at which time it was disbanded. It sat unused until 1998 when it was purchased and repurposed into a home. Improvements were made through 1999 and none thereafter. In 1998, an adjoining building was added at the rear of the church for living space.

This property is situated on a corner lot with a front exposure on Madison Avenue and side/rear on Strawberry Street.

March 4, 2020 Pre-Application Meeting (Attachment 1)

There was a pre-application meeting held at the 301 Madison property for this application on March 4, 2020 involving a historic district board member. At that time, the applicants were advised that removal of the chimney would most likely be rejected and an alternative design was discussed. Relative to the rear deck, initially the applicants were looking to expand the existing deck and add a roof. The applicant was told that design details would be required with the application. During subsequent discussions with the applicants, based on zoning restrictions, the deck height was lowered and no roof included. A sketch of the deck was eventually provided and included within the applicants’ package.

April 30, 2020 HDRB Regular Meeting (via electronic communication)

The HDRB meeting on April 30th consisted of K Shackleford, M Strub, H Thom and E Wells.

The applicants’ submittal letter states (Attachment 2):

2) Remove unused chimney. There is an existing chimney that is sticking out of the roof of the 1999 addition. The chimney is no longer used and is just a hollow structure. It extends down

through the addition in the middle of one of the bathrooms making the bathroom renovation difficult. There are signs of various leakages from over the years. We have had roof contractors look at this due to the leaks and tell us that they can continually flash and caulk the areas, but this will be an ongoing problem that will eventually create more and more water damage. We also have had a mason look at the chimney and they let us know that it is fairly easy to disassemble the chimney. We would like the approval to remove the chimney. This chimney is not visible from Madison Ave.

4) Enhance and enlarge the deck on the back of the house which is now 8' X 10' made from wood deck boards. We would like to expand the size to 19' X 12'. We would use the same deck board material (see attached picture of the area)

To clear up any ambiguities as to the age of the chimney discussed during the meeting, the chimney was an exterior part of the original church building as shown in historical pictures. The living area addition constructed in later years enveloped the base of the chimney.

A motion was approved by unanimous vote made to **approve** the Certificate of Appropriateness at 301 Madison Avenue for modifications as submitted **with the following conditions: (1) the chimney was to be retained and (2) shop drawings needed to be provided if handrails were added to the deck.** Draft meeting minutes are attachment 3.

An Application for COA Decision Notice and Certificate of Appropriateness were issued on May 1, 2020 listing conditions associated with approval (Attachments 4 and 5 respectively).

APPEAL:

A letter of appeal was submitted to the Town Clerk on May 5, 2020. The scope of the appeal is with regards to the two conditions associated with the Certificate of Appropriateness;

- Request Town Council to allow the removal of the chimney.
- Request Town Council to allow the applicants to use a railing style of their choice on the rear deck without the need for HDRB review and approval.

The entire letter is Attachment 6.

HISTORIC DISTRICT REVIEW BOARD AUTHORITY:

Article VIII. Section 8.18 Approval of Historic District Review Board Required

Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.

Section 8.16 provides for certain minor actions exempted from review by the HDRB. The addition or enlargement of a porch or deck is not listed as an exemption.

Examples of 'substantial alterations' that requires HDRB approval include;

Any change or alteration of the exterior architectural style of a structure, including removal or rebuilding of porches, openings, dormers, window sashes, chimney, columns, structural elements, stairways, terraces and the like. (§8.18.B.3.c.)

Any other major actions not specifically covered by the terms of this section, but which would have an effect on the character of the historic district. (§ 8.18.B.3.f.)

HISTORIC DISTRICT DESIGN GUIDELINES

Page 36: Roof, Item 1. *Retain the roof types of historic buildings, including elements such as chimneys and light wells. Retain the roof form, elements, and materials as these help to indicate the style and construction of the building.*

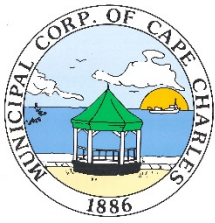
RECOMMENDATIONS:

In the absence of a Town Planner to provide a specific recommendation based on all the material that has since been presented, Town Council to decide as to whether to uphold or deny the appeal. Scope of appeal includes;

- a. Allowance to remove the chimney, and
- b. Allowance to use a railing style of the applicants' choosing on the rear deck without the need for HDRB review and approval.

ATTACHMENTS

1. March 4, 2020 Pre-application Meeting – 301 Madison Ave
2. April 30, 2020 HDRB Meeting – 301 Madison Ave Application
3. April 30, 2020 draft HDRB meeting minutes
4. May 1, 2020 – Certificate of Appropriateness – 301 Madison Ave
5. Application for COA Decision Letter – 301 Madison Ave
6. May 5, 2020 Appeal Letter – 301 Madison Ave



Municipal Corp. of
Cape Charles

Attachment #1

Pre-Application Meeting Minutes

Project Address: 301 Madison Avenue

Project Description: Renovation to Church Repurposed as Residence

Pre-Application Meeting Date: 3/4/20

Attendees:

	Name	Title	Contact Information
1.	Paul Grossman	TownPlanner– coordination role	Grossman51@aol.com , 804-499-0118
2.	Ed Wells	HDRB Representative	ebwells@verizon.net
3.	Frank Giardina	Applicant/Owner	fvgiardina@aol.com , 484-919-5518
4.	Andrea Giardina	Applicant/Owner	

Historic District Guideline references that the Historic District Review Board may consider at the regular meeting were discussed, including but not limited to, the following:

- It was stressed that the one board member present was giving his opinion/input and was not representing the board.
- The dates of the structures were discussed. The National Register dated 11/28/90 using 1988 survey data (significance period through 1940) lists 301 Madison as 1930's brick and concrete block church – contributing, while the National Register update on 4/15/19 (significance period extended to 1964) specifies 1935 Gothic Revival – contributing. However, the applicants had documentation that indicated the church was built ~ 1947 which implies a non-contributing structure vs the first survey. Additional documentation will be supplied with the application and presented to the board. [Post meeting information: In a review of the signed grant proposal (11/16/16) to provide an updated survey in 2017, "Dates will be derived from local government records, Sanborn Fire Insurance maps, and site visits, and property owner input, but will not include a full deed search for each property".]
- A discussion on the building dates show that the church was the original structure and a 'new construction/addition' was installed in the rear in 1998 timeframe. Project work will be performed on both structural components.
- Replacement of 14 church windows, *of which 2 are located in the vestibule are vinyl double hung – The balance of the 12 existing are gothic windows and are single hung/ single pane glass with colors that do not match with several broke and not original.* The current window material has been painted over and windows not operable. The applicant wants to install single or double hung windows if possible, wood with vinyl clad exterior. The gothic top may have to become a separate window segment which would make it a double hung type, although the applicants are searching for a vendor that can provide such a single wood hung window. The applicants have

demonstrated that they have done extensive research with several local vendors and are restricted on what is available. More information will be presented to the board to support the selection to be proposed.

- Two double vinyl hung windows on either side of the front vestibule will be replaced to match the balance of windows.
- Front door – it appears that a storm door was added to the front of the church vestibule (perhaps never having a door at all). The applicants are looking at replacing it with a wood door and will submit the specific selection with their application.
- Chimney – The applicant is looking to remove the chimney that appears to have been built with the original church. However, a vented duct from the existing oil burner is still needed and ties into the upper portion of the chimney. The lower portion is a hinderance in the bathroom beneath. Without pointing to a specific design guideline passage at this meeting, it was proposed that the chimney remain via an upper framing structure covered by a brick façade. [Post meeting reference in design guidelines -page 36, item 1 “Retain the roof types of historic buildings, including elements such as chimney and light wells.”]
- Enhance and enlarge small porch area on Strawberry Street side door – appears acceptable but design details needed for application.
- Enhance and enlarge deck on back of house – Applicant indicated a roof will also be added. Suggested tongue and groove wood or Azek perpendicular to house. Applicant needs to provide design details with application.
- Replace back door with 6-foot slider – suggested wood with vinyl clad on outside.
- Replace roof shingle with new architectural shingles – appears acceptable. Applicant needs to specify shingle type for the application.
- Question asked about planting on VDOT right-of-away [Post meeting information per Code Official – VDOT provides approval, not town.]
- Question asked about what is the cut off application date if they want to get on the 4/21 agenda [Post meeting information – March 31 to Tracy.]



CERTIFICATE OF APPROPRIATENESS APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

Attachment #2

PERMIT CHECKLIST - all documents can be emailed to the above email

- | | |
|---|--|
| ☒ Completed application | ☐ Photos/elevations of existing structure |
| ☒ Letter of intent clearly explaining project | ☐ Photos/elevations of proposed project |
| ☐ Existing site plan or survey | ☐ Proposed materials/spec sheets, samples |
| ☐ Proposed site plan or survey (if applicable) | ☒ Payment of fees (new construction >2,000 square feet \$500; new construction up to 2,000 square feet \$300; all other \$150; modification \$250) |

PROPERTY INFORMATION

Name of Project: 301 MADISON AVE
Property Address: 301 MADISON AVE., CAPE CHARLES, VA 23310
Brief Description of Project: REPLACE WINDOWS, REPLACE ROOF, REMOVE CHIMNEY,
Zoning District: R-1 Current Use: HOME Proposed Use: HOME

OWNER INFORMATION

*ENLARGE COVERED DECK ON STRAWBERRY ST. SIDE
ENLARGE DECK ON BACK OF HOUSE AND PUT A ROOF OVERHEAD
REPLACE BACK DOOR WITH 6' SLIDING GLASS DOOR*

Name and Company: FRANK + ANDREA GIARDINA
Mailing Address: 231 BEACON DRIVE, PHOENIXVILLE, PA 19460
Phone Number: (484) 919-5518 Email: FVGIARDINA@AOL.COM

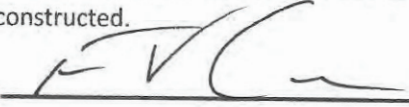
APPLICANT INFORMATION

☒ check here if applicant is owner

Name: FRANK + ANDREA GIARDINA
Mailing Address: 231 BEACON DR., PHOENIXVILLE, PA 19460
Phone Number: (484) 919-5518 Email: FVGIARDINA@AOL.COM

CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Applicant:  Date: 3/20/2020

Note: There is a required 30-day wait period between approval of a Certificate of Appropriateness and issuance of the permit for construction.

***Frank and Andrea Giardina
301 Madison Avenue
Cape Charles, VA 23310***

March 30, 2020

Overall concept of project: Repurpose the existing building that was once an operational church into our home. The original church was built in 1949 and operated as a church until 1984 when the church was disbanded. The building sat unused until 1998 when it was purchased to be repurposed into a home. The previous owner made certain renovations and built an addition onto the original church building in 1999. There have been no improvements to the building in 20 years.

One of the issues that needs to be addressed is the date that the building was built. I have attached the research done on the original church building and show that the actual date was 1949. The research goes all the way back to the origin of the property and does show that in the mid 1930's, a small 540 SF wooden structure was built on the property and used for the original church. At that time, the land was rented until the Congregation could purchase the land on 11/12/1940. The 540 SF wooden church was used by the Congregation on the lot until 1947 when they moved it to the lot next door (Lot 194). In 1947 the Church began the construction of the current "brick & concrete" building that exists today (not including the addition that was added on by Wayne Hall in 2000) and was completed in 1949. I know the records that the Town is using show that the church portion on this property shows as a contributing structure and described as a "1930's brick & concrete block church", but our research shows undoubtedly that this is incorrect. The church portion of this building should not be considered "Noncontributing" at this time. We do realize that we need to work closely with the Town of Cape Charles on this project and need to clarify that the date this building was built was 1949. I know that this would remove this property as being "Contributing" and that may make a difference in the codes we need to adhere to for certain renovations. (See attached details of the research done). Also, certain items being addressed on our application are part of the addition built in 1999 and that needs to be considered.

We would like to bring this building and property back to life with enhancements and beautifications while working with the Town of Cape Charles in a mutually respectful fashion. Our plan includes a substantial investment into this property which stands prominently on the corner of Madison Ave. and Strawberry St. We will work with local contractors, architects, businesses and lumber yards for all aspects of this project.

Our hope is to work together with the Town so this project moves along quickly without undo delays and we deliver what will be one of the Town's most unique and interesting properties. In addition, this will greatly improve this particular section and corner of Cape Charles. And most importantly, we will create a home for our family in Cape Charles.

When we first considered buying this home, we saw a property that had become inconsistent and incohesive architecturally both inside and out. It was like two different buildings were arbitrarily attached to each other. One built in 1949 and the other built in 1998. One is made with brick and the other has vinyl siding. It was in need of someone taking the chance to buy this unique property and do something very special with it. We saw the potential for a beautiful home. Our goal will be to bring consistency and cohesiveness inside and outside to the building and property by using design experts and local talent.

Items to discuss with the Historic District Review Board:

- 1) *Replacing the windows in the “church” portion.* We had several contractors and two local architects inspect each of the 14 windows that are in this portion of the building and have found that 2 are a vinyl type window that does not maintain the shape that the other windows have (see window #7 & 8 in the attachment). For the other 12 windows, some are broke, cracked or do not maintain the same color (see the attached pictures of all 14 windows). None of the windows operate and because of the age, the sashes and framing are not properly insulated. We explored repairing, rebuilding and replacing the broken glass with local contractors, but that proved to be problematic due to the glass being old and brittle and would mean that we would have to install custom made storm windows. This would not only be financially impossible, but the addition of storm windows would take away the architectural integrity of the look that we would like to maintain. Instead, we would like to replace these with the Plygem SH 1500 replacement window which would provide the same window throughout, be fully operable and energy efficient. We have spent over 3 months looking into all options in wood, wood composite and vinyl and Plygem is only window maker that can custom make replacements that will maintain the exact look and shape (single hung where the top section does not have the separate mullion), be energy efficient and be operable. (see attachment from OBS Eastville, PlyGem window maker model SH 1500). We would use a wood composite trim that would cover a good portion of the frame and joints that are visible.

Pictures referenced were placed behind the pre-application documentation.

- 2) *Remove unused chimney.* There is an existing chimney that is sticking out of the roof of the 1999 addition. The chimney is no longer used and is just a hollow structure. It extends down through the addition in the middle of one of the bathrooms making the bathroom renovation difficult. There are signs of various leakages from over the years. We have had roof contractors look at this due to the leaks and tell us that they can continually flash and caulk the areas, but this will be an ongoing problem that will eventually create more and more water damage. We also have had a mason look at the chimney and they let us know that it is fairly easy to

disassemble the chimney. We would like the approval to remove the chimney. This chimney is not visible from Madison Ave.

Pictures referenced were placed behind the pre-application documentation.

- ~~3) Enhance and enlarge the small covered porch area on the Strawberry St side door. The current porch is just a walk-out porch which is 7' X 4' made of wood deck boards. We would like to expand the size to 10' X 7' which will allow us to sit on it. We would use the same decking material that exists now & enlarge the roof area to cover it. (see attached picture of the area)~~

Scope removed from project per Paul Grossman

- 4) Enhance and enlarge the deck on the back of the house which is now 8' X 10' made from wood deck boards. We would like to expand the size to 19' X 12' and cover the deck with a roof. We would use the same deck board material (see attached picture of the area)

Scope removed from project per Paul Grossman

- 5) Replace the back door with a glass 6' slider. The current door is a solid door with a basic storm door. We would like to replace that with a 6' sliding door. (see attached photograph)

- 6) Replace the entire roof with new architectural type roof shingles. We will use an acceptable material that is approved by the H.D.R.B. The current roof is over 20 years old and after the building inspection was done, we were made aware that the current shingles have worn out and need to be replaced. There are signs of water leakage. (see attached picture of the proposed shingles)

- 7) Replace front storm door.

Scope added to project per Paul Grossman.

Re: 301 Madison Pre-Application Meeting 4/7/20

From: Frank V. Giardina, Insurance & Employee Benefits <fvgiardina@aol.com>

To: grossman51 <grossman51@aol.com>

Cc: codeofficial <codeofficial@capecharles.org>

Date: Tue, Apr 14, 2020 11:59 am

Attachments

Cape Charles Windows...pdf (465 KB)

Hi Paul & Jeb-

Thank you for getting back to me on this. I should have a drawing back this afternoon of the deck and will send it to you to add/amend my application.

I also would like to remove the renovation to the Strawberry Street side porch - we have decided to just clean it up and fix it up.

Also - regarding the windows - I do know we have the request and supporting information to replace the existing windows with the Plygem windows specified in the application. The contractor that will do the installation work would like to take out one of the windows (the one in the very back, up on the stage, closest to the addition & facing the neighbors house - indicated as Window #14) to see what would be required to install a replacement window if that is approved. At the same time, he would be able to see what would be required to rebuild the existing window in the event that would be a better option. The window that we are looking at is the one that has the multi-colored glass & cracked/broken top piece (see attached). The contractor would fix it and replace it for now while we wait for the application process to continue. I want to ask if this is something we can proactively do so that we can get an accurate labor pricing on all options.

Thanks

Frank V. Giardina

Insurance, Financial Services & Employee Benefits

P.O. Box 606

Kimberton, PA 19442

Telephone: (610) 917-9766

Fax: (610) 917-9813

Re: 301 Madison Pre-Application Meeting 4/7/20

From: Frank V. Giardina, Insurance & Employee Benefits <fvgiardina@aol.com>

To: grossman51 <grossman51@aol.com>

Cc: codeofficial <codeofficial@capecharles.org>

Date: Tue, Apr 14, 2020 3:53 pm

Attachments

Cape Charles back de...pdf (173 KB) Cape Charles.Front D...doc (49 KB)

Hi Paul-

Attached please find a drawing for the deck on the back of the home that we would like to do. It shows the elevations along with all dimensions and that the floor boards will be perpendicular to the house. Can you please add/amend this to the application and let me know if you need any additional information for this item.

Also - Please add to our application the replacement of the current storm door and that we would like to have a full lite entry door installed in it's place. I have attached a picture and description of the door we would like to have installed. It is much nicer and more substantial than the storm door that is on there now. Please let me know if you need any additional information for this door.

Thank you and please confirm receipt of this email.

Frank V. Giardina

Insurance, Financial Services & Employee Benefits

P.O. Box 606

Kimberton, PA 19442

Telephone: (610) 917-9766

Fax: (610) 917-9813

Lot 195 and 6 feet of Lot 194
 301 Madison Ave.
 Cape Charles, VA

<u>GRANTOR(S)</u>	<u>GRANTEE(S)</u>	<u>DATE</u>	<u>PRICE</u>	<u>SOURCE</u>
Wayne A. Hall Deborah Hall Sonya F. Hall	Frank Giardina Andrea Giardina	12-5-2019	\$315,000.00	Online
Wayne A. Hall Deborah Hall Glenn A. Hall Sonya F. Hall	Wayne A. Hall Deborah Hall Sonya F. Hall	5-8-2018	Gift	Online
Wayne A. Hall Deborah Hall	Wayne A. Hall Deborah Hall Glenn A. Hall Sonya F. Hall	12-15-2016	Gift	Online
Daniel P. Sheneman Jeffrey M. Lavrich Vera Ellis	Wayne A. Hall Deborah Hall Daniel P. Sheneman Jeffrey M. Lavrich	1-11-1999 7-7-1997	\$30,000.00 \$28,000.00	Online Online
The Delmarva District of the Wesleyan Church	Vera Ellis	3-23-1989	\$13,000.00	DB 238, P. 92

Priscilla M. Baker	Trustees of Pilgrim Holiness Church Oscar Ewell Avery Ewell Charlie Ewell Carrie Hudgins Brooks Annie Budd Bennett Dorothy Ewell Carpenter	11-12-1940	\$10.00	DB 101, P. 1
Children of Allen S. Baker (dec'd): Allen Baker Johann Baker James Baker Susie Baker Green Sarah Baker Foulk	Priscilla M. Baker	8-5-1925	Gift	DB 83, P. 6
Allen S. Baker Priscilla M. Baker	Trustee: John T. Daniel (Deed of Trust)	6-2-1917	\$210.34	DB 73, P. 213
Trustees of William L. Scott: Matthew H. Taylor John W. Little Charles H. Strong	Allen S. Baker	1-30-1904	\$400.00	DB 83, P. 4
Heirs of Gov. Littleton Tazewell	William L. Scott	6-1883	\$55,000.00 (2,500+ acres)	Online

John Stratton, Jr.	Gov. Littleton Tazewell	1824	Inheritance	Online
Heirs of William Waters	John Stratton, Jr.	1771	?	Online
Capt. William Epes	William Waters	c. 1680	?	Online
Sir George Yeardley Colony of Virginia	Capt. William Eppes	2-3-1626	Land grant of 540 acres (Kings Creek Plantation)	Online
Native Americans	Colony of Virginia	?	.00	
God	Native Americans	?	.00	

Notes:

DB = Deed Book (located at Register of Deeds, Northampton County, Eastville, VA)

DB 238, P. 92 states that the Pilgrim Holiness Church merged with the Wesleyan Church on 6-26-1968 and that the Cape Charles Wesleyan Church was abandoned in 1984.

The Deed of 1904 was not recorded at the time of the sale but was later verified on 11-2-1925 after the death of Allen S. Baker.

**IMPORTANT DATES FOR
PILGRIM HOLINESS CHURCH/CAPE CHARLES WESLEYAN CHURCH
CAPE CHARLES, VA**

2-23-1932

Rev. William H. Vickers, Supt. of the Eastern District of the Pilgrim Holiness Churches, organizes a local mission in Cape Charles with 8 charter members.

4-1-1932

The first service of Pilgrim Holiness Mission is held at a rented commercial building on the corner of Mason Ave. and Peach St.

5-5-1935

The location of worship services changes to Strawberry St. (000 block between Mason Ave. and Randolph Ave).

1937

A small chapel (540 sq. ft.) is completed on lot 195 at the NE corner of Madison Ave. and Strawberry St. It is a frame structure. The congregation pays rent to the landowner and also assumes financial responsibility for the property taxes.

12-5-1937

The first service is held in the new chapel.

11-12-1940

Trustees of Pilgrim Holiness Church purchase lot 195 on the NE corner of Madison Ave. and Strawberry St. in Cape Charles from Priscilla M. Baker (widow) for \$10.00.

5-16-1945

Rev. William H. Vickers of Cambridge, MD drops dead after preaching a sermon at Pilgrim Holiness Chapel. He was preaching a 2-week revival at the church.

2-4-1947

Trustees of Pilgrim Holiness Chapel purchase lot 194 (adjoining lot 195 in the 300 block of Madison Ave.) for \$850.00 from the Trustees of William L. Scott. This lot is to be the location of a future parsonage.

Fall 1947

Construction begins on the second church building. The present church building is to be moved to one side of the lot and later remodeled for use as a parsonage.

11-13-1949

The first worship service is held in the new church building. The first sermon here is preached by Mary P. Garrett, current pastor.

11-27-1949

The second church building, a concrete block and brick structure, is dedicated by Rev. H.D. Dukes. This is followed by a 2-week revival which is led by Rev. L.R. Bowling. Total cost of the 2nd church building is \$16,000.00. This building was constructed by church member, Oscar Lee Ewell.

2-24-1957

PHC celebrates their 25th Anniversary. Rev. Roy Dorsett is the current pastor.

8-15-1957 through 9-12-1957

The "Church News" section of *The Northampton Times* lists no pastor for these weeks at PHC.

7-8-1958

Ground is broken for a church parsonage by Rev. W.R. Sellers.

2-7-1959

Rev. and Mrs. Sellers move into the new church parsonage.

4-26-1959

The new church parsonage is dedicated.

11-4-1962

A service is held to celebrate the burning of the mortgage for the church building.

6-26-1968

The Pilgrim Holiness denomination merges with the Wesleyan Church. The new name of this church is Cape Charles Wesleyan Church.

1984

Cape Charles Wesleyan Church disbands as a congregation.

Pilgrim Holiness To Rebuild Church

Construction Expected
To Start On Structure
Within a Few Weeks

The Pilgrim Holiness Church at Cape Charles, has part of the material on the ground for the erection of their new church on their property at the corner of Strawberry Street and Madison Avenue. Miss Mary Garrett is pastor of the church.

The present building is to be moved to one side of the lot and later remodeled for use as a parsonage. This is a frame building and the new church will be of Crete-way block construction.

The present church was established in Cape Charles more than fifteen years ago and from it have grown churches at Quinby in Accomack County and at Exmore. The local church has also been instrumental in establishing a church at Oyster, now in a rented building.

Chairman O. L. Ewell of the Building Committee said this morning that work on the new building in Cape Charles would be under way within a few weeks.

The Northampton Times
Cape Charles, VA
June 5, 1947
p. 1

11-3-49, p.1

Pilgrim Holiness Church Completed



The Pilgrim Holiness Church, Cape Charles, under construction since the Fall of 1947, is about complete, and the first services in the new building will be held on Sunday, November 13th at 2:30 o'clock in the afternoon. Mrs. Mary P. Garrett, Pastor, has extended invitations to all other denominations in the town and community to attend the special service. The Pastor's subject will be "The Faith of the Elders," and there will be special numbers in song by Mr. and Mrs. Charles Sorrells, of Sunbury, Pa.

The Pilgrim Holiness congregation has been conducting services in Cape Charles for about twenty years. They began holding services in various homes, later renting a store space in the business section of the town.

When the store became no longer available they secured a plot of ground on Madison avenue by renting and paying the taxes. On this plot they erected a frame building 18 by 30 feet and in 1941 the lot was purchased and title vested in the Board of Trustees of the Church.

In 1947 the adjoining lot on the corner of Madison avenue and Strawberry street was purchased, giving the property an 80 foot front and in the Fall of the same year the foundation for the 32 by 55 foot church building was laid.

Due to building restrictions progress was slow but in May of this year a program was started which now brings the building to completion. Built of Creteway Block and Brick the completed building will have cost approximately \$12,000. But part of the labor and all contracting being handled by members of the congregation, the property has been valued at \$20,000.

Following the dedication service on the 13th at 2:30 o'clock a two-week Revival service will start at 7:30 the same evening. During this period services will be held each evening at 7:30 o'clock when the Rev. L. R. Bowling, of Greensboro, N. C., will be the evangelist. There will also be special song numbers Sunday evening by Mr. and Mrs. Charles Sorrells.

The Northampton Times
Cape Charles, VA

New Church Here Opens On Sunday

Mrs. Mary Garrett, pastor of the Pilgrim Holiness Church, here, said yesterday that all plans had been completed and the building was in readiness for the opening service in the new church Sunday afternoon, November 13th, at 2:30 o'clock.

The opening sermon will be preached by Mrs. Garrett and there will be special numbers of music by Mr. and Mrs. Charles Sorrells, of Sunbury, Pa. Mr. and Mrs. Sorrells will also remain here for the two week revival service which will start on Sunday night.

The evangelist for the revival will be the Rev. L. R. Bowling, of Greensboro, N. C., and the public is invited to attend the services which will be held each evening, except Saturdays, at 7:30 o'clock.

11-10-49
P. 1

Revival Meeting Still In Progress

The revival at the Pilgrim Holiness Church is in progress this week with Rev. Bowling as Evangelist, and Mr. and Mrs. Charles Sorrells as special singers. These workers are being enjoyed by those who are attending and the congregations have been very good.

The Services will continue the rest of the week, including Saturday evening at 7:30 o'clock. Mrs. Sorrells is conducting young people's and children's service at 7:00 o'clock. Services will also be held at 2:30 o'clock Sunday afternoon.

There is a welcome for all at these services.

11-17-49
P. 1

Dedication Service

The Pilgrim Holiness congregation will dedicate its new church building Sunday, November 27th at 2:30 o'clock in the afternoon.

The Rev. H. D. Dukes, of Denton, Md., Superintendent of the Eastern District in the Pilgrim Holiness Church, will preside and preach the dedicatory sermon. A special invitation is extended to the public to attend this service.

The revival services are still in progress with excellent attendance.

On Thanksgiving Day there will be special Thanksgiving services at 2:30 o'clock in the afternoon.

The Northampton
Times
Cape Charles, VA

12-22-49, p. 7

Pilgrim Holiness Chapel

Rev. Mary P. Garrett, Pastor.
O. L. Ewell, Sup't.

On Sunday, December 25th at 2:00 p. m. the Christmas lesson will be reviewed and then the young people will take part in a Christmas program.

At 7:30 p. m. there will be the singing of Christmas Carols and a message by the pastor on "The Birth of Christ and His Second Coming to the Earth."

You are invited to both of these services.

- REPLACE ROOF SHINGLES



- EXPAND COVERED PORCH

ON STRAWBERRY ST.

SIDE DOOR

Now 7' x 4'

Proposed: 10' x 7'

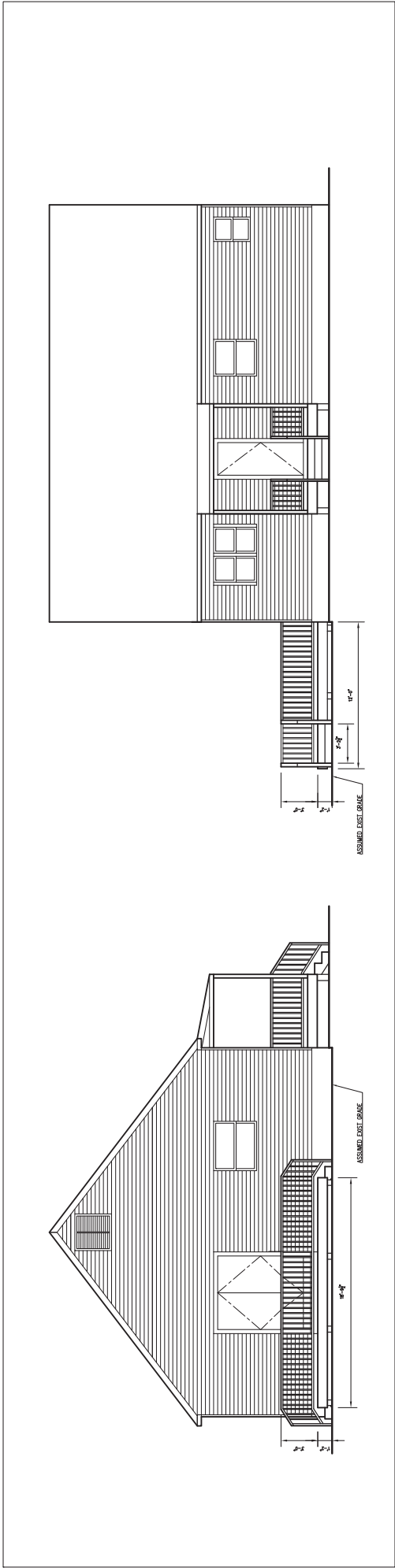
Scope removed from project
per Paul Grossman.



- EXPAND + COVER DECK
ON BACK OF HOUSE
Now: 8' x 10' NOT COVERED
Proposed: 19' x 12' WITH ROOF

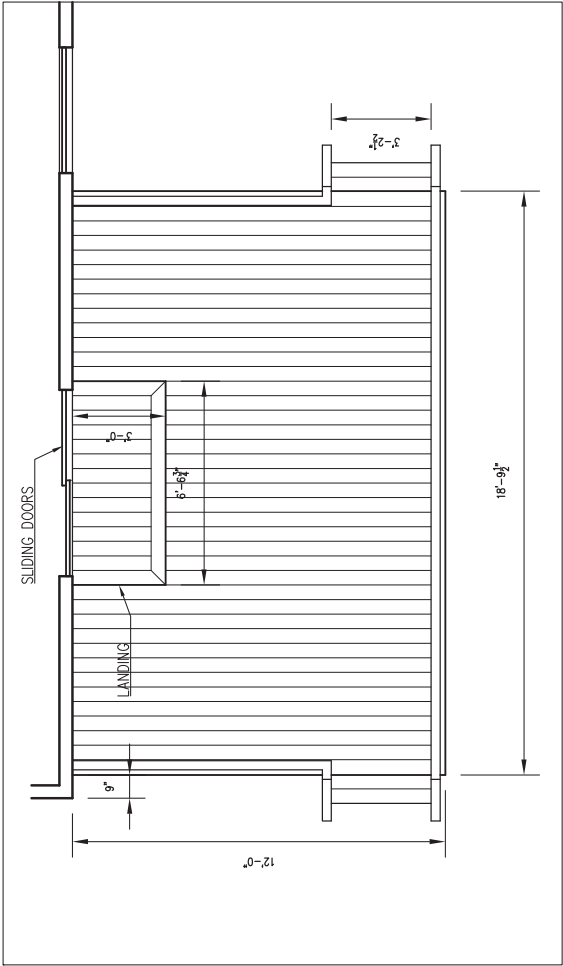
Scope removed from project
per Paul Grossman.

ADD
6' SIDER
TO REAR
BACK
DOOR



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

WEST ELEVATION / STRAWBERRY STREET
SCALE: $\frac{1}{8}" = 1'-0"$



DECK PLAN
SCALE: $\frac{1}{4}" = 1'-0"$

MICHAEL GIARDINA, AIA
5 ATLANTIC AVENUE
BEVERLY, MA 02116

GIARDINA RESIDENCE
301 MADISON STREET
CAPE CHARLES, VIRGINIA

DECK PLANS & ELEVATIONS
SCALE: AS NOTED
APRIL 14, 2020

Quote Information - Quote 11862769 - Manager

Company Name: LBM ADVANTAGE,INC

Sales Order:

Purchase Order: 64646446

Contractor: FRANK GIARDINA

Job Name:

Account: LB9049

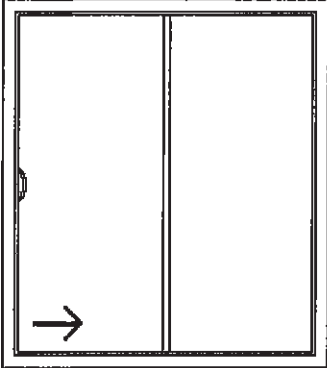
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Entered By: agreene

Status: Quote

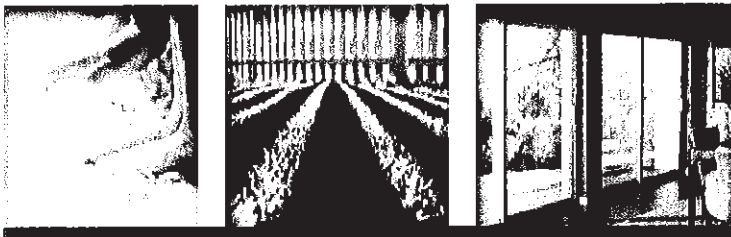
Created On: April 02, 2020

All prices subject to change without notice

Line	Qty.	Description	Size	Customers	
			(W x H)	Unit	Ext.
1	1	New Series 332 2-Lite HP Sliding Patio Door - White - Clear - Standard Low-E/Argon - Tempered - XO - Screen - Standard Mesh - Standard (Painted) (Opening Size: 71 1/2 W x 80 H , Exact Size: 70 3/4 W x 79 1/2 H) - DP50: Size Tested 71" x 96" - U Factor: 0.30, SHGC: 0.30 Meets ENERGY STAR In region(s): [NORTHERN] [NORTH-CENTRAL] 	6'-0" x 6'-8" NS	933.13	933.13
Sub Totals				933.13	
5.300% Sales Tax				49.46	
Totals	1			982.59	

A blank price indicates that the price of an item has not yet been retrieved by the system.
Select **Price Quote** to retrieve prices for items which have not yet been priced by the system.

Special Instructions:



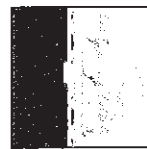
SERIES 332

SLIDING PATIO DOOR

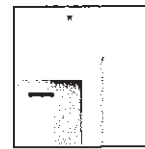
- ✦ Easy installation in new construction applications with built-in 4 9/16" jamb
- ✦ Field reversible (6'8" height only; not available with BBG)
- ✦ DP-50 Rating great for coastal applications (on 5068, 6068 and 8068 doors)
- ✦ Deluxe color matched hardware
- ✦ Custom sizes available
- ✦ Available in 8' height
- ✦ Available in 6'8" height up to 12' wide
- ✦ Heavy-Duty Screen included*
- ✦ Limited Lifetime Warranty

CUSTOM Options

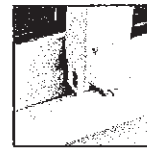
- ✦ Low-E Glass
- ✦ Low-E Glass + Argon Gas
- ✦ Ultra Low-E Glass + Argon Gas
- ✦ 5/8" or 3/4" flat, 5/8" or 1" contoured, 1 1/8" Simulated Divided Lite grids available
- ✦ Nine exterior painted colors, three interior wood laminates, bronze exterior laminate
- ✦ Brass, brushed nickel or oil rubbed bronze hardware
- ✦ Pet resistant screen*
- ✦ Multi-Point keyed lock
- ✦ Custom sizes available



Dual Point Lock
(Standard)



Brick Mould
J-Channel



Foot Bolt Lock

BLINDS Between the Glass

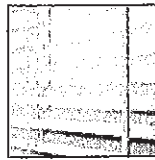
Available in 6068 with white, interior and exterior laminates and painted exterior colors. Blinds, operators and glass panels available in white only.



Easy to raise, lower
and tilt blinds



Controls light
and privacy



Never needs dusting and is
safe for pets and children

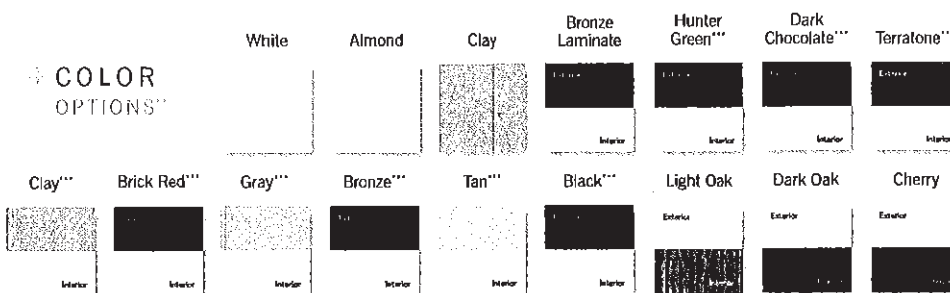


Scan to
experience
our website.



ENERGY STAR compliance
available in all series. Verify
product specifics before ordering.

COLOR OPTIONS**



Note: Manufacturer reserves the right to substitute components as necessary for continued product improvement.

**Screens are not meant to restrain a child from falling through an open window.

***Printing process may affect color shown. Please refer to actual window sample when selecting colors.

***Grid offering limited to 5/8" contoured or SDL on exterior painted windows. Only use mild, water based household cleaner on painted product and rinse immediately with water. See full cleaning instructions for details.



332 Vinyl Sliding Patio Door

Features:

- DP Rating R50
- Color matched handle standard
- Reversible panel design allows for moving panel to be located on left or right side (6' 8" height only)
- Aluminum track for moving panel
- Heavy duty screen comes standard
- 4 9/16" Jamb depth
- Multi-point lock
- 8' height available

Custom Options:

- Special grid options: distinctive diamond pattern; 5/8" or 3/4" flat, 5/8" or 1" contoured, 1 1/8" simulated divided lite (SDL), 5/8" contoured valance grids available
- Glass options: Low-E Glass; Low-E Glass with Argon Gas; Ultra Low-E Argon
- Light and dark shades of oak or cherry interior wood laminate and bronze exterior laminate
- Nine Painted Exterior Colors (white interior only)
- Brass, Brushed Nickel or Oil Rubbed Bronze hardware
- Available in 5', 6', 6'4", 8', 9', and 12' configurations
- Blinds between glass (6068 doors only)
- Foot Bolt Lock

Product Performance:

AAMA 101 Results:

Door Size	AAMA Rating (psf)	Air (cfm/ft ²)	Water (psf)
72" x 96"	SGD-R50	0.16	7.52
96" x 80" (Custom)	SGD-R50	0.19	7.52

Product Dimensions:

Vinyl Wall Thickness:

Frame: 0.090"
Sash: 0.080"

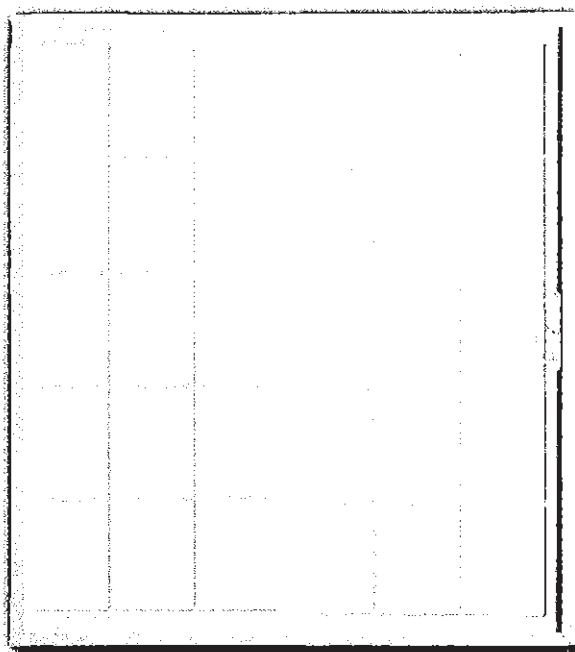
Glass Thickness: 0.875"
Jamb Depth: 5.633"
Nail Fin Setback: 4.563"

Rough Opening:

Door Width + 3/4"
Door Height + 1/2"

Size Restrictions for Custom Doors:

	Min:	Max:
Width	58 3/4"	94 3/4"
Height	70 1/2"	95 1/2"



332 Vinyl Sliding Patio Door

Egress Formulas:

Egress Width $\geq 20"$ and Egress Height $\geq 24"$ and Egress Area $\geq 5.7 \text{ ft}^2$ required to meet egress.

Egress Width Formula: $5' = 22.75"$

$6' = 28.375"$

$6'4 = 32.375"$

$8' = 40.75"$

Egress Height Formula: $6'8" = 75.5"$

$8' = 95.5"$

Egress Area Formula = (Egress Width x Egress Height)/144

Screen Sizes:

5068 = $30 \frac{1}{2}" \times 77 \frac{1}{2}"$

6068 = $36 \frac{1}{2}" \times 77 \frac{1}{2}"$

6468 = $38 \frac{1}{2}" \times 77 \frac{1}{2}"$

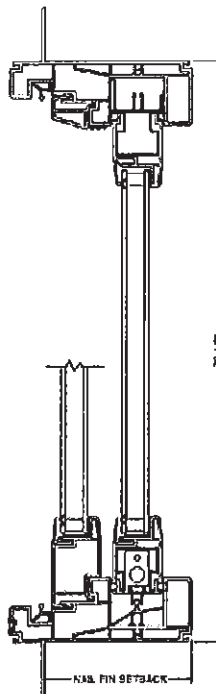
8068 = $48 \frac{1}{2}" \times 77 \frac{1}{2}"$

5080 = $30 \frac{1}{2}" \times 93 \frac{1}{2}"$

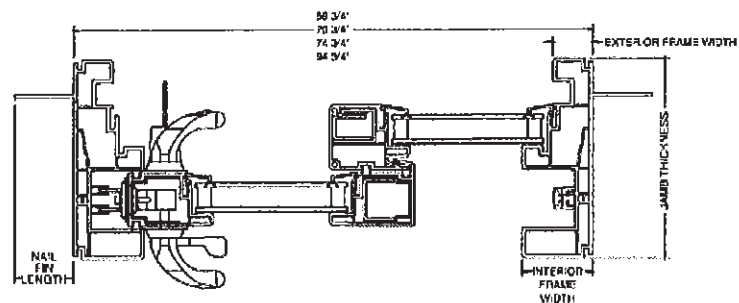
6080 = $36 \frac{1}{2}" \times 93 \frac{1}{2}"$

6480 = $38 \frac{1}{2}" \times 93 \frac{1}{2}"$

Vertical Diagram



Horizontal Diagram



10
Year

SunStart™
Protection

10
Year

StreakFighter™
Algae-Resistance
Warranty

130
MPH

Wind Warranty*



*Mist White and
Silver Birch are
Energy Star rated.

Shingles shown with the SunStart and StreakFighter warranties are subject to certain restrictions. See the full warranty details on the back of the shingle. All colors may not be available. Contact your Certaintec distributor for more information. ©2010 Certaintec. SunStart and StreakFighter are trademarks of Certaintec.

See your distributor for specific details and restrictions.

LANDMARK®

Designer Shingles



Made in USA

Shown In Weathered Wood

Atlantic Blue
Hunter Green

Burnt Sienna
Mist White†

Charcoal Black
Moire Black

Cobblestone Gray
Mojave Tan

Colonial Slate
Pewter

Coltage Red
Resawn Shake

Driftwood
Silver Birch†

Georgetown Gray
Sunrise Cedar

Heather Blend
Weathered Wood

Featured Color:
COLONIAL SLATE

WinterGuard®

Waterproofing design enhancement
designed to prevent leakage due
to winter leakage from ice dams or
wind-driven rain.

DiamondDeck® and RoofRunner™

CertainTeed offers two options in High
Performance Underlayment. Both are
manufactured to provide best-in-class
performance in terms of both weather
protection and contractor safety.

Ask your contractor about the complete
Integrity Roof System™ from CertainTeed.



This Energy Star qualified 1-3/4 in. door is pre-assembled in a fully weather-stripped frame for easy installation. The door is assembled with 3 bronze hinges and adjustable black finish sill. The door and frame are primed and ready to finish in a color of your choice.

- Top quality fiberglass with polystyrene core construction provides energy efficiency and security
- Low maintenance fiberglass doors resist denting, cracking and warping
- Interlocking stile edge provides structural rigidity
- High performance bronze weather stripping and adjustable black sill provides a tight seal against drafts
- Assembled with low-E tempered glass for energy efficiency
- Door is doubled bored for lockset with deadbolt for added security
- Primed smooth surface ready for painting
- Prehung 4-9/16 in. primed frame for easy installation with 4 in. wall construction
- Requires rough opening of 34 in. x 82 in., actual unit size 4-9/16 in. x 33-1/2 in. x 81-1/2 in.
- From the outside door opens toward inside of home with hinges on the left
- Energy star compliant

Specifications

Dimensions

Door Height (in.) 80
Door Thickness (in.) 1.75
Door Width (in.) 32
Jamb Size (in.) 4-9/16"
Rough Opening Height (In.) 82
Rough Opening Width (In.) 34

Details

Bore Type Double Bore
Color Family White
Color/Finish White Primed
Door Configuration Single Door
Door Glass Insulation Low-E
Door Handing Left-Hand/Inswing
Door Style Beach Style,Classic,Tropical
Door Type Exterior Prehung
Features Lockset Bore (Double Bore),Tamper-Proof Hinges,Weatherstripping
Finish Type Primed
Frame Material **Wood**
Glass Caming Finish No caming
Glass Layout Full Lite
Glass Shape Rectangle Lite
Glass Style Clear
Hinge Finish Bronze
Hinge Type Standard
Material Fiberglass
Number of Hinges 3
Number of Lites 1 Lite
Panel Type No panel
Suggested Application Front

SURVEYORS' CERTIFICATION
 I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THE LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLES WITH THE MINIMUM PRECISION AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

GENERAL NOTES:

1. OWNERS: SONJA F. HALL, DEBORAH S. HALL, & WAYNE A. HALL

2. SOURCE OF TITLE: INST. 18000670

3. TAX PARCEL: 83A1-1-195

4. A SURVEY WAS PERFORMED ON THIS PROPERTY IN OCTOBER 2017 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.

5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/all EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.

6. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 5113C-0551, DATED 01-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X.

7. PLAT REFERENCES:
 D.B. 41, P. 484 (PLAT)
 P.B. 4, P. 78

8. AREA: 6,140 SQ. FT. (0.148 AC.)

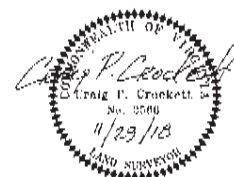
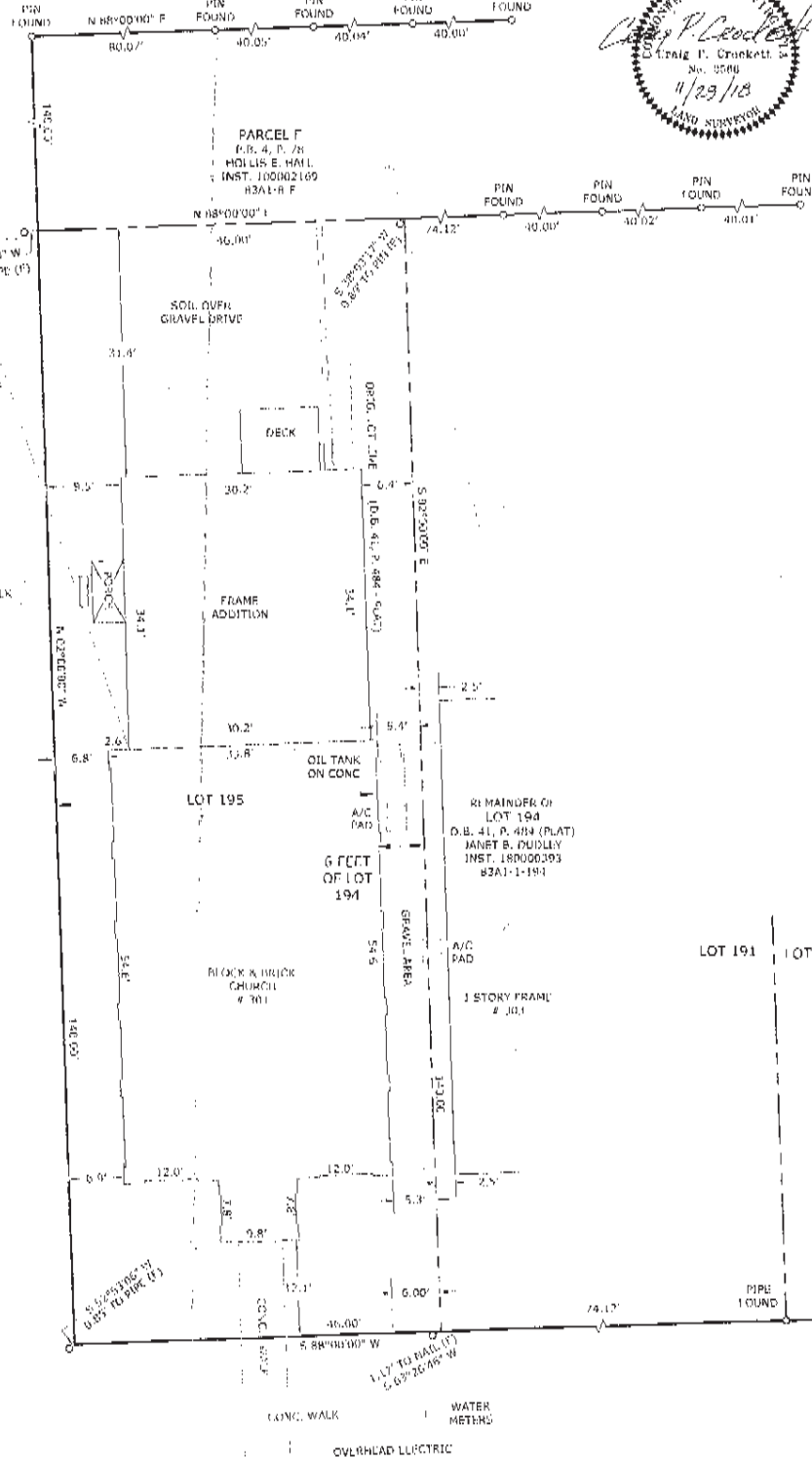
APPROVED

[Signature]
 LARRY HILL
 DIRECTOR OF PLANNING
 CAPE CHARLES, VA.

11/28/18
 13A12

STRAWBERRY STREET (70' R/W)

JEFFERSON AVENUE (70' R/W)



**PHYSICAL SURVEY
 LOT 195
 & THE WESTERNMOST 6' OF
 LOT 194
 MAP OF THE TOWN OF
 CAPE CHARLES**

CAPEVILLE DISTRICT
 NORTHAMPTON COUNTY, VIRGINIA
 SCALE: 1" = 10' NOVEMBER 26, 2018



MADISON AVENUE (70' R/W)



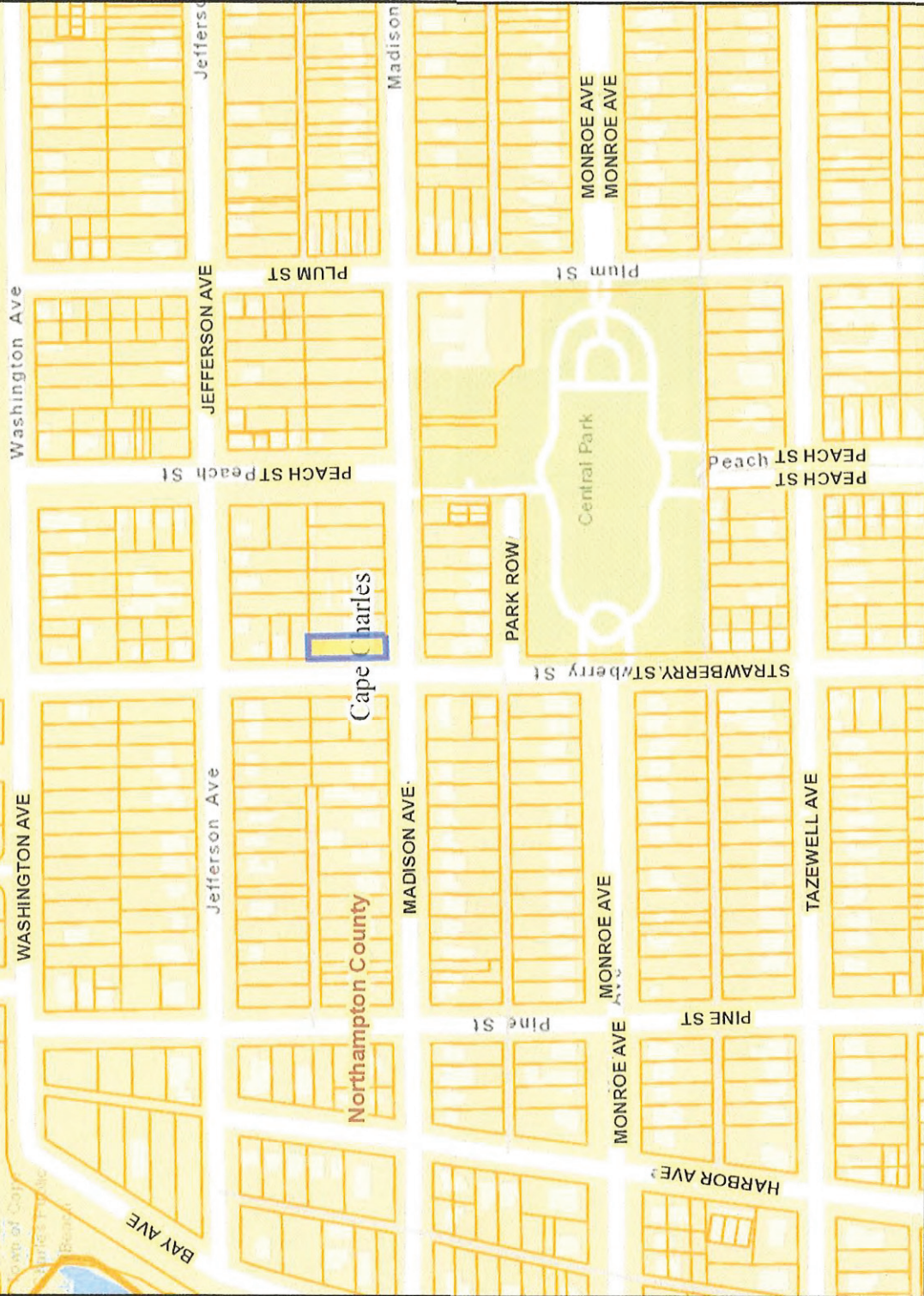
POINT NORTH SURVEYING LLC
 P.O. Box 701
 Onley, VA 23108
 (252) 205-3008
 pointnorthsurveying@gmail.com
 CRAWLEY CROCKETT
 DICKINSON, JR., P.E.
 DICKINSON, JR., P.E.
 DICKINSON, JR., P.E.

Northampton County, Virginia

Legend

-  County Boundaries
-  Town Names
-  Route Numbers
-  Road Labels
-  Parcels
-  Driveways

Map Printed from Northampton
<http://northampton.mapsdirect.net/>



Title:

Date: 4/7/2020

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.



DRAFT HISTORIC DISTRICT REVIEW BOARD

**Special Meeting
Cape Charles Civic Center
via Electronic Communications**

April 30, 2020

2:00 p.m.

This Special Meeting of the Cape Charles Historic District Review Board 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 review two applications to obtain a Certificate of Appropriateness. An audio recording was made of the meeting, and the meeting was also 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 2:00 p.m., Chairman Kerry Shackelford, having established a quorum, called to order the Special Meeting of the Historic District Review Board (HDRB). Physically present at the Civic Center were Town Clerk Libby Hume and Deputy Clerk Tracy Outten. In attendance via Zoom were Michael Strub, Herb Thom, Edward Wells, Code Official Jeb Brady, Paul Grossman, and the applicants. There was one vacancy on the board. There were no members of the public physically in attendance but there were viewers on Facebook.

AGENDA:

Motion made by Herb Thom, seconded by Michael Strub, to accept the Agenda as presented. The motion was approved by unanimous vote.

PUBLIC COMMENT (AGENDA ITEMS ONLY):

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

ORDER OF BUSINESS:

A. *Application for a Certificate of Appropriateness at 648 Monroe Avenue – to construct a new detached garage.*

Patrick Prendergast, the applicant, asked if the board had any questions on the proposed garage.

Discussion was as follows: (i) Edward Wells asked for clarification on the garage doors. Patrick Prendergast explained that French doors were proposed for the side elevation and a standard steel door with a window on top was proposed for the rear of the garage; (ii) Edward Wells asked if this was a new build or a renovation to the existing shed. Patrick Prendergast answered that the shed would be removed, and the garage would be built there; (iii) Kerry Shackelford confirmed that windows proposed in the drawing were being used; yes; (iv) Kerry Shackelford asked what type of siding would be used. Patrick Prendergast said hardie plank; and (v) Herb Thom said the proposed garage would enhance the property.

Motion made by Edward Wells, seconded by Herb Thom, to approve the application for the Certificate of Appropriateness at 648 Monroe Avenue to construct a new detached garage as presented. The motion was approved by unanimous vote.

B. *Application for a Certificate of Appropriateness at 301 Madison Avenue – to renovate a former church building.*

Frank and Andrea Giardina introduced themselves and described the work to be done. Frank Giardina suggested discussing each item separately.

Herb Thom asked why a board member was not involved in all the pre-application meetings. Jeb Brady informed the board that the additional meetings with Frank Giardina were to work out zoning issues.

Frank Giardina clarified that the building was built in 1949 not in the 1930s. The original building that was located at 301 Madison had been moved on the neighboring lot. Edward Wells asked if this building now fell under non-contributing and this was a gray area. Kerry Shackelford read page 5 from the Cape Charles Historic District Guidelines (CCHDG). Frank Giardina said that contributing and non-contributing was open for interpretation by the town and thought it would determine how some items were reviewed.

After Frank Giardina explained that the windows needed to be replaced due to the conditions and variation of colors, the discussion was as follows: (i) Michael Strub asked if the proposed windows were what was in the pictures. Frank Giardina answered no, that was just to show the material and the actual windows would look the same as the existing; (ii) Edward Wells asked if these were replacement windows; yes. Kerry Shackelford stated that the sash was kept when replacement windows were used. Frank Giardina said the sash would be removed and the new window would be custom fitted and as much wood as possible would be used; (iii) Kerry Shackelford asked if the glass would be clear; yes; (iv) Edward Wells said there had to be someone who could make the exact windows and then they would not change; (v) Kerry Shackelford said the biggest problem was the CCHDG was very specific about replacing windows with different materials. Edward Wells understood what the guidelines said but, a precedent was set with the approval of the other church windows; and (vi) Herb Thom agreed with Kerry Shackelford.

Discussion on the chimney removal was as follows: (i) Frank Giardina stated the chimney to be removed was non-functional and was in the middle of a bathroom and leaked; (ii) Michael Strub said the chimney does not look to be an intricate part of the building; (iii) Herb Thom and Kerry Shackelford both agreed the chimney should be retained; (iv) Michael Strub said chimneys had been removed in the past. Kerry Shackelford explained the applicants had other circumstances and engineering was an issue; (v) Edward Wells pointed out that the interior engineering was strange and could see why the applicant would want to remove the chimney. He added that if the chimney were not removed leaks could be prevented if a roofer knew how to flash properly. Edward Wells said in the pre-application meeting keeping the top of the chimney was discussed. Frank Giardina said that would be a non-essential expense and look silly since the chimney had no appeal; (vi) Kerry Shackelford said that every single house in this town built around 1949 had a chimney for coal heat and removing this chimney would have an impact. He added that the chimney made up a part of the appearance of the building. Frank Giardina said unfortunately this building had been changed and the addition covered the chimney; and (vii) Herb Thom asked if the chimney was original to the church or a part of the addition. Frank Giardina guessed it was a part of the church.

Kerry Shackelford informed the applicants that if any work was done on the side deck the board needed to review that.

Discussion on enlarging the rear deck was as follows: (i) Frank Giardina said enlarging the deck would make it compliant with code and added that the same deck board material would be used; (ii) Kerry Shackelford asked if deck railings would be added. Frank Giardina said it had not been determined or decided if railings would be used. Kerry Shackelford described the historic railing look. Frank Giardina wondered if the reason the handrails would need the board's approval was

because they were visible from Strawberry Street; yes; (iii) Kerry Shackelford said the deck could be conditionally approved with the understanding that shop drawings of the railing were needed for administrative approval; and (iv) Edward Wells asked what material would be used. Frank Giardina answered treated lumber deck boards.

Discussion on the replacement of the back door with a sliding glass door was as follows: (i) Kerry Shackelford asked if the existing door opened out to the deck; yes and Frank Giardina would like to replace it with a sliding glass door; (ii) Kerry Shackelford said a sliding glass door was not typical in the district. Herb Thom did not think it would be visible. Edward Wells said the owners were at a disadvantage because the building was located on a corner; and (iii) Herb Thom suggested using French doors. Frank Giardina said French doors would not work because of space restrictions. Edward Wells informed the applicant that French doors had a slider option.

Kerry Shackelford said the board usually did not discuss replacing roof shingles.

Kerry Shackelford asked what would replace the storm door. Frank Giardina answered an actual door that looked similarly to a storm door.

Motion made by Herb Thom, seconded by Edward Wells, to approve the application for the Certificate of Appropriateness at 301 Madison to renovate a former church building with the following conditions: (i) the chimney was to be retained; and (ii) shop drawings needed to be provided if handrails were added to the deck.

Kerry Shackelford stressed that the exterior look of the building would change if windows were allowed as proposed. There was additional discussion on the windows.

The motion was approved by majority vote, with Kerry Shackelford not voting.

Kerry Shackelford thanked everyone for their efforts and attendance.

Motion made by Herb Thom, seconded by Michael Strub, to adjourn the April 30, 2020 Historic District Review Board Special Meeting at 3:25 p.m. The motion was unanimously approved.

Chairman Kerry Shackelford

Deputy Clerk

Attachment #4



MUNICIPAL CORPORATION OF CAPE CHARLES HISTORIC DISTRICT REVIEW BOARD

Date Issued: 4/30/2020

Issued to: Frank and Andrea Giardina
231 Beacon Drive
Phoenixville, PA 19460

For Property: 301 Madison Avenue
Cape Charles, VA 23310

This Certificate of Appropriateness has been issued for the above-noted property for the purpose of:

Renovating the former church building now a residence. The Historic District Review Board approved the above application with the designated conditions as listed below.

This Certificate of Appropriateness shall be valid for only the specific use described above and will be valid for a period of one year after the date of approval. If not acted upon within one year, or if work is suspended or abandoned for a period of twelve months after work has commenced, this Certificate of Appropriateness shall become null and void.

Designated conditions to be met are as follows: i) the chimney be retained; and ii) shop drawings of any handrails added to the deck needed to be provided for approval.

Chair, Historic District Review Board

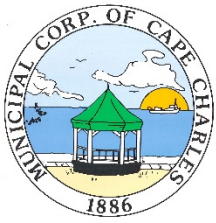
5/01/2020

Date

Assistant Town Clerk

5/01/2020

Date



Municipal Corp. of
Cape Charles

Attachment #5

Application for Certificate of Appropriateness Decision Notice

Dear Applicant,

Your request for a Certificate of Appropriateness to renovate a former church building at 301 Madison Avenue was heard on April 30, 2020. At this meeting, the Historic District Review Board approved the proposed project as follows:

Motion made by Herb Thom, seconded by Edward Wells, to approve the application for the Certificate of Appropriateness at 301 Madison to renovate a former church building with the following conditions: (i) the chimney was to be retained; and (ii) shop drawings needed to be provided if handrails were added to the deck. The motion was approved by majority vote. Kerry Shackelford did not vote.

Section 8.32 of the zoning ordinance states the following:

An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with the property owner(s) associated with the project under appeal; a fee equal in value to the fee paid by the property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Town Council within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Town Council shall fix a reasonable time for the hearing, give public notice thereof and decide the same within sixty (60) days. At the hearing the appealing party may appear in person or by agent. In exercising its powers, the Town Council may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Historic District Review Board.

Please let me know if you have any questions.

Thanks,

Tracy Outten, CMC
Deputy Clerk

FRANK & ANDREA GIARDINA

301 Madison Avenue
Cape Charles, VA 23310

telephone: (484) 919-5518
fax: (610) 917-9813
email: fvgiardina@aol.com
aogiardina@aol.com

May 5, 2020

Libby Hume,
Town Clerk, FOIA Officer
Municipal Corporation of Cape Charles
2 Plum Street
Cape Charles, VA 23310

CC: Tracy Outten, Assistant Town Clerk
Jeb Brady, Code Official

Re: 301 Madison Ave, Cape Charles, VA 23310 - Appeal of decision from the April 30, 2020 meeting to review the application for the Certificate of Appropriateness.

Dear Libby:

As you know, our Certificate of Appropriateness Application was reviewed by the Historic Distric Review Board on April 30th, 2020.

The motion was made, seconded and voted on to approve our application as presented with two conditions which we would like to appeal and have reviewed by Town Council for their consideration.

The first condition was to disapprove the removal of the chimney. We would like to appeal that decision as the chimney no longer functions and it is now inside of one of the bathrooms in the newer addition on the back of the church. The chimney cannot be removed from the interior bathroom without taking down the portion of the chimney that is exposed on the roof. The portion of the chimney inside of the bathroom creates a hindrance in that room to get to the toilet. We also feel that now that an addition was added to the original structure built in 1949 (and found to be Non-Contributing), most of the chimney is covered up by that addition only leaving a small portion visible (see pictures that were provided in the application). We ask that the Town Council review this and consider overturning the decision that the HDRB made and allow us to remove the chimney.

The second condition was to approve a deck to be built on the back of the home with either no railing to be added or to have a railing that meets the approval of the HDRB. We would like to appeal the condition that the HDRB needs to dictate and approve the style of railing that we prefer in our design as this is the back of the home on the newer addition and this is a deck and not a front porch. We would prefer a more modern look which matches the more modern addition. We have seen many homes throughout Cape Charles that have back yard decks with modern looking railing. We ask that the Town Council review this and consider overturning the decision that the HDRB made and allow us use a railing style of our choice.

Please let me know if you need anything else or need us to create an appeal in any other fashion.

Thank you for all of your assistance through this process.

R/ Y
1 1/L

Frank V.. Giardina



Andrea Giardina