



**TOWN COUNCIL  
Regular Meeting  
Cape Charles Civic Center  
July 18, 2024  
6:00 PM**

At approximately 6:00 p.m. Mayor Adam Charney, having established a quorum, called to order the Regular Meeting of the Cape Charles Town Council. In addition to Mayor Charney, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Butta and Grossman, and Councilwoman Holloway. Councilman Follmer was not in attendance. Also, in attendance were Project Manager Bob Panek, Planner/Zoning Administrator Katie Nunez, Zoning Compliance Officer Jack Steinmayer, Officer Harper Matthews and Town Clerk Libby Hume. Town Manager John Hozey participated via conference call. There were 6 members of the public physically in attendance, and 8 viewers on Facebook.

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

**RECOGNITION OF VISITORS / PRESENTATIONS/RECOGNITIONS:**

**A. *Coast Guard Station Cape Charles Appreciation Proclamation***

Mayor Charney read Proclamation 20240718 Coast Guard Appreciation Day – August 3, 2024.

**Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Proclamation 20240718 Coast Guard Appreciation Day – August 3, 2024. The motion was approved by unanimous vote.**

**B. *Demolition by Neglect Presentation – Katie Nunez***

Katie Nunez provided an update on derelict structures in Cape Charles. (Please see attached.)

There was some discussion regarding the property at 1 Fig Street. Katie Nunez would provide updates to the Council regarding the property. Council was in agreement regarding their opposition to the demolition of the structure on the property.

In conclusion, Katie Nunez introduced the new zoning compliance officer, Jack Steinmayer.

**PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)**

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

**CONSENT AGENDA**

- A. Approval of Agenda Format
- B. Approval of Minutes:
  - i. June 13, 2024 Town Council Work Session
  - ii. June 20, 2024 Town Council Regular Meeting
- C. Approval of May 2024 Financial Report

**Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to approve the Consent Agenda as presented. The motion was approved by unanimous vote.**

**UNFINISHED BUSINESS:**

There was no unfinished business for review.

**NEW BUSINESS:**

**A. *Reappointment of Library Board Member:***

John Hozey stated that Richard Burger has been on the Library Board since 2020 and has expressed his interest in continuing his service on the board.

**Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to reappoint Mr. Richard Burger to the Library Board for another four-year term. The motion was approved by unanimous vote.**

**B. *Revision to Town Code – Water and Wastewater:***

John Hozey expressed his appreciation for Bob Panek who completed much of the research and work on this item. Chapter 30 of the Town Code governed the operation of the former municipality owned water and wastewater system and needed revision to reflect the sale of the systems to Virginia American Water (VAW). Although most of the regulatory requirements of the Virginia Department of Health were now VAW's responsibility, the Town continued to have responsibility for certain aspects such as connection requirements, protection of potable water, water conservation, and use of private wells and sewage disposal systems. The proposed changes to Chapter 30 were provided to VAW for review and they were in concurrence with the changes.

There was also one provision concerning disposal of waste, including garbage, that was more appropriately relocated to Chapter 12, Environment and Natural Resources.

There was some discussion regarding the prohibition of the connection of landscaping irrigation systems to the waterworks, rather requiring the use of shallow wells to withdraw groundwater from the surficial aquifer.

**Motion made by Councilman Butta, seconded by Councilman Buchholz, to adopt Ordinance 20240718-Revision of Town Code – Water and Wastewater.**

**Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to amend Proposed Section 30-19 Landscaping Irrigation, adding a sentence to the end of the section to read "*Existing systems connected to the waterworks as of July 18, 2024 are exempt from this requirement.*" The amended motion was approved by unanimous vote.**

**Mayor Charney asked for a vote on the adoption of Ordinance 20240718 as amended. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Butta, yes; Grossman, yes Holloway, yes.**

**C. *Request for Handicap Parking Designation at 507 Tazewell Avenue:***

John Hozey stated that a request as received from Mr. and Mrs. Lawrence Veber, owners and full-time residents of 507 Tazewell Avenue, asking for assistance in obtaining a designated handicap parking space in front of the residence. Mr. Veber had mobility challenges and could only take a few steps at a time with the assistance of a walker. John Hozey noted that several months ago, Council had instituted a requirement that requests of this nature would only be considered from full-time residents of the Town, adding that the Vebers qualified as they were full-time residents.

**Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Resolution 20240718 In Support of the Request from Lawrence and Katherine Veber for the Designation of a Handicap Parking Space at 507 Tazewell Avenue. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Butta, yes; Grossman, yes Holloway, yes.**

#### **TOWN MANAGER COMMENTS**

John Hozey commented as follows:

- i) He thanked Katie Nunez and Jeb Brady, along with their staff, for the fabulous job on the report provided earlier this evening.
- ii) He thanked Councilman Grossman for his assistance in fine-tuning the treasurer's report and informed Council that changes would be implemented beginning next month.
- iii) The Beachfront Master Plan work session was scheduled for July 25<sup>th</sup> to provide current ideas and obtain Council input.

#### **MAYOR AND COUNCIL COMMENTS**

Councilman Grossman stated that he had followed up with John Hozey regarding short-term rental. Using information from the last Council work session, an ordinance was drafted and provided to the subcommittee for review. A committee meeting was scheduled for July 31<sup>st</sup>. It would be brought back to Council for further discussion at a later work session. John Hozey added that he felt the ordinance covered the guidance from Council and a work session would be scheduled upon his return.

Mayor Charney thanked Ralph Bowen and the public works crew, and everyone else who worked on the unbelievable July 4<sup>th</sup> events. The 4<sup>th</sup> was a great day and although the Town's fireworks were delayed until the 5<sup>th</sup>, everyone was able to see Cherrystone's fireworks on the 4<sup>th</sup>, followed by the Town's incredible fireworks on the 5<sup>th</sup>.

Mayor Charney read the announcements. It was noted that the August 1<sup>st</sup> work session would not be necessary.

Mayor Charney announced that the Dock Dogs event would be back on November 8 through 10 and was planned to be a bigger event than last year's with the addition of vendors and food trucks. Stay tuned for more information.

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

The Regular Meeting adjourned at 6:36 p.m.

---

Mayor Charney

---

Town Clerk

**June 20, 2024 Town Council Regular Meeting  
Comments and Information Provided in Writing**

3B. *Demolition by Neglect Presentation – Katie Nunez*

# **UPDATE ON DERELICT STRUCTURES IN CAPE CHARLES**

**July 1, 2024**

**Prepared by  
Building Official Jeb Brady &  
Planning and Zoning Administrator Katie Nunez**



- Since 2022, the Building Official and Planning & Zoning Administrator have joined efforts in addressing derelict structures in the Historic District and have worked with several property owners in getting them to willingly address renovations to the exterior of the house without having to initiate enforcement action.
- We have also issued Notices of Violation for Demolition by Neglect when the property owner has not been receptive to our initial outreach efforts to remedy properties in severe neglect.
- This presentation is to provide a status report on the outstanding or in-progress violation cases as well as the recent outreach initiated or Early Intervention on properties that are heading toward a classification of “Demolition by Neglect” unless steps are taken now to stop the deterioration.

## PROPERTIES IN PROGRESS thru renovation/restoration FROM 2023/early 2024

### ALMOST FINISHED

426/428 RANDOLPH AVENUE



On left, original look of the duplex structure.



In middle, some initial exterior work has been completed but still needs more TLC. Working with property owner now and work will be commencing May 2023.



On right, exterior work has been nearly finished. The contractor has been finalizing work on front porch and shutters for the windows.

## VIOLATIONS IN PROGRESS of Rehab/Renovation FROM 2023/early 2024

### Ongoing

542 Jefferson Street

### 10/15/2021- Unauthorized Demolition of the House

House Pre-Demolition 2020



Lot Immediately after Demolition – 10/13/2021



House in mid-construction as of July 1, 2024  
Property has been sold and new owners will be addressing this violation and completing the construction of the house.





## VIOLATIONS IN PROGRESS of Rehab/Renovation FROM 2023/early 2024

### Just Started

1 Fig  
Street

As of 7/9/2024, received executed contract for restoring the building envelope (roof, windows, doors, walls) with Schedule of Values and Projected Time Line ( estim. 4 months). Still waiting on Financial Assurance for value of contract.



## JUST STARTING: 619 Mason Avenue

### Property Information:

- Property was purchased by Ware Neck Properties (Kerry Shackleford) on 9.19.2023, who has historic renovation experience
- Cleaned out the interior of 619 Mason Avenue
- Has been approved for renovation plans for exterior of house as of 1.10.2024
- Has been made aware that Certificate of Appropriateness permit is about to expire.
- No Notice of Violation has been issued on this property; rather, Town has been working cooperatively with the owner to remedy this property.



# EARLY INTERVENTION CASES

## PROPERTIES RECENTLY SENT LETTERS OF POSSIBLE VIOLATIONS OF DEMOLITIONS BY NEGLECT

- 115 Fig Street
- 122 Pine Street
- 400 Jefferson Avenue
- 636 Madison Avenue
- 649 Monroe Avenue



## RESPONSE AND ACTION TO DATE



TOWN STAFF IS WORKING WITH ALL OF THE PROPERTY OWNERS ON PLANS OF ACTION TO CORRECT THE DEFICIENCIES. THERE HAS BEEN A POSITIVE RESPONSE AND INTENT OF ACTION EXPRESSED BY THE PROPERTY OWNERS WHICH STAFF WILL CONTINUE TO OVERSEE AND ENSURE THAT THESE PROPERTIES ARE BROUGHT INTO COMPLIANCE WITH THE BUILDING CODE AND THE TOWN ZONING ORDINANCE AND HISTORIC DISTRICT GUIDELINES AND ARE NOT SEEN AS A BLIGHT ON THE NEIGHBORHOOD.



## 115 Fig Street





**122 Pine Street**



**400 Jefferson Avenue**





**636 Madison Avenue**



**649 Monroe Avenue**



Both the 3 active Violation Cases and the “Early Intervention” cases take a significant amount of staff time and effort to communicating with the property owner, reaching approval of the plan and obtaining all necessary permits, and then monitoring and ensuring the projects stay on track to the anticipated calendar.

Therefore, the departments will not be taking on any additional properties until we can bring to completion the list of properties outlined in this presentation. The only exception would be for an unforeseen emergency or act of God from a weather event.

If someone has a particular property that they are concerned with the condition of the structure, please e-mail or contact the Building and Planning Departments and provide that information to us and we will conduct an inspection of the property and would most likely classify for a future enforcement effort as soon as the list is whittled down from the current case load.

[codeofficial@capecharles.org](mailto:codeofficial@capecharles.org)

[planner@capecharles.org](mailto:planner@capecharles.org)