

## **TOWN COUNCIL, PLANNING COMMISSION & HISTORIC DISTRICT REVIEW BOARD**

**Joint Work Session  
Cape Charles Civic Center  
September 29, 2022  
6:30 PM**

At approximately 6:30 p.m. Councilman Buchholz, having established a quorum, called to order the Work Session of the Town Council. In addition to Councilman Buchholz, in attendance were Councilman Grossman, and Councilwomen Holloway and O'Brien. Councilman Follmer arrived at 6:31 p.m. Mayor Dize and Vice Mayor Bennett were not in attendance. Also, in attendance were Paige Pollard and Katie Paulson from Commonwealth Preservation Group, Town Manager John Hozey, Planner & Zoning Administrator Katie Nunez, Planning Technician Tracy Outten, and Town Clerk Libby Hume. There were five 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, in attendance were Commissioners Paul Grossman, Jim Holloway, Dennis McCoy, and Michael Strub. Commissioner Ken Butta was not in attendance and there was one vacancy on the Commission.

Chairman Herb Thom, having established a quorum, called to order the Work Session of the Historic District Review Board. In addition to Chairman Thom, in attendance were Kathy Glaser, David Howgill, Martin Mayer, and Michael Strub.

The purpose of the joint work session was to review and discuss the comments received regarding the draft Historic District Design Guidelines. After discussion of each comment, a determination would be made related to any additional revisions needing to be made to the draft document.

Katie Nunez introduced Mss. Paige Pollard and Katie Paulson. The group reviewed the comment tracking spreadsheet. (Please see attached.)

John Hozey and Katie Nunez thanked everyone for participating in the work session and providing their input.

**Motion made by Herb Thom, seconded by Kathy Glass, to adjourn the Historic District Review Board Work Session. The motion was approved by unanimous vote.**

**Motion made by Commissioner Holloway, seconded by Commissioner McCoy, to adjourn the Planning Commission Work Session. The motion was approved by unanimous vote.**

**Motion made by Councilwoman Holloway, seconded by Councilwoman O'Brien, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.**

The meeting adjourned at 9:21 p.m.

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Mayor William "Smitty" Dize

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Chairman Bill Stramm

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Chairman Herb Thom

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Town Clerk

|              | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>COMMENTER</u>       | <u>CPG Category</u> | <u>CPG Notes</u>                             | <u>ACTION</u>                                                                                                                      | <b>KHN RESPONSE</b> |
|--------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| FRONT COVER  |             | <p>The front cover is misleading. Cape Charles has one of the largest concentrations of turn-of-the-century homes that constitute most of the historic district. It's true that in many tourist towns, visitors like to come and see the walkable historic shopping area, not the residences. But the guidelines are intended for owners of historic properties in the town. In fact, the photo of the historic district on the next page would be a better cover photo.</p> <p>However, if the front cover must remain, please, on the inside of the front cover, indicate the year the photo was taken.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Mike Strub (PC / HDRB) | Graphics            | Need suggestions on alternative cover images | Keep cover.                                                                                                                        |                     |
| INSIDE COVER |             | On the inside cover, it says the guidelines are “designed” to provide opportunities for the board to use its discretion. This word designed should be deleted. The word designed suggests that they’ve been made deliberately vague. But it’s clear from the top of page 1–5 that the board is expected to use its discretion to interpret the guidelines, clear or vague. So even if the guidelines are clearly stated, the board is expected to use discretion in interpreting them.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Mike Strub (PC / HDRB) | Content/Language    | Will review.                                 | Make change.                                                                                                                       |                     |
| WHOLE DOC    |             | I agree with the over arching concept that the guidelines are designed to bring stability and predictability to the historic zone process for maintaining and upgrading the housing stock, and protecting the historic nature/aspect/attributes of the town. That reliability of result was a consistent theme in their making and in public comment. There was some question in the public comments about the difference between fixed rules and guidelines – and I think that still needs more clarity somewhere. I think it is important to state the job of the HDRB is to provide consistent and reliable results/decisions to the town based on the guidelines, but it is also important to emphasize that the HDRB can choose to ignore the guidance in the rare cases where the guidance just doesn’t fit the circumstances or best interests of the town. It’s not that this should be used often, but there is often a dogma attached to guidelines over time and that can create inflexibility and ability to adapt, and in my opinion that occasional flexibility also needs to be protected in here so there is not a public explosion on the occasions where it is needed/applied. | David Howgill (HDRB)   | Comment Only        |                                              | Insert language to explain difference between standards and guidelines. Paige has picture of language from Paul/NPS (DG guidance). |                     |
| WHOLE DOC    |             | Be sure to point out that the negative examples are not from Cape Charles. When examples from Cape Charles are used to illustrate, include the address. This was done in some cases but not all.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Ken Butta (PC)         | Content/Language    | Will add.                                    | Make change.                                                                                                                       |                     |
| WHOLE DOC    |             | My final general comment is to be definitive wherever possible in the document.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Sam Jones - Public     | Comment Only        |                                              |                                                                                                                                    |                     |
| WHOLE DOC    |             | <p>Correct the acronym for Historic District Review Board - should be HDRB and not HRDB</p> <p>Capitalization of this term needs to be consistently capitalized and/or fully utilized when referencing: "Historic District Overlay Ordinance" ; "Planning &amp; Zoning Department"</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Martin Mayer (HDRB)    | Grammar/Technical   | Will fix.                                    | Make change.                                                                                                                       |                     |
| WHOLE DOC    |             | Several acronyms (VLR and NRHP) are used throughout the document prior to being introduced and explained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Martin Mayer (HDRB)    | Grammar/Technical   | Will fix.                                    | Make change.                                                                                                                       |                     |

|              | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                             | <u>COMMENTER</u>       | <u>CPG Category</u> | <u>CPG Notes</u>              | <u>ACTION</u>                                                                                                                                                                                                                                                                                                                                                                         | <u>KHN RESPONSE</u> |
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| WHOLE<br>DOC |             | <p>General Questions:</p> <p>A. Alleys? Addressed on pg. 2-3 but not up-front. Mention public right-of-way.</p> <p>B. Pg. 1-8 - Historic District Boundary missing much of Washington, Jefferson and No. Peach and Fulcher. Why the Change? This will create issues.</p> <p>C. IS the contributing structure date to be static?</p> <p>D. Are we doing away with preapproval hearings?</p>                                 | Martin Mayer<br>(HDRB) |                     |                               | <p>1. Ok as is; 2. Ok; 3. Yes unless NRN is updated again - using NRN inventory as master C/NC list - <b>add language to clarify C/NC status - include caveat that it may be updated again in the future</b>; 4. Pre-application meetings being kept and being done with each application. <b>Make sure this is clear in guidelines - "strongly encouraged" but not required.</b></p> |                     |
| Chapter 1    | Pg. 1-2     | <p>The photo at the bottom of page 1–2 could be the cover photo since it encompasses a large portion of the historic district.</p> <p>However, if it remains as figure 1.1, it should be referenced in the text. All other figures in the documents should be referenced in the text.</p> <p>Most but not all of the pictures in the text are labeled as figures. Not sure why some photos are not labeled as figures.</p> | Mike Strub (PC / HDRB) | Graphics            | Will correct for consistency. | Make change; add date and year to all images (when known).                                                                                                                                                                                                                                                                                                                            |                     |
| Chapter 1    | Pg. 1-3     | Last sentence: “including archaeological resources in its preservation planning programs” Reference 3 – if this is a direct quote, ok. Note that we do not address anything archaeological in our design guidelines or ordinances.                                                                                                                                                                                         | Paul Grossman (TC/PC)  | Grammar/Technical   | Will review.                  | Check with Katie.                                                                                                                                                                                                                                                                                                                                                                     | DELETE              |
| Chapter 1    | Pg. 1-4     | 1st sentence in yellow box reads "The goal of the Historic district and the Historic district review board is to <u>help</u> maintain the authentic character..." The word “help” should be deleted.                                                                                                                                                                                                                       | Mike Strub (PC / HDRB) | Content/Language    | Will review.                  | Make change.                                                                                                                                                                                                                                                                                                                                                                          |                     |
| Chapter 1    | Pg. 1-4     | In yellow box, 2nd paragraph, 2nd sentence: it reads "They are not intended to prevent property owners from making changes to their property." Change sentence to read “They are intended to assist property owners in making changes to their property which enhance the historic qualities... - merge it with the 3rd sentence.                                                                                          | Mike Strub (PC / HDRB) | Content/Language    | Will review.                  | No change - directly from guiding philosophy.                                                                                                                                                                                                                                                                                                                                         |                     |
| Chapter 1    | Pg. 1-4     | Reference to 1884 – this may be nitpicking but our ordinance (8.3) states 1883. First CC National Register provided ‘1880’s’ with significant start 1883-1884. Updated register indicates RR track first laid 1884. 1884 is OK but ordinance to be updated for consistency.                                                                                                                                                | Paul Grossman (TC/PC)  | Grammar/Technical   | Will review.                  | Make sure is consistent throughout document.                                                                                                                                                                                                                                                                                                                                          |                     |
| Chapter 1    | Pg. 1-4     | Wrong authorizing zoning ordinance Article VII instead of VIII.                                                                                                                                                                                                                                                                                                                                                            | Martin Mayer (HDRB)    | Grammar/Technical   | Will review.                  | Will fix.                                                                                                                                                                                                                                                                                                                                                                             |                     |
| Chapter 1    | Pg. 1-5     | "New construction...will have separate guidelines". Are these guidelines only to be used for designated historic properties within the historic overlay?                                                                                                                                                                                                                                                                   | Kathy Glaser (HDRB)    |                     |                               | Insert language to clarify guiding philosophy statement regarding NC and New Construction.                                                                                                                                                                                                                                                                                            |                     |

|           | <u>PAGE</u>         | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <u>COMMENTER</u>      | <u>CPG Category</u>                             | <u>CPG Notes</u>             | <u>ACTION</u>                                                                                                                                                                         | <u>KHN RESPONSE</u>                                  |
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| Chapter 1 | Pg. 1-8 & 1-9 (MAP) | We definitely need to expand the historic district overlay to include up to Washington Stret and the Harbor Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Kathy Glaser (HDRB)   | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 | YOU HAVE CAPTURED THE DISTRICT BOUNDARIES CORRECTLY. |
| Chapter 1 | Pg. 1-8 & 1-9       | Current aerial - NO. How Old is the map?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Martin Mayer (HDRB)   | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 |                                                      |
| Chapter 1 | Pg. 1-8 & 1-9 (MAP) | the historic district should be from Bay Ave to Fulcher street and from Mason Ave to Washington Ave                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Jim Holloway (PC)     | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 |                                                      |
| Chapter 1 |                     | A. Find map or have TC approve new map. Update to a more recent map (shouldn't show Northampton Golf course)<br>B. Nice job with philosophy of conservation vs. preservation<br>C. 1-4 references Article 7 - should be Article 8                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Ken Butta (PC)        | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 |                                                      |
| Chapter 1 | Pg. 1-8 & 1-9 (MAP) | Following the discussion at the public forum about the map and boundaries of the Historic Overlay District, at a minimum the Overlay district should include the area from Mason to Washington and Fig to Bay including both sides of Mason and Washington. Areas between Mason and the Harbor should also be included based on the history of the Town and the need to be sure that any development is compatible with the Town. Err on the side of being more inclusive to preserve entrances into, and viewsapes from, the Town.                                                                                                                                                                                                                                                                                                                                                                         | Sam Jones - Public    | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 |                                                      |
| Chapter 1 | Pg. 1-8 & 1-9 (MAP) | Chapter 1 overlay map – with lack of ‘official’ overlay, our existing design guidelines have a map that enlarges the register’s boundary. I would like to have our official map reflect the inclusion to the north to include Washington (centerline of avenue) and exclude properties on the northside. At the present time, we enveloped the Coast Guard area on the north side but all has been removed and any significance to historic character is lost. We have other properties on the northside of Washington that are excluded. I would also propose the boundary on the southside be extended 140 ft south of Mason Avenue to capture new stores being built along ‘Main Street’ all the way to the hump. The corner ‘Tavey property’ should be included in the Harbor overlay, and removed from the Historic District along with 140 ft south of Mason. Historic and Harbor should not overlap. | Paul Grossman (TC/PC) | Requires Internal/Town discussion and consensus | Awaiting feedback from Town. | North boundary down middle of Washington (S side in, N side out); South boundary TBD.                                                                                                 |                                                      |
| Chapter 2 | Pg. 2.13            | Length of COA - 6 months vs. 12 months - need to revise the CCZO Section 8.29 if expires in 6 months. Also, there is a typo further down the page on 2.13                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Martin Mayer (HDRB)   | Grammar/Technical                               | Awaiting feedback from Town. | 6 months good. See also Lines 24, 27, 42-43. From staff perspective, this syncs with building permit and inspections, which extends life of permit; illustrates progress/performance. |                                                      |

|           | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                                                                                                                       | <u>KHN RESPONSE</u> |
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| Chapter 2 | Pg. 2.13    | Need to define what progress is in the implementation of a CofA. Retain consistency with the CCZO where we define what is considered progress on an approved permit (Section 4.3 - Conditional Use Permit)<br><br>It reads: To be considered acted upon, one or more of the following is required: (1) The procurement of a Cape Charles Building Permit; (2) Payment of Water and Wastewater Connection and Facility Fees; (3) Completed Plans stamped by a Virginia Licensed Professional                                                                                                                                              | Katie Nunez (Staff)   | Content/Language    | Will review.     | See Line 23.                                                                                                                                                        |                     |
| Chapter 2 | Pg. 2.2     | “Before beginning your project, it is <del>necessary</del> <b>recommended</b> to schedule a ‘Pre-Application Meeting’...                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Ken Butta (PC)        | Grammar/Technical   | Will review.     | Make change.                                                                                                                                                        |                     |
| Chapter 2 | Pg. 2.4/2-5 | Actions that do not require a COA – limit to first 5 on the list (Repainting, Replacement in kind, Addition or deletion of storm windows, etc., Addition or deletion of antennas or skylights, Landscaping) plus the last (emergency repairs)<br><br>Minor Actions - add 4 from previous list (landscaping with minor grading, etc; construction of off-stret loading areas and off-stret parking areas; creation of outside storage in a commercial or industrial district; additions or deletions to existing buildings which are not visible from a public street or sidewalk) and add the word enclosure to the outdoor shower item. | Ken Butta (PC)        | Grammar/Technical   | Will review.     | Make change; make sure three "buckets" are clear in text. Double check language in this section for clarity.                                                        |                     |
| Chapter 2 | Pg. 2.5     | I like the decrease in time from 1 year to 6 months.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ken Butta (PC)        | Comment Only        |                  | See Line 23.                                                                                                                                                        |                     |
| Chapter 2 | Pg. 2-1     | Agree with the comment in Section 2.1 that the guidelines, in what ever form adopted, should be consistently applied. It may be that some things approved in the past are no longer allowed but that that should not be the reason to approve something that is no longer allowable.                                                                                                                                                                                                                                                                                                                                                     | Sam Jones - Public    | Comment Only        |                  |                                                                                                                                                                     |                     |
| Chapter 2 | Pg. 2-1     | Need to add that all members of HDRB must be citizens in accordance with Article VIII and bylaws.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Paul Grossman (TC/PC) | Content/Language    | Will add.        | Make change. Define "citizen" - votes here, "registered voter in the Town of Cape Charles." 5 registered voters, at least 3 of which live in the historic district. |                     |
| Chapter 2 | Pg. 2-10    | It says any addition that increases square footage needs a COA.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Kathy Glaser (HDRB)   | Comment Only        |                  | Clarify in major action/substantial list.                                                                                                                           |                     |
| Chapter 2 | Pg. 2-10    | It is possible that an appeals may be filed by someone other than the applicant. This should be noted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Katie Nunez (Staff)   | Content/Language    | Will add.        | Make sure flow charts are clear. Add language from ordinance. <b>Remove admin review appeal - just goes to HDRB.</b>                                                |                     |
| Chapter 2 | Pg. 2-11    | In the graphic, it should be noted that the application may be denied in whole or components of it and the denial pieces may be apealed. In addition, if approved with conditions, the conditions could be the basis of the appeal, as well.                                                                                                                                                                                                                                                                                                                                                                                             | Katie Nunez (Staff)   | Graphics            | Will clarify.    | Make sure flow charts are clear.                                                                                                                                    |                     |
| Chapter 2 | Pg. 2-2     | "Review Board ...three members are required to residents of the historic district". What about the other two members? Do they have to live in town?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Kathy Glaser (HDRB)   | Content/Language    | Will clarify.    | See Line 29.                                                                                                                                                        |                     |
| Chapter 2 | Pg. 2-3     | A link should be provided to town’s website for COA application.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Paul Grossman (TC/PC) | Comment Only        | Will add.        | Make change.                                                                                                                                                        |                     |



|           | <u>PAGE</u>   | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                             | <u>KHN RESPONSE</u> |
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| Chapter 2 | Pg. 2-3       | Major Actions Requiring Review by the HDRB – 3 <sup>rd</sup> bullet should be broken into two bullets for clarity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Paul Grossman (TC/PC) | Grammar/Technical   | Will review.     | Make Change.                              |                     |
| Chapter 2 | Pg. 2-3       | Are we doing preplanning meetings?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Kathy Glaser (HDRB)   | Content/Language    |                  |                                           |                     |
| Chapter 2 | Pg. 2-4       | “..provides that the applicant <i>or any aggrieved party demonstrating impact</i> has...” – to make consistent with ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Paul Grossman (TC/PC) | Content/Language    | Will add.        | See line 31.                              |                     |
| Chapter 2 | Pg. 2-4       | "Therefore, the TC is only obligated to determine whether or not a procedural or application error has occurred in rendering the initial decision and not to override the independent judgement of the HDRB.” I would also add “TC will only review the specific aspect(s) of the application that is being appealed.” Meaning that TC will not stray to other aspects of the application that HDRB has already approved. Words to this effect, if adopted, need to be inserted into ordinance. Commentary observation: Note the following example: After the fact (no prior HDRB review or applicant decides to deviate from an approved COA, applicant installs vinyl windows on contributing structure that HDRB does not agree to and requires window removal. Per these words, TC would not override HDRB.                                                                                                                 | Paul Grossman (TC/PC) | Content/Language    | Will review.     | Will review.                              |                     |
| Chapter 2 | Pg. 2-4 & 2-5 | Maintenance work that does not require a COA - patching of a roof (but a wholesale replacement of roof does require a COA which could be granted administratively if the material is like for like but otherwise will require HDRB Review). If the proposed maintenance work involves a new or altered structure of any kind (fencing, additions/deletions of structures/buildings) it still requires zoning review but may not be subject to a CofA under the Historic District. When considering work in the Historic District, zoning review is required for compliance with all of the chapters of the CCZO as well as Article VIII of the CCZO and the Guidelines.<br><br>It would be useful if this information can be shown additionally in a different format, such as a three column side by side chart of 1) Maintenance Work- No CoA; 2) Minor Work- Administrative Approval CoA; 3) Major Work - HDRB Approval CofA | Katie Nunez (Staff)   | Content/Language    |                  | Create cheat sheet with this information. |                     |

|           | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                                                                           | <u>KHN RESPONSE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| Chapter 2 | Pg. 2-5     | Under “actions that do not require a COA”, should showers be added to the bullet on Landscaping since these enclosures are not that different in size from fencing that might be placed around trash receptacles or outdoor ventilator units.                                                                                                                                                                                                                                                                                                                           | Sam Jones - Public    | Content/Language    |                  | Katie to send good examples; include showers specifically as an example of new features that require screening/fencing. | If the property owner wants to enclose the outside shower space only, I have attached an example of what would be acceptable. If the property owner wants to provide the "privacy sought" for an outside shower, it can also be accomplished through fencing of the yard - in the backyard, the height of said fencing is allowed up to 6 feet; in the side yard, height of fencing is up to 4 feet. I have attached a word document with a photo of a recently approved Enclosed Outdoor Shower. |
| Chapter 2 | Pg. 2-5     | Clarify that minor work like replacing or repairing siding with like materials does not require a COA or administrative approval. As an example, when houses in town are being painted it is not unusual to find individual boards that need repair or replacement. It would be challenging to stop a painting project to get approval for this type of repair.<br><br>Note that the above items on page 2-5 if accepted will require some language changes to page 2-7 as well.                                                                                        | Sam Jones - Public    | Content/Language    |                  | Will change.                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Chapter 2 | Pg. 2-5     | The proposed change that would have a COA expire after six months is likely to just make work for both the property owner and staff. COA’s are usually requested at the schematic design level. Once approved, the AE then needs to compete design as well as construction documents. The property owner then needs to find a contractor and get on the contractor’s schedule. Given the limited number of architects and contractors on the Shore, it can be difficult to meet the six month timeline. I suggest that the one year timeline currently in place remain. | Sam Jones - Public    | Comment Only        |                  | See Line 23.                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Chapter 2 | Pg. 2-5     | 6 months expiration to COA, with possible extension of another 6 months – ordinance will have to change.                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Paul Grossman (TC/PC) | Comment Only        |                  | See Line 23.                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Chapter 2 | Pg. 2-5     | Para. 3 - Solar collectors not visible from street do not need COA. This is a change?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Kathy Glaser (HDRB)   | Comment Only        |                  |                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                     | PAGE     | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | COMMENTER              | CPG Category      | CPG Notes | ACTION                                                                                                                                                                                                  | KHN RESPONSE                                                                                                                                                                                                                                               |
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| Chapter 2                           | Pg. 2-5  | Para. 5 - Says off street parking do not need COA but in Section 8 driveways need board review.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Kathy Glaser (HDRB)    | Content/Language  |           | Can remove, look at R1 zoning - everything that's allow in R1 would be appropriate in HOD. Ok with it being called "hardscaping." Town to add language to ZO related to hardscaping, minimum standards. |                                                                                                                                                                                                                                                            |
| Chapter 2                           | Pg. 2-5  | Para. 7 - "Additions to existing building...not visible" do not need COA? So, if I add an addition to the back of my house that is not visible then I do not need a COA?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Kathy Glaser (HDRB)    | Content/Language  |           |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                            |
| Chapter 2                           | Pg. 2-6  | At the top of the flow chart, it says that if the zoning administrator denies the application the applicant can appeal to the HDRB. I don't think this is appropriate for the HDRB. I think it should be appealed to the board of zoning appeals.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Mike Strub (PC / HDRB) | Content/Language  |           |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                            |
| Chapter 2                           | Pg. 2-7  | A non-substantial alteration is defined as one which is not a substantial alteration. That's a circuitous definition.<br><br>Did not know that the Cape Charles National Register Historic District was updated by the 2017 survey.<br><br>Did not know that outdoor showers only needed administrative approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Mike Strub (PC / HDRB) | Content/Language  |           | Requires an ordinance revision. Katie to review.                                                                                                                                                        | I don't know what change is being sought since we did update CCZO Section 8.3 to reflect the updated inventory done in 2017 and revised the years of signifance to now go from 1883 to 1964, again done as a result of the updated inventory done in 2017. |
| Chapter 2                           | Pg. 2-7  | "Construction of outdoor showers which are consistent with the guidelines". We have no guidelines for showers.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Kathy Glaser (HDRB)    | Content/Language  |           | See Line 40.                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |
| Chapter 2<br>Chapter 5<br>Chapter 8 |          | Solar<br>Solar is changing fast and will soon be available as shingles to match existing roofs/material etc. The more it advances the more restrictive our guidelines will be on homeowners, and it is unlikely our guidelines will be changed to keep up – so we should address this now. The Guideline should be, as now, that solar is permitted if not a visible intrusion from public areas etc, and not harmful to the building – but the guideline should state now that case by case exceptions to this can be made in the future to allow adaptation to new technology, as long as it is in keeping with the historic aspect of the town (as always). Why? Half the town has roofs facing the wrong way today to be eligible for solar under our rules (it would be street visible to be viable) – as technology allow it to match into the shingle roof and be 100% rectifiable we would be remiss to bar half the town from taking advantage of this – if not we are potentially limiting both their rights and their property value in the future (not the case today where solar is an addition to the roof an a construction, vs an integrated part of it that is not obviously visible). Basically prep the guidelines for what we know is coming. | David Howgill (HDRB)   | Content/Language  |           | Add flexibility in language to allow Town to adapt to changes in technology over time. "Visually indistinguishable" - tie to Alternative Material flow chart (as roof replacement).                     |                                                                                                                                                                                                                                                            |
| Chapter 3                           | Pg. 3-10 | Para 1 VLR & NHRP need to be spelled out                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Dennis McCoy (PC)      | Grammar/Technical |           | Make change.                                                                                                                                                                                            |                                                                                                                                                                                                                                                            |



|           | <u>PAGE</u>    | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                    | <u>COMMENTER</u>       | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                                                                              | <u>KHN RESPONSE</u> |
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| Chapter 3 | Pg. 3-2        | The illustration tries to put all eight features on the same scene. It's too confusing. Each feature is considered separately in the pages which follows. That's a better way to proceed. Might then be possible to combine them at the end.                                                                                                      | Mike Strub (PC / HDRB) | Graphics            |                  | Will review.                                                                                                               |                     |
| Chapter 3 | Pg. 3-2        | Although identified elsewhere, please spell out VLR and NRHP.                                                                                                                                                                                                                                                                                     | Paul Grossman (TC/PC)  | Grammar/Technical   |                  | Make change.                                                                                                               |                     |
| Chapter 3 | Pg. 3-2        | Page 3-10, typo 'in to' to 'into'.                                                                                                                                                                                                                                                                                                                | Paul Grossman (TC/PC)  | Grammar/Technical   |                  | Make change.                                                                                                               |                     |
| Chapter 3 | Pg. 3-26       | The term no discernible style is briefly replaced with no clear style only two refer the reader to the buildings in no discernible style. Just stick with no discernible stylin don't introduce a new term only to not use it.                                                                                                                    | Mike Strub (PC / HDRB) | Content/Language    |                  | Make change.                                                                                                               |                     |
| Chapter 3 | Pg. 3-4        | Para 1, VLR & NRHP need to be spelled out                                                                                                                                                                                                                                                                                                         | Dennis McCoy (PC)      | Grammar/Technical   |                  | Make change.                                                                                                               |                     |
| Chapter 3 | Pg. 3-7        | Para 1, VLR & NRHP need to be spelled out                                                                                                                                                                                                                                                                                                         | Dennis McCoy (PC)      | Grammar/Technical   |                  | Make change.                                                                                                               |                     |
| Chapter 3 | Pg. 3-8 & 3-10 | Seems like there are a few pages in this section out of order; specifically, 3-10 should precede 3-8.                                                                                                                                                                                                                                             | Martin Mayer (HDRB)    | Graphics            |                  | Make change.                                                                                                               |                     |
| Chapter 3 |                | Nice job explaining styles and features, good examples especially referencing street numbers so people can see the example in person                                                                                                                                                                                                              | Ken Butta (PC)         | Comment Only        |                  |                                                                                                                            |                     |
| Chapter 4 | Pg. 4.4        | Table at top – refers to cleaning masonry under “Woodwork General”                                                                                                                                                                                                                                                                                | Ken Butta (PC)         | Content/Language    |                  | Make change.                                                                                                               |                     |
| Chapter 4 | Pg. 4.5        | Table at top – should title say “Sample Maintenance Checklist for Windows, Doors & Storefronts”?                                                                                                                                                                                                                                                  | Ken Butta (PC)         | Content/Language    |                  | Make change.                                                                                                               |                     |
| Chapter 4 | Pg. 4.5        | Commercial Storefront 2.c. – damaged glass should be replaced with tempered glass                                                                                                                                                                                                                                                                 | Ken Butta (PC)         | Content/Language    |                  | Make change.                                                                                                               |                     |
| Chapter 4 | Pg. 4-13       | Para 2 the word a should be the word as                                                                                                                                                                                                                                                                                                           | Dennis McCoy (PC)      | Grammar/Technical   |                  | Make change.                                                                                                               |                     |
| Chapter 4 | Pg. 4-3        | Commentary observation: reference to ‘qualified mason’ is great but rarely does one hire one that restores historic surfaces. Not recommending any changes, but this will not change current practice here in Cape Charles.                                                                                                                       | Paul Grossman (TC/PC)  | Comment Only        |                  | Add language to point folks in the right direction to products - match color, strength, composition, joint profile, etc... |                     |
| Chapter 4 | Pg. 4-4        | Replacement with moisture-resistant replacement wood to prevent premature deterioration such as Accoya, cedar, cypress or mahogany. All very expensive and hard to get. Will administrative review require only this type of material or equivalent? ‘Preferably’ may be a better choice of word. This should be addressed throughout the report. | Paul Grossman (TC/PC)  | Content/Language    |                  | Leave as is.                                                                                                               |                     |
| Chapter 4 |                | I like the educational aspect. It provides information about the materials that many people won't know.                                                                                                                                                                                                                                           | Ken Butta (PC)         | Comment Only        |                  |                                                                                                                            |                     |
| Chapter 4 |                | Chapter 4 is Administrative Review, not part of the HDRB design guidelines. Move to back of document.                                                                                                                                                                                                                                             | Mike Strub (PC/HDRB)   | Content/Language    |                  | Leave as is.                                                                                                               |                     |
| Chapter 4 |                | Chapter 4 title contains ‘Administrative Review’. People can perform normal maintenance and repair on homes without engaging town staff review per Section 8.17 of Article VIII. A broken window pane, fixing roof tiles, etc does not require COA from administrator.                                                                            | Paul Grossman (TC/PC)  | Content/Language    |                  | Make change - remove review guidance from chapter titles.                                                                  |                     |
| Chapter 5 | Pg. 5-12       | Figure 5.11 - chimney on right side the picture looks like it is visible from the public right of way.                                                                                                                                                                                                                                            | Mike Strub (PC/HDRB)   | Graphics            |                  |                                                                                                                            |                     |

|           | PAGE               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | COMMENTER             | CPG Category | CPG Notes | ACTION                                                                         | KHN RESPONSE |
|-----------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|--------------|-----------|--------------------------------------------------------------------------------|--------------|
| Chapter 5 | Pg. 5-19 thru 5-22 | <p>windows.</p> <p>A) I think the guidance needs to be based more on appearance and less on the technicality of which side of the glass a muntin etc might be. Newer windows often have muntins between the glass, and as opposed to the obvious strips of old (fake muntins) these are effectively a modern version of a traditional muntin. I do not think this type of thing needs to be specifically addressed, for muntins or other window elements – but it does need to be better addressed that new materials/window types that are in visual accordance with the historic norms should be easier for homeowners to adapt (and in fact is something that should eventually be able to be approved by staff if clearly in keeping). Just a personal opinion, I know not everyone agrees here – but windows are a huge part of a house maintenance and a huge cost to a homeowner to repair/replace – we should be helping here as much as possible.</p> <p>B) The guidance currently leans to only replacing a window when absolutely necessary. The thought behind it is to keep as much history as possible, but actually most houses in town have a mish-mash of windows from different eras that are clearly neither historic nor providing any visual advantage or continuity. It is my option that in many cases it is more practical, and more in keeping for the town, to allow a homeowner to update/replace several or even all the windows at the same time – as long as they are not removing a historic element (visually or practically). This will actually help the town as houses with matching windows is better for the owner (energy/home value etc) and better the town (historic street appeal – they were not built with 6 different types of window – it's just not historically accurate, so let's help correct past errors vs enshrining them). Yes there are exceptions to this, as there are to any guideline/rule – but currently I think we err on the side of difficulty and protecting past errors vs aiding the homeowner and</p> | David Howgill (HDRB)  | Comment Only |           |                                                                                |              |
| Chapter 5 | Pg. 5-3            | Figure 5.6 specifies that commercial facades can have character-defining features. They should be retained and remain uncovered. Commentary observation: Note that this would eliminate applications that request balconies on the second floor. Just want people to realize this since balconies have been requested on Mason buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Paul Grossman (TC/PC) | Comment Only |           |                                                                                |              |
| Chapter 5 | Pg. 5-4            | Guidelines for Wood Siding & Trim Window –Implementing a 2.5” thickness on replacement sills seem excessive. Same comment goes for window trim minimum of 3.5 inches vs 3”. What is the historical bases for these thickness selections? Thicknesses should match existing dimensions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Paul Grossman (TC/PC) | Comment Only |           | Change to minimum 1.5" sill                                                    |              |
| Chapter 5 | Pg. 5-4.2          | Porch steps and flooring – Commentary observation: note that there is no requirement for running floor boards perpendicular to the house which is acceptable. Boards should be run based on how structural under members are run to support. From this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Paul Grossman (TC/PC) | Comment Only |           | Match the historic orientation - so you don't reinstate a bad existing repair. |              |
| Chapter 5 | Pg. 5-4.2          | Porch screening – Now that screening is addressed in the guidelines, screen criteria should be removed from zoning ordinance, Section 3.2.H.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Paul Grossman (TC/PC) | Comment Only |           |                                                                                |              |
| Chapter 5 | Pg. 5-40           | Building height. Many old buildings have 7 ft ceilings. New buildings are often put on raised foundation and have 8-9 ft. ceilings so they will be more than 10% taller.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Kathy Glaser (HDRB)   | Comment Only |           | In Zoning Ordinance - keep as is.                                              |              |

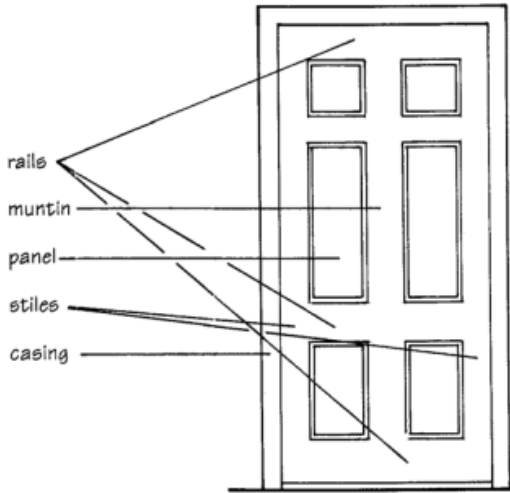
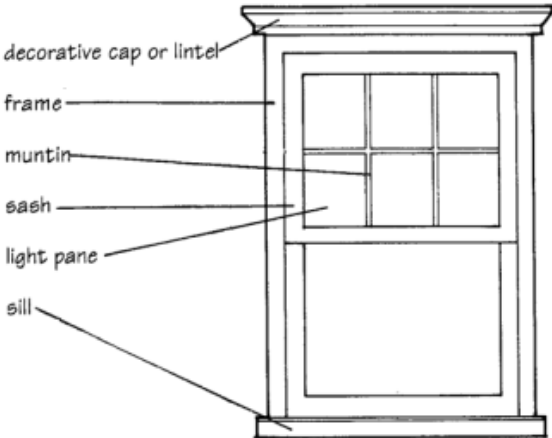
|                        | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                                | <u>KHN RESPONSE</u> |
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| Chapter 5              | Pg. 5-5.4   | New windows & Door Openings – Item 3 – “New door openings should not be designed to alter the presence and function of historic primary entries.” We allowed a second storefront door on a business establishment on Peach Street that was repurposing the building. Was this not appropriate per these guidelines?                                                                                                                                                                                       | Paul Grossman (TC/PC) | Comment Only        |                  | Leave as is.                                                                 |                     |
| Chapter 5              | Pg. 5-6     | Para 2.d – Figures depicted are great. However, 2.d indicates new additions should not be visible or should be minimally visible from the public right-of way. I would suggest deleting since this contradicts the first figure showing appropriate locations. As worded, 2.d would prohibit any side additions which should not be the case.                                                                                                                                                             | Paul Grossman (TC/PC) | Graphics            |                  | Update wording - as feasible to not be visible from the public right of way. |                     |
| Chapter 5              | Pg. 5-6     | Para 4.b – “simulated divided lights should have dimensional muntins or grills on the exterior of the glass, rather than between the panels.” This should be a requirement only if existing windows on the contributing building have muntins on the exterior.                                                                                                                                                                                                                                            | Paul Grossman (TC/PC) | Content/Language    |                  | Leave as is.                                                                 |                     |
| Chapter 5              | Pg. 5-9     | Para 2 – typo, remove the second 2.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Paul Grossman (TC/PC) | Grammar/Technical   |                  | Make change.                                                                 |                     |
| Chapter 5              |             | Chapter 5 states that these are all items that are under Board review. It seems to, in tone, contradict the philosophy stated in chapter 1. While it doesn’t ban newer materials, it does strongly discourage them.<br><br>Phrases like "if necessary" (5.2.1.a) will lead to debates of what is necessary. The homeowner will have a different viewpoint from the Board.<br><br>5.2.1 includes a review of satellite dish locations<br><br>Gutters and Downspouts should be under administrative review. | Ken Butta (PC)        | Content/Language    |                  |                                                                              |                     |
| Chapter 5              | Pg. 5-5/5-6 | Contributing Structure section - don’t think it’s possible to add dormers without there being visible from public right away.                                                                                                                                                                                                                                                                                                                                                                             | Mike Strub (PC/HDRB)  | Content/Language    |                  | Leave as is.                                                                 |                     |
| Chapter 5 & Appendix C | Pg. 5-14    | Section 5, page 5-14, and Appendix C language—1) Remove vinyl regardless of thickness from the list of minimum material standards, and 2) move the language that states that vinyl is an inappropriate material from Appendix C to the main body of the document. Going forward, vinyl siding should not be approved for any contributing or non-contributing structure within the Historic District Overlay.                                                                                             | Sam Jones - Public    | Content/Language    |                  |                                                                              |                     |
| Chapter 6              | Pg. 6-1     | New Acc Structures, Para 1.c – ‘limit size to ensure that they are not visible from the public right-or way...’. Suggest ‘limited or minimal visibility from the ....’.                                                                                                                                                                                                                                                                                                                                   | Paul Grossman (TC/PC) | Content/Language    |                  | Make change.                                                                 |                     |

|           | <u>PAGE</u>   | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>COMMENTER</u>         | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                                            | <u>KHN RESPONSE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| Chapter 6 | Pg. 6-1 & 6-2 | Contributing Accessory Structure – We need to add that a contributing structure only will be treated as a contributing structure if It is not being used as, or being considered for, accessory dwelling units. Section 8.16.B.3. The intent with this recent add to the ordinance was that an ADU would trump a contributing accessory structure, allowing residents to convert per our comp plan accessory structures into ADUs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Paul Grossman<br>(TC/PC) |                     |                  | Need more direction from Town.                                                           | Amend Zoning Ordinance Section 8.16 (B) (3) to read: "The designation of an "Contributing Accessory Structure" in the inventory compiled pursuant to CCZO Section 8.3 does not preclude the onversion of use of an existing accessory structure to an Accessory Dwelling Unit, pursuant to CCZO Section 4.2(J)." This places this fully within the zoning ordinance and nothing needs to be included in the guidelines since it will be part of the zoning ordinance review and compliance.                                                                                                                       |
| Chapter 6 |               | <p>CONTRIBUTING ACCESSORY BUILDINGS</p> <p>As the new guidance stands, a Contributing Accessory Structure associated with a Contributing Primary Building is treated of equal import to the primary building itself. I find this to be very limiting for homeowners moving forward. The nature of accessory buildings around town varies widely, and many are ostensibly unusable as they stand today. It is my belief that they should be treated less strictly than primary buildings; whether that means they are separated out under guidance or whether the guidance is marked that the board has more leeway (case by case) on accessory buildings is up to the town – but where we have limited options for homeowners already to expand I think this is quite harsh for the future. (nothing to do with whether it is garage/rental/accessory dwelling etc – that is all zoning, my topic here is how historically “contributory” is a building that can not effectively service it’s function for the homeowner)</p> | David Howgill<br>(HDRB)  | Comment Only        |                  | Discuss visibility with Katie. Add visibility from public ROW. Particularly down alleys. | <p>I am fine to add in Chapter 6, Page 6-6 (C) so that it reads: "Limit the size of new accessory structures ot ensure that they are not visibile from the public right of way, <b>including alleys</b>, and do not impact the character of the primary building." This is already stated in the CCZO Section 8.17 (H) {Certain Minor Actions Exempted from Review by the Historic District Review Board} which currently states that "Additions or deletions to an existing building which are not visible from a public street or sidewalk. Alleys in this context are not to be considered public places."</p> |
| Chapter 6 |               | 6.1.3 & 4 Mention matching color. Does composition mean type of material? This would eliminate using composite material.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Ken Butta (PC)           | Content/Language    |                  | Will review.                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Chapter 6 |               | Chapter 6, Accessory Structures, will be an Administrative Review chapter, not a board review chapter (Based on proposed changes).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Mike Strub<br>(PC/HDRB)  | Comment Only        |                  |                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|            | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                          | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u> | <u>ACTION</u>                                                              | <u>KHN RESPONSE</u>          |
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| Chapter 7  |             | Documentation of building prior to demolition - how much does this cost to meet this HABS III standard? Is this necessary for our purposes?                                                                                                                                                                                                                             | Ken Butta (PC)        | Content/Language    |                  | Leave as is.                                                               |                              |
| Chapter 8  | Pg. 8.2     | Allow vinyl fencing, don't allow chain link.                                                                                                                                                                                                                                                                                                                            | Ken Butta (PC)        | Comment Only        |                  | Will remove. Includes Graphic 8.6                                          |                              |
| Chapter 8  | Pg. 8.4.3   | Remove chain link as a screening material.                                                                                                                                                                                                                                                                                                                              | Ken Butta (PC)        | Content/Language    |                  | See Line 89.                                                               |                              |
| Chapter 8  | Pg. 8.5.2   | Drop requirement for a certified arborist - too difficult to get.                                                                                                                                                                                                                                                                                                       | Ken Butta (PC)        | Content/Language    |                  | Will remove. Reference tree ordinance?                                     |                              |
| Chapter 8  | Pg. 8-4     | Remove language that allows chain link fences for use in rear or side yards of mid-block lots. Property owners have worked to remove chain link fences around down and the Town is better for it. While the visual that is included in the report combines wood and metal fencing, this is not what people usually think of when you say "chain link".                  | Sam Jones - Public    | Content/Language    |                  | See Line 89.                                                               |                              |
| Chapter 8  | Pg. 8-4     | Vinyl and PC .... Meet requirements in Chapter x? Could not find Chapter x or any reference to fence material requirement. We approve vinyl fencing all the time.                                                                                                                                                                                                       | Kathy Glaser (HDRB)   | Content/Language    |                  | See Line 89.                                                               |                              |
| Chapter 8  | Pg. 8-7     | Satellite dishes not being placed in front? Happens all the time. Dish company places them where there is the best reception. No one notifies the city when they place it.                                                                                                                                                                                              | Kathy Glaser (HDRB)   | Content/Language    |                  | Will remove all references; Katie to add to ZO.                            |                              |
| Chapter 8  |             | Should show a picture of how to do an outside shower in the historic district, discuss style and function so the shower does not negatively impact the historic home                                                                                                                                                                                                    | Jim Holloway (PC)     | Graphics            |                  | Katie to provide examples.                                                 | Attached as a word document. |
| Chapter 9  | Pg. 9.2     | 1st sentence (Improper maintenance of historic materials on contributing buildings is not an appropriate reason to consider replacement.) makes it sound like a person who buys a property that wasn't maintained should not be allowed to replace damaged material.                                                                                                    | Ken Butta (PC)        | Content/Language    |                  | Will review.                                                               |                              |
| Chapter 9  | Pg. 9-4     | Figure 9.4 – from the description, I take this to mean aluminum siding is acceptable for noncontributing structures. Given that Al has been considered a no-no in our historic district (although allowed per CCZO Section 3.2.I 6, R-1 district), I would suggest we continue with that except if the house was previously clad in Al. Ordinance would have to change. | Paul Grossman (TC/PC) | Content/Language    |                  | Will remove Figure 9.4.                                                    |                              |
| Chapter 9  | Pg. 9-5     | Flowchart indicates that alternative materials can only be used by answering no to all of the items that precede on the left.                                                                                                                                                                                                                                           | Ken Butta (PC)        | Graphics            | Will clarify.    | Clarify flow chart use. Remove triangles down to next point, and add "OR". |                              |
| Chapter 9  | Pg. 9-5     | Replacing materials. What is the owner just wants new siding. Cannot replace if they don't NEED it?                                                                                                                                                                                                                                                                     | Kathy Glaser (HDRB)   | Comment Only        |                  |                                                                            |                              |
| Chapter 9  | Pg. 9-7     | Last item in the list on this page requires the applicant to demonstrate that the new proposed material is appropriate for use - this seems to be a standard for material sustainability which is something we have not required for historic materials.                                                                                                                | Ken Butta (PC)        | Comment Only        |                  |                                                                            |                              |
| Chapter 10 | Pg. 10-16   | 2,d NFIP needs to be spelled out.                                                                                                                                                                                                                                                                                                                                       | Dennis McCoy (PC)     | Grammar/Technical   | Will fix.        | Make change.                                                               |                              |
| Chapter 10 | Pg. 10-8    | Para 1 NPS needs to be spelled out                                                                                                                                                                                                                                                                                                                                      | Dennis McCoy (PC)     | Grammar/Technical   | Will fix.        | Make change.                                                               |                              |
| Chapter 10 | Pg. 10-8    | Para 2 NFIP needs to be spelled out                                                                                                                                                                                                                                                                                                                                     | Dennis McCoy (PC)     | Grammar/Technical   | Will fix.        | Make change.                                                               |                              |
| Chapter 10 | Pg. 10-1    | Figure 10.1 – change 1970s to 1980s in figure description shown I green insert.                                                                                                                                                                                                                                                                                         | Paul Grossman (TC/PC) | Graphics            |                  | Make change.                                                               |                              |



|                 | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                       | <u>COMMENTER</u>      | <u>CPG Category</u> | <u>CPG Notes</u>                      | <u>ACTION</u>                     | <u>KHN RESPONSE</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| Chapter 10      | Pg. 10-2    | Do we have someone designated as Floodplain Manager on Town Staff or is this an external FEMA position? Unclear in this section.                                                                                                                                                                                                                     | Paul Grossman (TC/PC) | Content/Language    | Will clarify staffing.                | Clarify.                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Chapter 10      | Pg. 10-3-1  | Title – typo - missing closed parenthesis.                                                                                                                                                                                                                                                                                                           | Paul Grossman (TC/PC) | Grammar/Technical   | Will fix.                             | Make change.                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| GENERAL COMMENT |             | understand that the property at the intersection of Strawberry and Randolph (aka the Post Office) is US Federal Land and as such should be outside the purview of the Cape Charles HDRB, Zoning Administrator, Code Official and Town Council. I raise this because I do not believe that this is reflected in the zoning map in the draft document. | Dennis McCoy (PC)     | Comment Only        |                                       |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| GENERAL COMMENT |             | <p>Pools</p> <p>We have ponds and water features listed. As we know there are some pools in the historic district I question whether that should be included here? It is a water feature...it's also unlikely to be approved in someone's front yard...but...</p> <p>Basically this is for continuity and clarity.</p>                               | David Howgill (HDRB)  | Content/Language    | Can add.                              |                                   | requirements/specifications for swimming pools (both above ground and in-ground) in Section 4.7 which by the language precludes pools from being located in the front yard. There has been a recent change in the Building Code that now requires either fencing around the pool or an electric pool cover and the zoning ordinance as currently written does not require fences but indicates compliance with Building Code requirements. I will be recommending in tandem with our Building Official that we amend Section 4.7 to require fencing around pools as a zoning stipulation. Relative to the draft guidelines, I do not believe that pools need to be added to Chapter 8 as long as fencing becomes a zoning |
| GENERAL COMMENT |             | Missing topic is addressing murals, specifically on commercial buildings. Both permanently applied and those that are affixed and removable.                                                                                                                                                                                                         | Paul Grossman (TC/PC) | Content/Language    | Was asked to remove; can add back in. | Send draft mural text for review. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Appendix A      |             | For both WINDOW, Parts of & For DOOR, it would be great to have a general graphic of both a window and door that labels all of the parts of each since we have definitions of all of the parts of both. Similar to what we have in the Guidelines now                                                                                                | Katie Nunez (Staff)   | Graphics            | Can add.                              | Will add.                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                 |             |                                                                                                                                                                                                                                                                                                                                                      |                       |                     |                                       |                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                           | <u>PAGE</u> | <u>COMMENT</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <u>COMMENTER</u> | <u>CPG Category</u>        | <u>CPG Notes</u> | <u>ACTION</u> | <u>KHN RESPONSE</u> |
|---------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|------------------|---------------|---------------------|
|                           |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                  |                            |                  |               |                     |
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| Appendix C                |             | States that alternative materials "are inappropriate options for siding replacement due to their inferior performance". While an argument is made against vinyl siding, nothing is included about aluminum or cemntitious siding. This statement effectively bans these materials.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ken Butta (PC)   | Content/Language, Graphics |                  |               |                     |
| Additional ITEMS from KHN |             | <p>From the Joint Meeting, I also noted these additional Zoning Text Amendments that the Town will need to do to its Zoning Ordinance:</p> <p>1) In Article 3, under the Development Standards for the Residential Districts needs to include a section about Parking and it not be allowed in the Front Yard.</p> <p>2) In Article 3, under the Development Standards, Materials Section for the Residential Districts, remove the sentence that reads: "Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches."</p> <p>3) In Article 3, under the Development Standards, Materials Section for the Residential Districts, it clearly states and prohibits the following materials for use in new construction:</p> <ul style="list-style-type: none"><li>a. asphalt siding, vertical plywood siding, aluminum siding</li><li>b. exposed concrete block above foundation level</li><li>c. corrugated metal, except for roof applications</li><li>d. flush doors (hollow or solid core)</li></ul> <p>NEED CONFIRMATION FROM Commonwealth that these prohibitions do not conflict with the proposed Historic Guidelines.</p> |                  |                            |                  |               |                     |