

**TOWN COUNCIL
Special Meeting
Cape Charles Civic Center
July 12, 2022
Immediately Following the Joint Work Session
with the Planning Commission**

At approximately 8:17 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Special Meeting of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, and Town Clerk Libby Hume. There were no members of the public physically in attendance, and eight viewers on Facebook.

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

PUBLIC COMMENTS ON AGENDA ITEMS ONLY: (3 MINUTES PER SPEAKER)

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

ORDER OF BUSINESS:

A. *Town Facilities Design and Engineering:*

Town Manager John Hozey stated that Vice Mayor Bennett’s concerns were provided to HBA, the consulting firm contracted for the design and engineering for the Town’s facilities, and staff had worked with HBA to address the comments.

Vice Mayor Bennett stated that most of his concerns had been addressed, adding that he was still unsatisfied regarding the fee but did not want to hold up the project.

John Hozey explained that the cost estimate for the bathrooms came in much higher than anticipated and the amount budgeted. The bathrooms could possibly be separated into another bid/contract. There were advantages in bidding the projects out together, so staff’s recommendation was to move forward with both. The downtown bathroom could possibly be prioritized over the beach bathroom. The bathroom designs were reduced. The downtown bathroom would have four stalls versus six – three regular stalls and one ADA stall. The beach bathroom was to be increased to four, but an alternate design was to keep the existing structure for the regular stalls and build an addition for the ADA stalls. This alternative would also preserve much of the original Eagle Scout project.

Councilwoman Holloway reminded everyone that Cape Charles Main Street had obtained a \$25K grant for the bathroom facility in the commercial district.

There was some discussion regarding the proposed location of the downtown bathroom. Bob Panek stated that bathroom would be located just east of the rail car behind Strawberry Street Plaza and staff had asked Canonie Railroad to add that portion of the property to the Town’s lease.

Councilman Grossman noted that hazmat abatement costs at the library were excluded from the proposal. Bob Panek responded that the renovation to the library building would basically be systems only. The only area where walls would be disturbed would be in the two bathrooms and there could be some lead paint that might need encapsulation.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to proceed with the contract as outlined in the staff report. The motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

John Hozey stated that due to the unfortunate accident on July 4th, the fireworks vendor would be refunding our deposit. He was initially going to have it roll over for next year but was considering using the deposit for a New Year's Eve fireworks if the vendor was available.

There was some discussion regarding New Year's Eve fireworks. The majority of the Council members were not in favor of fireworks on New Year's Eve.

MAYOR AND COUNCIL COMMENTS

Vice Mayor Bennett, Councilmen Buchholz and Follmer, and Councilwomen Holloway and O'Brien did not have any additional comments.

Councilman Grossman stated that the Northampton County Board of Supervisors (BOS) was meeting tonight regarding three items: i) A resolution to support Virginia America 250 to commemorate the 250th anniversary of the American Revolution, the Revolutionary War and the independence of the United States. He was not sure if the Town was considering this but wanted to bring it to Council's attention; ii) The YMCA was adding a gym with about 6,300 square feet; iii) The BOS would be looking at the elderly and handicapped tax relief exemptions ordinance. He forwarded this information to the town manager, mayor and treasurer to possibly update the Town's ordinance as well.

Mayor Dize thanked everyone for their hard work on July 4th, the police officers, fire department, and others who responded to the fireworks mishap. Overall, the Town had a really good 4th of July.

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to adjourn the Town Council Special Meeting. The motion was approved by unanimous vote.

The Special Meeting adjourned at 7:30 p.m.

Mayor Dize

Town Clerk



**TOWN COUNCIL
Executive Session
Cape Charles Civic Center
July 12, 2022
Immediately Following the Special Meeting**

At approximately 8:33 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Also, in attendance were Town Manager John Hozey and Project Manager Bob Panek.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia 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: Negotiation Strategy for Potential Utility System Sale & Options for Possible Purchase of a Portion of Railroad Property

There were no members of the public in attendance at this time.

Council went into executive session at 8:34 p.m.

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

The open portion of the meeting resumed at 10:03 p.m. There were no members of the public waiting to return to the meeting.

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: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

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

The Executive Session adjourned at 10:04 p.m.

Mayor Dize

Town Clerk



TOWN COUNCIL & PLANNING COMMISSION

Joint Work Session

Cape Charles Civic Center

July 12, 2022

6:30 p.m.

At 6:30 p.m., Mayor William “Smitty” Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, present were Vice-Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Staff in attendance were Town Manager John Hozey, Interim Planner/Zoning Administrator Katie Nunez, Planning Technician Tracy Outten, and Town Clerk Libby Hume. Ann Darby and Michael Stapor from Summit Design and Engineering Services were also in attendance. There were two members of the public in attendance.

Chairman Bill Stramm, having established a quorum, called to order the Work Session of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Paul Grossman, Jim Holloway, Dennis McCoy, and Michael Strub. Commissioner Kenneth Butta was not in attendance. There was one vacancy on the Commission.

ITEM FOR DISCUSSION:

Comprehensive Plan Update

- Existing Conditions Report
- Vision Goals, Objectives and Strategies
- Future Land Use Map

John Hozey stated that the documents being reviewed this evening were still drafts. The goal was to schedule public meetings in September to engage the public and obtain their input.

Ann Darby began by expressing her excitement for the progress made on the Comprehensive Plan update and went on to provide an update on the progress and process. (Please see attached.)

John Hozey stated that the project management group, consisting of Katie Nunez, Councilman Paul Grossman, Commissioner Bill Stramm and himself, had been working closely with Summit providing input on the draft documents. The items needing discussion were the group’s questions, which were highlighted in yellow, and the language/items shown in red were items that the group felt could be deleted, but input from the Council and Commission was being requested. John Hozey explained that the strategic plan was being incorporated into the comprehensive plan as the implementation tool since it was updated annually whereas the comprehensive plan was updated every five years. The vision statement was taken verbatim from the strategic plan.

The review began with the Existing Conditions Report with discussion regarding the following: i) The list of major employers needed to be updated as some of the businesses shown on the list were no longer open. Councilwoman Holloway noted that Cape Charles Main Street (CCMS) develops a similar list which could be used; ii) Councilman Grossman stated that the Existing Conditions Report did not have any language relating to the Town’s facilities, particularly the public utilities. Ms. Darby stated that it was an oversight, and the facilities would be added to the Existing Conditions Report; iii) Councilman Buchholz commented that the numbers related to housing were from 2020. With this document being dated 2022, the 2020 numbers were outdated. Ms. Darby stated that the numbers used were from the Census data updated in 2020. Councilman Buchholz went on to state that the

information kept in the building department could be a good reference to update these figures; iv) Councilman Follmer stated that a hot topic was the percentage of full-time occupied dwelling units versus short term rentals. This could be tracked by business licenses. People who would read the comprehensive plan would be looking for this information. He agreed that 2020 data was fairly recent but suggested that it could be updated with the information gathered by the Town; v) Councilman Grossman stated that he had a number of little nits which he would send in writing.

The review continued with the Vision, Goals, Objectives & Strategies with discussion as follows:

Housing: i) Alternative language was suggested for items 1b, 5a, and 6; ii) Item 7 was deleted.

Community Facilities & Services: i) Item 6 was deleted and language relating to “playscapes” would be included with item 9; ii) Ms. Darby stated that an implementation matrix and list would be included at the end of the document; iii) John Hozey stated his preference to leave the language vague in relation to park and recreation facilities to allow flexibility to the Town when considering future amenities.

Economy: i) There was much discussion regarding item 8 and “chains of activity.” Ms. Darby explained the intent was to show that there was so much to do in Cape Charles that it couldn’t be done in one day, a weekend, etc. Councilwoman Holloway added that the Eastern Shore of Virginia Tourism Commission already did this for the Town and Eastern Shore; ii) There was some discussion regarding item 9 and “placemaking.” Councilwoman Holloway stated that CCMS currently worked on placemaking locations, adding that bicycle racks were needed in areas of the Town; iii) Councilman Grossman commented that item 10 was good to include, but the Accawmacke Plantation Planned Unit Development (PUD) documents needed to be updated. Katie Nunez stated that she was working with Bay Creek to update their PUD documents. John Hozey added that this document would provide guidance for Bay Creek to update their PUD documents.

Transportation: i) Regarding items 2b, c and d, it was noted that not all pedestrian crossings were ADA compliant and needed to be addressed. Ms. Darby added that badly designed crossings could create more of a danger than having no crossing. There was also some discussion regarding having VDOT install “continuous sidewalks;” ii) The program management group had recommended item 3 be deleted, but there was much discussion regarding the increasing number of golf carts and the need for signage and enforcement of fines. Councilman Buchholz suggested printing stickers showing the fines to be provided to all golf cart owners and rental companies. Councilwoman Holloway added that stop signs were needed at the ends of the alleys, especially the alley behind her house which was also the entrance to Central Park. It was just a matter of time before someone going into the park got hit by a golf cart; iii) It was suggested that rather than deleting item 3, that the title/language could be changed to relate more to golf carts. It was noted that Cape Charles was a golf cart town and it was appropriate to have language included in this document.

Town Design: i) The project management group had recommended this section be deleted as being redundant since we had separate design guidelines for the historic and harbor districts; ii) There was much discussion regarding this section. Vice Mayor Bennett suggested reducing this section to one paragraph with language directing people to the various design guidelines for more details.

Environment: i) Councilman Grossman expressed his concern regarding much of the language in this document being written as directives versus considerations; ii) A change was suggested to item 1a stating that the Town would “support” the monitoring of the bay’s health versus “intensifying” the monitoring...; iii) Councilman Grossman stated that some things were nice to say but impractical to implement and suggested removing items 1b and c; iii) It was explained that item 4c was included for the future, that after that railroad property was developed, access to the town harbor should be

provided. Several Council members agreed that it was a goal for the future to have a road from Mason Avenue to the harbor. The downtown area could be extended with future development in this area; iv) Ms. Darby clarified that when talking about the harbor area, it was referencing the railroad property; v) Councilman Grossman asked about the practicality of item 5a when we had specific requirements regarding the materials and construction projects in the historic district, adding that the language needed to be changed to “consider” versus being a directive. Katie Nunez stated that staff followed the building code for construction projects; vi) The state code required item 7 be included in the comprehensive plan; vii) Councilman Grossman stated that the Existing Conditions Report included language to consider creating a committee to address resiliency to flooding and felt that it should also be included in this document.

Land Use: i) There was some discussion regarding item 2b, specifically “incentivizing” development versus “encouraging;” ii) Councilman Grossman felt that item 3b should be deleted. John Hozey noted that this item was deleted in the file provided to Summit from the program management group and he was unsure the number of other changes that were not reflected in this document. Ms. Darby stated that she thought all the changes submitted by the program management group had been updated in this document but realized that it had not all been completed. She would review both documents and get the requested changes made; iii) Commissioner Holloway noted, in reference to item 5, that CCMS performed a parking study several years ago. It was noted that CCMS’ study was for the commercial district.

The Council and Commission went on to review the Future Land Use with the following discussion: i) Several corrections in land use classification were noted; ii) It was noted that the PUD classification on the north end of Town showed the lakes as conservation/open space, but the PUD area on the south end did not; iii) It was suggested that the railroad property be depicted as a separate color from the harbor district. Ms. Darby would work with staff to determine the boundaries of the railroad property so this change could be made; iv) John Hozey noted that anything currently being worked on relating to land use should be reflected in the Future Land Use Map; v) Councilman Grossman asked whether the historic downtown mixed-use classification could be extended along Mason Avenue to the hump. It was agreed to do so; vi) The description of the Harbor District showed inclusion of structures up to six stories which exceeded the Town’s current limit. Vice Mayor Bennett noted that some of the existing buildings at the concrete plant were about six stories tall and Council had approved a conditional use permit for a 75’ structure at the plant. There was much discussion regarding reference to stories or height; vii) Katie Nunez cautioned that the comprehensive plan established policy. If we did not want six story buildings, this language needed to be changed. Also, if heights were established, we needed to ensure that emergency vehicles could reach that height. She suggested that the language could go back to a limit of four stories and requests for anything more could be handled individually; viii) John Hozey stated that a lot of territory was included in the Entrance Corridor (in orange) and some additional work was needed in the orange and blue (harbor district) areas; ix) Councilman Grossman stated that the property next to Rayfield’s where the old ballpark was located was shown as M-2 Industrial and asked how to reflect the ultimate desire to not have heavy industry on this parcel. Ms. Darby stated that this was the place to show that. Future Land Use did not affect the current use/zoning. If the zoning was changed, the current use (farming) would be grandfathered unless the use was stopped for a period of two years.

There were no other comments regarding the draft documents reviewed this evening.

Ms. Darby stated that she would ensure that the requested changes from the project management group would be incorporated, and the updated drafts would be provided to the Town prior to making the new changes discussed this evening. The goal was to have the final draft for September review by the public.

Motion made by Commissioner Grossman, seconded by Commissioner McCoy, to close the Planning Commission work session. The motion was approved by unanimous vote.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adjourn the Town Council work session. The motion was approved by unanimous vote.

The joint work session was adjourned at 8:08 p.m.

Planning Commission Chair

Mayor Dize

Town Clerk

**July 12, 2022 Town Council & Planning Commission
Joint Work Session Presentation**

Summit Design and Engineering Services Agenda and Presentation



TOWN OF CAPE CHARLES

COMPREHENSIVE PLAN

JOINT TOWN COUNCIL AND PLANNING COMMISSION WORKING SESSION

Date: Tuesday, July 12, 2022

Time: 6:30pm

Location: Cape Charles Civic Center

1. Introductions
2. Project Overview
3. Feedback and discussion on Existing Conditions and Goals and Objectives documents
4. Description of plan composition
5. Discussion: Draft Future Land Use Map and category descriptions
6. Discussion: Harbor District and the Comprehensive Plan
7. Discussion: Planned Unit Development and the Comprehensive Plan
8. Deliverables and next steps

Richmond Office

2201 W. Broad Street, #204, Richmond, VA 23220

804.204.1022 // www.summitde.com



1

Summit's Team.



Anne Darby, AICP
Project Lead, Planning Manager



Michael Stapor, AICP
Planner II



Noah Holmes Foster
Planner I



Joel Webne
GIS / Graphics Tech

+ Other Summit staff, as needed...

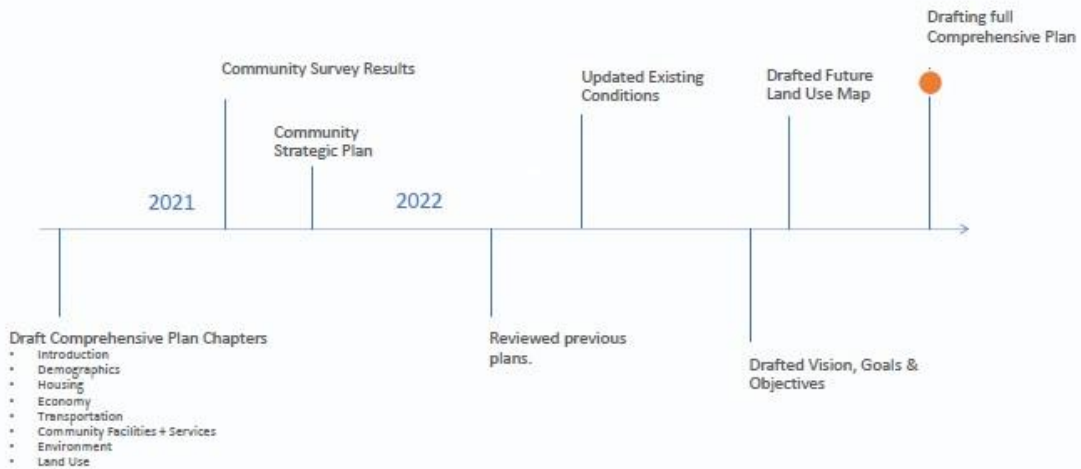
2

The Process So Far (Recap).



3

We are Here.



4

The Process.

```
graph LR; A[Previous Work + Community Strategic Plan 2021] --> B[Cape Charles Comprehensive Plan]; B --> C[Cape Charles Zoning & Subdivision Ordinance];
```

Previous Work + Community Strategic Plan 2021

Cape Charles Comprehensive Plan

Cape Charles Zoning & Subdivision Ordinance

Will be updated according to the new plan.

5

Our Work So Far (Recap).

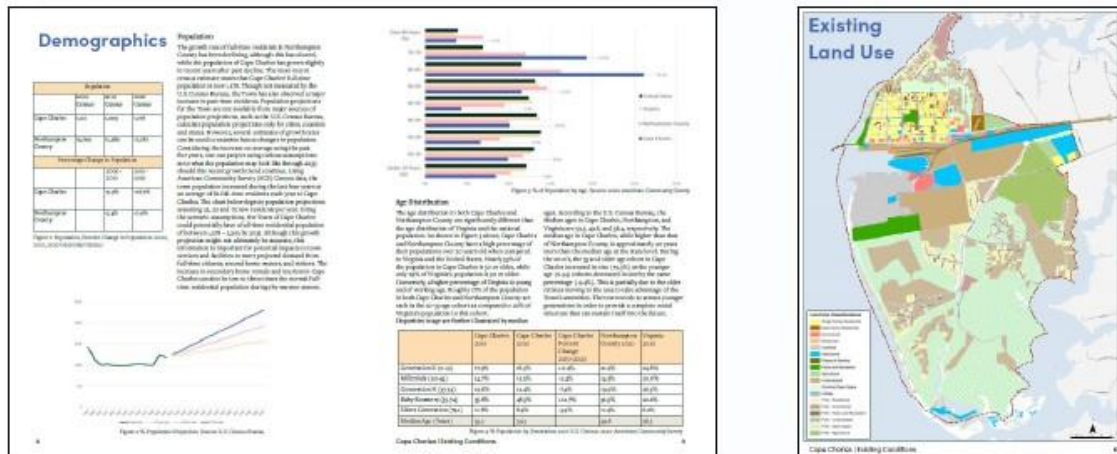
Began Mapping

Reviewed Previous Work

Updated Demographic Information

6

Existing Conditions Update.



7

Vision, Goals, Objectives & Strategies.

"Preserve our historical, natural, and cultural resources, while fostering a sense of community that enhances well-being and prosperity, now and for generations to come"

Vision from Community Strategic Plan

Community Facilities & Services

"Create vibrant community facilities through facilities, active recreation, and youth and programming for individuals of different ages and interests."

1. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
2. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
3. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
4. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
5. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
6. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
7. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
8. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
9. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.
10. Maintain and enhance existing water facilities.
 - a. Enhance water facilities to improve water quality, and to provide for water conservation.
 - b. Enhance water facilities to provide for water conservation.

Draft Strategies per topic area

8

9

Visually appealing with images, explanations, and callout bubbles.
Additional narrative text added.

Looking Ahead.

[illegible]

For Discussion.

1. Draft Future Land Use Map & Category Descriptions.
2. Harbor District & the Comprehensive Plan
3. Planned Unit Development & The Comprehensive Plan

11

Next Steps.

1. Draft the document
2. Public Meetings to review “final” draft
3. Begin Zoning Ordinance rewrite

12