



**TOWN COUNCIL**  
**Public Hearing & Regular Meeting**  
April 18, 2024  
Cape Charles Civic Center  
6:00 PM

1. Call to Order
  - A. Roll Call
  - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing
  - A. [Proposed Sale of Property – Parcels #83A3-1-643A, 643B and 642B – Library Properties](#)
  - B. [FY 2024 Proposed Budget Amendment](#)
4. Recognition of Visitors / Presentations / Recognitions
  - \*A. [Rotary Club of Cape Charles 100<sup>th</sup> Anniversary Proclamation](#)
  - \*B. [Building Safety Month Proclamation](#)
  - \*C. [National Police Week Proclamation](#)
5. Public Comments (3 minutes per speaker for topics not subject to this evening's public hearing)
6. \*Consent Agenda
  - A. Approval of Agenda Format
  - B. [Approval of Minutes](#)
  - C. [Approval of February 29, 2024 Financial Report](#)
7. Unfinished Business:
  - \*A. None
8. New Business:
  - \*A. [Virginia America 250 Resolution](#)
  - \*B. [Proposed Sale of Library Properties](#)
  - \*C. [FY 2024 Budget Amendment – Debt Payoff](#)
  - \*D. [Cape Charles Day Resolution](#)
9. Town Manager Comments
10. Mayor & Council Comments (5 minutes per speaker)
11. Announcements
  - April 19, 2024 – Blessing of the Fleet, 6PM at the Harbor Gazebo
  - April 20, 2024 – Cape Charles Main Street's Love Run
  - April 27, 2024 – Arbor Day Celebration
  - April 28, 2024 – New Roots Youth Garden's Blessing of the Worms
  - May 2, 2024 – Budget Work Session
  - May 9, 2024 – Budget Work Session – if needed
  - May 16, 2024 – Town Council Regular Meeting
12. Adjournment

Town of Cape Charles  
Town Council – Public Hearing

Pursuant to Code of Virginia, Section 15.2-1800, the Town Council of Cape Charles will hold a public hearing at 6:00 PM, on Thursday, April 18, 2024, at the Cape Charles Civic Center, 500 Tazewell Avenue, on the proposed sale of tax parcels 83A3-1-643A, 643B and 642B, collectively the library properties, for redevelopment.

The proposed ordinance is available for review on the Town's website at [www.capecharles.org](http://www.capecharles.org), under Agendas & Minutes/Town Council. It is also available in the Town Clerk's office at 2 Plum Street during regular business hours. The Town Council will consider an ordinance authorizing the sale at their meeting immediately following the public hearing.

Submitted to the Eastern Shore Post: March 28, 2024  
For Publication on April 5, 2024

**NOTICE OF PUBLIC HEARING**

**MUNICIPAL CORPORATION OF CAPE CHARLES**

**FISCAL YEAR 2024 PROPOSED BUDGET AMENDMENT**

Pursuant to the Code of Virginia Section 15.2-2507, the Municipal Corporation of Cape Charles Town Council will hear public comments on the following proposed amendments to its Fiscal Year 2024 Town Budget on April 18<sup>th</sup>, 2024, at 6:00 pm, at the Cape Charles Civic Center, 500 Tazewell Avenue, to receive verbal and written comments on all proposed disbursements. Written comments can be submitted prior to the hearing via email to [clerk@capecharles.org](mailto:clerk@capecharles.org), or placed in the external drop box at Town Hall. The proposed budget amendment will be discussed and brought to a vote during the regular meeting immediately following the public hearing. Budget amendment details may be viewed on the Town's website, [www.capecharles.org](http://www.capecharles.org), under Agendas and Minutes/Town Council.

| <b>Request for budget appropriation increase for FY 2024 in the following amounts:</b> |                 |                 |
|----------------------------------------------------------------------------------------|-----------------|-----------------|
| Fund                                                                                   | Revenue         | Expenditures    |
| Utilities Fund                                                                         | \$ 5,000,000.00 | \$ 5,000,000.00 |
| Total                                                                                  | \$ 5,000,000.00 | \$ 5,000,000.00 |



## **PROCLAMATION 20240418A**

### **100<sup>TH</sup> ANNIVERSARY OF THE ROTARY CLUB OF CAPE CHARLES**

**WHEREAS**, the Rotary Club of Cape Charles duly formed May 15, 1924 with the principle of “Service Above Self” has served the community of Cape Charles for 100 years; and

**WHEREAS**, in the 10 decades since then, the Club and its Rotarians have been committed to their five Avenues of Service – club, vocational, community, international, and youth; and

**WHEREAS**, since its inception, the Cape Charles “Youth Garden” has helped young residents learn the science and skills of vegetable gardening; and

**WHEREAS**; through the Club’s fund-raising efforts, spear headed by its twice annual Crab Cake sales, financial grants are given to local organizations serving the health, humanitarian, and educational needs of the community. Additionally, contributions to Rotary International’s partnership with The Bill and Melinda Gates Foundation, to eradicate polio, have exceeded \$30,000 over the life of the Club; and

**WHEREAS**; the Club has fostered the development of Interact Rotary Clubs at both Broadwater and Northampton High Schools with both contributing to their academic communities and fund raising for the fight against polio. In addition, the Club has been an ardent supporter of Kiptopeke Elementary School with special focus on less fortunate students; and

**WHEREAS**, the Rotary Club of Cape Charles helped contribute to the town’s image of inclusion and diversity through its Walking Tour of the Invisible History of African Americans in Cape Charles Project that will help complete the historical account of the town that excluded the African American segment of the population that helped build Cape Charles and contributed to its development and progress; and

**WHEREAS**, The Town of Cape Charles and our residents are grateful for The Rotary Club of Cape Charles’ 100 years of service and thank the Club and its Rotarians, past and present, for their role in building a stronger Cape Charles; now

**THEREFORE**, be it proclaimed that the Cape Charles Town Council hereby designates May 15, 2024 as The Rotary Club of Cape Charles 100<sup>th</sup> Anniversary Day.

Adopted by the Town Council of Cape Charles on this 18<sup>th</sup> day of April 2024.

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Mayor Adam Charney

ATTEST:

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Town Clerk





## **PROCLAMATION 20240418B**

### **BUILDING SAFETY MONTH — MAY 2024**

**WHEREAS**, the Town of Cape Charles is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and;

**WHEREAS**, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

**WHEREAS**, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

**WHEREAS**, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

**WHEREAS**, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

**WHEREAS**, “Mission Possible,” the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local and global scale, and;

**WHEREAS**, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property, now

**THEREFORE**, be it proclaimed that the Cape Charles Town Council hereby designates the month of May 2024 as Building Safety Month.

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Mayor Adam Charney

ATTEST:

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Town Clerk



**TOWN OF CAPE CHARLES  
PROCLAMATION #20240418C**

**TO RECOGNIZE NATIONAL PEACE OFFICERS' MEMORIAL DAY  
AND NATIONAL POLICE WEEK 2024**

To honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS**, in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers' Memorial Day and the week in which that date falls as Police Week; and

**WHEREAS**, May 15, 2024 has been designated as National Police Officers' Memorial Day and May 12-18, 2024 as National Police Week; and

**WHEREAS**, there are more than 800,000 sworn law enforcement officers serving in communities across the United States, including the dedicated members of the Town of Cape Charles Police Department; and

**WHEREAS**, the members of the Cape Charles Police Department play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Cape Charles and provide vital public service; and

**WHEREAS**, since the first recorded death in 1786, more than 23,921 law enforcement officers in the United States have made the ultimate sacrifice and have been killed in the line of duty; and

**WHEREAS**, each year, hundreds of names of officers killed in the line of duty are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC; and

**WHEREAS**, the National Law Enforcement Officers Memorial Fund will host their 36<sup>th</sup> Candlelight Vigil on May 13, 2024 at 8:00 p.m. and the names of the 136 officers lost during 2023 will be read aloud to memorialize them for making the ultimate sacrifice for their communities; now

**THEREFORE, BE IT PROCLAIMED** that the Cape Charles Town Council formally designates May 15, 2024 as Peace Officers' Memorial Day in honor of all fallen officers and their families and U.S. flags should be flown at half-staff; and

**BE IT FURTHER PROCLAIMED** that the Cape Charles Town Council formally designates May 12-18, 2024 as Police Week in the Town of Cape Charles and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

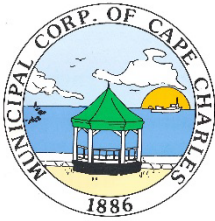
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Adopted by the Town Council of Cape Charles on this 18<sup>th</sup> day of April 2024.

\_\_\_\_\_  
Mayor Adam Charney

ATTEST:

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Town Clerk



**DRAFT**  
**TOWN COUNCIL**  
**Public Hearing & Regular Meeting**  
**Cape Charles Civic Center**  
**March 21, 2024**  
**6:00 PM**

At approximately 6:00 p.m. Mayor Adam Charney, having established a quorum, called to order the Public Hearing & 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 arrived at 6:55 p.m. Also, in attendance were Town Manager John Hozey, Planner/Zoning Administrator Katie Nunez, Police Chief Jim Pruitt, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. There were 52 members of the public physically in attendance, and 18 viewers on Facebook.

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

Mayor Charney welcomed all in attendance.

Town Manager John Hozey explained that there would be two opportunities for public comments: i) public hearing for comments related to the strategic plan only; ii) regular meeting public comments for any items other than the strategic plan. Sign-up sheets for both were located at the back. Be sure to sign up for the correct comment period.

**PUBLIC HEARING:**

**A. *Proposed 2024 Community Strategic Plan:***

John Hozey stated that Mayor Charney agreed to relax the rules for the public hearing to allow interaction between the speakers and members of the Town Council and staff since the strategic plan was an important document which was the basis for next year's budget. On February 24, 2024, a day-long joint work session was held with the Town Council and Planning Commission along with representatives from some non-profit groups and department heads. Public comments were requested to be submitted in writing in advance of this meeting to allow the Town Council time to review them prior to this evening. About 40 comments were received and all were provided verbatim to the Mayor and Town Council. All comments would be included verbatim in the minutes, but would not all be read this evening. If you provided your comments in writing, you would not be speaking tonight. Only new comments would be heard. The vast majority of the comments received were related to short-term rentals (STRs). Because the rules were being relaxed for the public hearing to allow back and forth discussion, he would be reading the comments received, instead of the Town Clerk, to allow him to respond to the comments or provide answers to any questions. He would read the five comments received about items other than STRs, then read one comment regarding STRs that was a fair representation of all the other comments received. He would then read names of all the residents who submitted their comments. Also, the written comments would be read prior to inviting any speakers up to the podium since some of their issues could be addressed with the written comments.

John Hozey began by reading the comments submitted by Ms. Julie Jones related to STRs. The other residents who submitted comments requesting a higher priority for STR regulations within the Strategic Plan were: Sam Jones, Bonnie Moore, Jo Bronson, Susan Burger, Nancy Proto, Diane D'Amico, Kimberly Granger, Barbara Carroll, Barbara O'Hare, Bill O'Hare, Iain Goodwin, Carol & Jim Carnegie, Earl (Chip) Moore, Lisa Guzzardo, Tom & Rita Surface, George Proto, Heather Atkinson, Walter Bronson, Norm & Cindy Mitchell, Linda Hitchings, Dennis Libby, Joan Cooper, Michael & Susan Hudson, Jeanne & Lee Masterson, Margaret Deuel, James Liepman, Neil Stevens

& Karen Duncan, Sue Weaver, Mark Usry, Jeff Gray, Dave & Ann Pershing, Jim Granger, Jennifer Delaroderie, and Mollie Pickron. (Please see attached for all comments received.)

John Hozey stated that it was important for him to explain the priority list, which was Appendix B. After the joint work session on February 24<sup>th</sup>, he was anxious to get the draft strategic plan document out to allow the public as much time as possible to review and submit comments. There was not enough time to update the priority list from 2023, so the original document posted online included the 2023 list with a notation that the 2024 list had not yet been adopted. He had since updated the 2024 priority list for Council adoption. The online files had been updated and he distributed copies to attendees prior to the start of this meeting. The majority of the items took more than one year to complete due to things beyond the Town's control. Multiple projects were worked concurrently. Currently there were 9 ongoing projects, and they were shown in blue. The items listed at the bottom of the page, in black, were the next items to be worked on as current projects were completed and time could be dedicated to them. The development of STR regulations and ordinances was one of the ongoing projects (in blue) and staff along with the STR Committee had been working on it since last summer. Ideas were presented to the Town Council and Planning Commission in November 2023, but more information was needed, so work was paused until: i) We could obtain input from the public. Questions were included in the 2023 community survey; ii) The survey results were compiled and reviewed with the Town Council on February 1<sup>st</sup>. Information from the survey was reviewed and used to update the strategic plan at the February 24<sup>th</sup> work session; iii) The legislative session in Richmond was concluded. There were about 6 bills that would have affected the work of the committee. The next committee meeting would be held in April. Now that we had the missing information, this was a top priority. After the committee meeting, their recommendations would be presented again to the Town Council and Planning Commission. Once a consensus was reached, a Town Hall meeting would be scheduled. Afterwards, we would move forward to finalize STR regulations. Once the regulations were in an ordinance, another process would begin. There was a lot of public outreach still to come.

John Hozey went on to state that he noticed some misconceptions in the comments received. Many of the emails were form letters. One comment stated that there were no residents on the STR committee, but 4 of the 6 members of the committee were full-time residents.

Councilman Grossman noted that some of the comments dealt with public engagement, the need for regulations and their priority. Other comments related to parking, etc. These were not in the strategic plan and would be addressed by the committee.

John Hozey explained that the strategic plan only identified the project, but it was up to staff to tackle the project. Tonight's goal was to approve the strategic plan.

John Hozey proceeded to read comments/excerpts of comments not related to STRs from: James Metz, Julie Stone, Sam Jones, Bonnie Moore, and Mark Usry. (Please see attached for all comments received.)

John Hozey responded to some of the comments/requests as follows: i) Mr. Metz suggested inviting civic groups to staff working groups, which the Town was already doing. He was opposed to putting this language in the strategic plan since the plan was not to be micromanaging projects. Civic groups would be involved depending on the topic; ii) Mr. Metz requested that additions to sidewalks be moved to a higher priority. John Hozey stated that sidewalks were already included in the strategic plan which did not designate a priority order; iii) Mr. Metz requested that "residential" be added to the harbor uses in addition to commercial and recreational. John Hozey stated that residential was not permitted in the harbor and noted that he believed that Mr. Metz might have been thinking about the Harbor Area, which did permit residential, but was different from this item; iv) Ms. Stone requested a review of the street lighting to encourage softer lights directed toward the ground as a quality-of-life issue. John Hozey commented that this was a valid

issue and should be considered; v) Mr. Jones requested development of a harbor/railroad area conceptual master plan and design guidelines as the second highest priority. John Hozey noted that this was included on the draft 2024 priority list as the next project to slide up after completion of one of the current projects; vi) Mr. Jones also suggested development of long-term growth projections for Bay Creek, Harbor District and other areas of town to assist in future decisions on development and infrastructure issues. John Hozey stated that a lot of work was done last year related to growth projections when developing the planning agreement related to the annexation agreement. The Town had a fair amount of information which would be a good start to add to a future master plan; vii) Ms. Moore commented on the small-town character and walkability, and agreed on the addition of an EV charger, as well as commenting that recycling bins would be a huge benefit. John Hozey stated that Ms. Moore's comments were all valid. Councilman Grossman noted that the Town was partnering with ANEC and Canonie Atlantic to install two EV chargers. There had been some delays related to supplies and contractors, but he heard that they were scheduled to be installed tomorrow; viii) Mr. Usry commented that the draft strategic plan referenced "Protect and maintain the beachfront," "Protect and maintain the harbor," and "Retain and expand businesses in a business-friendly environment" but could not find any mention of Central Park. John Hozey stated that unlike the other areas, Central Park was built out and there was not much more to be done, but added that under the Objectives, the development of a plan for public green/open spaces was listed which would include Central Park; ix) Mr. Usry suggested the filling in of missing sidewalks throughout the town. John Hozey stated that the sidewalk infill was in the Capital Asset Management Plan (CAMP), but not in this current year. There was some discussion regarding the CAMP and Councilwoman Holloway suggested the possibility of adding the CAMP to the strategic plan as Appendix C.

The floor was opened to the public to comment.

*Richard Burger, resident and Library Board Chair*

Mr. Burger spoke regarding the first bullet under Goals – retain the small-town character of Cape Charles. (Please see attached.)

*Phil Goetkin, resident and Tree Advisory Board representative*

Mr. Goetkin asked for the reprioritization of Appendix B and achieving a proper balance of full-time residents, part-time residents, and STRs. (Please see attached.)

**Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to close the public hearing portion of the meeting. The motion was approved by unanimous vote.**

The public hearing was closed at 6:44 p.m.

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

**A. National Library Week Proclamation:**

Mayor Charney read Proclamation 20240321A designating the week of April 7-13, 2024 as National Library Week.

**Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Proclamation 20240321A designating the week of April 7-13, 2024 as National Library Week. The motion was approved by unanimous vote.**

Mayor Charney presented the proclamation to Library Board Chair Richard Burger.

**B. Arbor Day Proclamation:**

Mayor Charney read Proclamation 20240321B designating April 27, 2024 as Arbor Day in the Town of Cape Charles.

**Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Proclamation 20240321B designating April 27, 2024 as Arbor Day in the Town of Cape Charles. The motion was approved by unanimous vote.**

Mayor Charney presented the proclamation to Phil Goetkin of the Tree Advisory Board.

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

*Walter Bronson, resident*

Mr. Bronson addressed the Town Council regarding the importance of a vision statement and adherence to it. (Please see attached.)

*Jo Bronson, resident*

Ms. Bronson addressed the Town Council regarding parking issues and occupancy limits for STRs. (Please see attached.)

*Phil Goetkin, resident*

Mr. Goetkin stated that he wanted to publicly thank John Hozey and the Public Works staff for the great work they did every day, which was demonstrated during the Cape Charles Day Community Clean-up last Saturday. There was a group cleaning up the beachfront and dunes, and as fast as they cut trees and shrubs, the Public Works staff were hauling the debris away. The Public Works staff also helped every day at the New Roots Youth Garden, and they deserved public acknowledgement.

Town Clerk Libby Hume read an email from Roland and Nancy Vest which was submitted in writing. (Please see attached.)

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

**CONSENT AGENDA**

- A. Approval of Agenda Format
- B. Approval of Minutes:
  - i. February 1, 2024 Town Council Public Hearing & Special Meeting
  - ii. February 15, 2024 Public Hearing & Regular Meeting
  - iii. February 24, 2024 Town Council & Planning Commission Joint Work Session – Strategic Plan
  - iv. March 7, 2024 Town Council Special Meeting
  - v. March 7, 2024 Town Council Executive Session
- C. Approval of January 31, 2024 Financial Report

**Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, 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. Annual Reports:**

Planner/Zoning Administrator Katie Nunez stated that the Code of Virginia required the Planning Commission, Board of Zoning Appeals, and Wetlands & Coastal Dune Board to submit annual reports to the local governing body. While there was no specific mandate in the Code of Virginia for the Historic District Review Board and Harbor Area Review Board to provide annual reports, it was a useful tool to ensure the Town Council was apprised of the annual activities of each board. Her department staffed the Planning Commission, Board of Zoning Appeals, Historic District Review Board, Harbor Area Review Board and Wetlands & Coastal Dune Board, all of which included 25 volunteers who dedicated hundreds of hours of community service to the Town. She thanked them all for their efforts. She introduced the chairs of each board: Bill Stramm of the

Planning Commission, Bill Murphy of the Board of Zoning Appeals, John Schoeneck of the Wetlands & Coastal Dune Board, Kathy Glaser of the Historic District Review Board, and Stuart Smith of the Harbor Area Review Board who was unable to attend this evening. Vice Mayor Bennett was the vice chair for the Harbor Area Review Board. Katie Nunez went on to thank her staff: Tracy Outten, Ken Butta and Robert James who both worked for the town for a period of time, and Maureen Meditz who joined the department this year. (Please see attached.)

B. *Recommendation for the Reappointment of the Cape Charles Representative to the Northampton County Economic Development Authority (formerly Joint IDA):*

John Hozey stated that the Joint Industrial Development Authority of Northampton County and Its Incorporated Town (Joint IDA) was formed in 1995 to administer development of a network of industrial facilities throughout Northampton County's participating towns. The Board consisted of a total of seven members who served a term of four years. Several years ago, this board became the Northampton County Economic Development Authority (NCEDA). Mr. John Burdiss was the Cape Charles representative to this board and his term would expire on March 31, 2024. The Town also had representation on the board with Councilman Grossman, Mr. Dave Wilcox, and Mr. John Dempster who serve as at-large members. The County requested that the Town Council recommend Mr. Burdiss' reappointment to the NCEDA. After receiving the Town's recommendation, the Northampton County Board of Supervisors would officially reappoint Mr. Burdiss to the board for another four-year term.

**Motion made by Councilman Butta, seconded by Councilman Buchholz, to recommend that the Northampton County Board of Supervisors reappoint Mr. John Burdiss to the Northampton County Economic Development Authority as the Cape Charles representative for another four-year term. The motion was approved by unanimous vote.**

C. *Adoption of the 2024 Community Strategic Plan & 2024 Town Priorities:*

John Hozey stated that at the joint work session, the Community Strategic Plan was reviewed, along with results from the 2023 Community Survey and other documentation to update the goals and objectives for the coming year. All discussion and input from that work session had been incorporated into the draft document being presented this evening. Staff used the draft of the 2024 Strategic Plan to develop a draft update to the prioritized project list (Appendix B) that would be used in the development of the FY 2025 budget.

**Motion made by Councilman Grossman, seconded by Vice Mayor Bennett, to adopt the 2024 Community Strategic Plan as presented.**

John Hozey stated that since a motion was now on the floor, Council could discuss and make any amendments to the proposed plan.

Vice Mayor Bennett stated that he felt the strategic plan was good but suggested the provision of updates to keep the public informed of the progress of the various projects/priorities. He suggested the possibility of adding a paragraph to the Gazette related to STRs as work progressed.

John Hozey noted that all activity was included in the Weekly Reports that were available online for public review.

Councilman Follmer stated that although he was late in coming to this meeting, he listened to all the comments received. He felt that it was important for the Town to have public confidence moving forward and agreed with the public that STRs should be moved up in the priority list.

Councilwoman Holloway referred to item "f" under the Objective – Retain the small-town character of Cape Charles, and suggested, that due to all the comments received, the statement needed to be expanded. It was agreed to amend the sentence to "Evaluate recommendations

provided by STR working group, solicit public input via town hall meetings and public hearings, and establish STR regulations.”

**Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to amend Objective – Retain small-town character, item F, adding “solicit public input via town hall meetings and public hearings” as discussed. The motion was approved by unanimous vote.**

**Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to add subparagraph v. under Objective – Retain the small-town character of Cape Charles, item a, to state “Invite local civic groups, as appropriate, to participate in Town working groups.” The motion was approved by unanimous vote.**

**Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to add item d. under Objective – Promote environmental stewardship, to state “Protect and maintain Central Park.” The motion was approved by unanimous vote.**

Councilwoman Holloway asked where the reference to the Capital Improvement Plan could be added, or whether it could be added to the document as Appendix C. John Hozey responded that it could be confusing since Appendices B and C would not match up and suggested that a notation be added to the bottom of Appendix B (Town Priorities List) referring the public to the CAMP to review the five-year schedule of capital projects.

**Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to add a notation at the bottom of Appendix B referencing the Capital Asset Management Plan to review the five-year schedule of capital projects. The motion was approved by unanimous vote.**

**Motion made by Councilman Follmer, seconded by Vice Mayor Bennett, to move current item #11-development of a town-wide parking capacity inventory... to become #10 ahead of the development of a harbor/railroad area conceptual master plan. The motion was approved by unanimous vote.**

**After further discussion of this item, motion made by Councilman Butta, seconded by Vice Mayor Bennett, to reword newly designated #10 to state “Develop a town-wide parking plan to include a parking capacity inventory and recommendations for possible parking area expansions or improvements.” The motion was approved by unanimous vote.**

There was some discussion regarding the confusion created by the introductory language on Appendix B and several edits were suggested.

**Motion made by Councilwoman Holloway, seconded by Councilman Buchholz, to amend the introductory paragraph of Appendix B to state “BLUE: still in progress from previous work periods and require additional time to complete; All items in blue are being worked concurrently in no particular order” and to change the current list of projects from numbered to bullets, and to renumber the new projects from 1 to 4. The motion was approved by unanimous vote.**

**Councilman Grossman, seconded by Vice Mayor Bennett, amended his main motion to adopt the 2024 Community Strategic Plan as amended. The motion was approved by unanimous vote.**

#### **TOWN MANAGER COMMENTS**

John Hozey commented as follows:

- i) A notice was issued earlier today on the website, Facebook, and via Nixle and e-Notifications regarding the house move scheduled for March 28<sup>th</sup> beginning at 7:00 a.m. The house would be moved west down Mason Avenue, north down Bay Avenue, and east down Washington



Avenue to its final destination. This route was chosen because of the number of overhead wires along Fig Street. ANEC and Verizon would be removing overhead lines to allow the house to pass, then putting the lines back up. There would be some interruptions of electricity, cable, telephone and internet. The Town was asking the public not to park on the south side of Mason Avenue during this time. Another notice would be issued next week. He had asked Cape Charles Main Street to also put out the notice.

- ii) He thanked everyone who came out for Cape Charles Day. The Civic League did a great job on the dunes. The Cape Charles Rotary Club worked along the entrance from Route 13, and a number of citizens helped clean the other areas in the Town.
- iii) The process for the utility sale was going well. The Town, Virginia American Water, State Corporation Commission (SCC) staff, and the SCC hearing officer were all in agreement that the sale should move forward. The SCC should be ruling on the sale in early April, and we should be able to close on the sale by the end of April or early May.

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

Councilman Grossman commented as follows: i) He stated that a resolution that was passed several years ago designating that Cape Charles Day be held on the first Saturday of March each year to coincide with the Town's anniversary date of March 1<sup>st</sup>. He asked that the resolution be brought back to Council for consideration of moving Cape Charles Day back a couple of weeks for warmer weather; ii) He just received the Northampton County tax assessment and cautioned everyone that the current tax rate was shown on the document along with the new tax amount. The Northampton County Board of Supervisors and the Cape Charles Town Council would be setting new rates to equalize the tax revenue. He would follow the Board of Supervisors meetings related to the new tax rate for the county. He had heard that the school board was looking for an additional \$2M. Councilman Follmer noted that even if the county completely equalized their tax rate, it did not mean that the amount of real estate taxes for properties in Cape Charles would decrease or stay the same as last year as the property values in Cape Charles were higher than those in the county.

Councilman Butta commented as follows: i) He thanked everyone at The Shanty for their work on Education Foundation Fundraiser. Everything was donated by The Shanty and the event raised a lot of money for the Northampton Education Foundation; ii) He explained that the reason the school board was asking for \$2M was to compensate for the loss of state funding. Schools were funded based on the local composite index which considered property values in the locality. Because the property values in Northampton County went up considerably, the state funding was reduced, and the county was required to pay a higher percentage.

Councilwoman Holloway commented as follows: i) She congratulated Councilman Butta and Cape Charles Main Street for another great job fair. She also thanked the YMCA for partnering with us and hoped more partnering opportunities would open up between the Town and the YMCA. Councilman Butta stated this was the third year of the job fair, adding that 26 businesses participated and about 90 job seekers attended. This event would continue, and the YMCA was the perfect venue; ii) The celebration of life for Jane McKinley was scheduled for March 30<sup>th</sup> beginning at 2:00 p.m. at the Central Park gazebo. A tree and bench would be dedicated in her memory. The memorial would continue in St. Charles Parish Hall and she encouraged everyone to attend. The organizers were working closely with the family and asking anyone planning to attend the activity in the Parish Hall to please bring a dish to share. Jane's memorial service was scheduled for this Saturday in Richmond.

Councilman Follmer asked if information regarding the actual number of hires from the job fair were being collected. Councilman Butta responded that surveys were being taken and the results would be shared.

Vice Mayor Bennett and Councilman Buchholz did not have any additional comments.

Mayor Charney thanked everyone for coming out on Cape Charles Day, adding that a lot of work was done. The Neptune statue at the beach looked beautiful.

Mayor Charney read the announcements.

**Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, to adjourn the Town Council Public Hearing & Regular Meeting. The motion was approved by unanimous vote.**

The Public Hearing & Regular Meeting adjourned at 7:59 p.m.

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Mayor Charney

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Town Clerk

DRAFT

**March 21, 2024 Town Council Public Hearing & Regular Meeting  
Comments and Information Provided in Writing**

**Public Comments Submitted Prior to the Public Hearing re: Draft 2024 Community Strategic Plan (in order of receipt)**

2024 Strategic Plan Public Input

James Metz  
March 4, 2024

Requests that invitations to civic groups to staff working groups be formalized within the Strategic Plan; specifically under the following Objectives:

- Retain the small-town character of Cape Charles
- Conduct master planning for the old railroad property and surrounding areas
- Develop parking capacity inventory and recommendations

Requests that promote improvements to, and additions to sidewalks be moved to the level (i) to denote a higher priority.

Requests that soliciting public comments should be part of enacting short-term rental regulations.

Requests that “residential” be added to the healthy balance of harbor uses (in addition to commercial and recreational).

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From: Iain Goodwin <iaingoodwin@yahoo.co.uk>  
Sent: Monday, March 4, 2024 2:59 PM  
To: Libby Hume  
Subject: 2024 DRAFT COMMUNITY STRATEGIC PLAN comment

While I am not particularly happy with the idea of capping the number of Short Term Rentals (STR's) in general, I am strongly opposed to the provision of allowing an STR permit to convey with the sale of a residence having been operated as an STR. The new owner should get in line to request a permit to operate an STR. Otherwise, those houses that have been operated as STRs will be STRs permanently, thereby freezing the market, and making it harder for the market to adapt to changes in people's vacation tastes. It (allowing the permits to convey with the property) also creates a 2 tier housing market which unfairly impacts those who do not have the permit.

Thank you  
Iain Goodwin  
203 Madison Avenue

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From: Steve & Julie Stone <stoneshome@verizon.net>  
Sent: Monday, March 11, 2024 1:52 PM  
To: Gazette  
Subject: Community strategic plan 2024 draft

Hello, all -

I read through the plans, goals and addenda. They are very thorough and comprehensive. Thank you for your hard work.

My only addition to topics is to ask for a review of the street lighting plans. I think that ANEC implements most of the choices, but surely the town can request and promote better lighting: meaning softer lights, directed toward the ground, on timers or dimmers to promote healthy dark skies. I presume there are different needs between commercial and residential and agricultural areas. But a review of what lighting we have, compared with what we would like to have and encourage, would raise awareness about town lighting as a quality of life issue.

Thanks again for all you do.  
Julie Stone  
529 Tazewell Ave

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From: Julie Jones <julierjones.2354@gmail.com>

Sent: Tuesday, March 12, 2024 2:38 PM

To: John Hozey; Mayor Adam Charney; Vice Mayor Steve Bennett; Councilman Paul Grossman; Councilman Andrew Follmer; Councilman Andy Buchholz; Councilman Ken Butta; Councilwoman Tammy Holloway  
Cc: Libby Hume

Subject: Cape Charles Strategic Plan input

Good afternoon, Town Manager Hozey, Mayor Charney, and councilmen/women,

My name is Julie Jones. My husband and I live at 538 Monroe Avenue, in Cape Charles.

I wanted to email you with my thoughts on the 2024 Strategic Plan, in advance of your meeting on March 21.

What is most important to me is the sense of community, in the Historic District of Cape Charles. When tragedy comes to our little town, we reach out to our neighbors for comfort. When a high speed chase ends in Central Park, and the driver goes missing, as happened last August, we reach out to our neighbors to make sure that they know to stay inside their homes, and to make sure they are ok.

A sense of community, knowing your neighbors, small-town character, is what contributes to the feeling of living in a "safe place."

When you do not know who is the current resident of the house next door, because half of the homes in your block are short term rentals, that does not contribute to a sense of community, or safety, in any stretch of the imagination.

When more than half of the houses in your block are unoccupied from September through May, that does not contribute to a sense of community, at all.

When our neighbors in the Seabreeze apartments are given no choice but to leave their homes, and there is nowhere available to them, in the town, that does not contribute to a sense of community.

Since Mr. Hozey's STR committee delivered their recommendations last November to you, how many more STRs have been added to the already large number of STRs, at least in the Historic District?

As I see it, Town Council needs to summon the political will to at least call for a hold on any new short term rental approvals, until they have the information they requested back in November, and are ready to vote on short term regulations for the Town.

So many of the Town's objectives hinge on getting this right, the regulation of short term rentals in our sweet little town:

- 1) retain the small-town character
- 2) advance a variety of housing options for younger families and workforce
- 3) manage smart growth and development
- 4) address STR impacts on housing; admit that STRs impact housing options in town
- 5) recognize the impact of unlimited STRs on our limited resources of water and beach

If, for at least the second consecutive year, STR regulations are the #1 concern of full time residents, then please acknowledge that concern, move STR regulations/ordinances to the #1 position in Appendix B.

The beach was #1 for folks who do not live here full time, and somehow funding was found to hire a consultant and to begin the process of maintaining the beach.

Shouldn't you extend the same courtesy to the full-time residents?

If Town Council does not trust the recommendations of the STR committee (in spite of them having guidance from John Hozey, Katie Nunez and Paul Grossman), then hire a consultant! And act on the consultant's recommendations!

Could you please do that for those of us who call Cape Charles our home?

Thank you for your service to our little town!

Julie Jones

538 Monroe Avenue

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From: Samuel Jones <sejones1492@gmail.com>

Sent: Wednesday, March 13, 2024 12:46 PM

To: John Hozey; Paul Grossman; Tammy Holloway; Councilman Ken Butta; Councilman Andrew Follmer; Councilman Andy Buchholz; Mayor Adam Charney; Vice Mayor Steve Bennett; Libby Hume

Cc: Julie Jones

Subject: Strategic Plan Update

To: Mayor, Town Council members and Town Manager

Thank you for your service to the Town of Cape Charles and the opportunity to provide comment on the draft 2024 Strategic Plan Update. My name is Sam Jones and I live at 538 Monroe Avenue. My wife Julie and I have owned our property since 2015 and became full-time residents in 2022.

My comments on the strategic plan focus on Appendix B. First, given on-going full-time resident concerns regarding the number of STRs and continuing efforts at the State level to limit local control, I request that the item "Develop short-term rental regulations/ordinances" be moved to the top of Town Manager priorities. With the potential as of this date that two bills limiting your flexibility in this area could be signed into law and with multiple bills being carried forward for General Assembly consideration in 2025, immediate action is required to protect our Town. Further delay in making Town Code or zoning ordinance changes will only allow more time for additional legislation be put in place to limit your ability to protect the uniqueness that is Cape Charles.

Second, I request that the item "Develop harbor/RR area conceptual master planning and new design guidelines" be given the second highest priority. One only has to stand on the "hump" and look east and west to see how development of this area will significantly impact our Town. I hear people say that we have a plan for this area but it is outdated and needs updating. It would be more than unfortunate if this area is developed piecemeal with no overall vision provided by the town. There are so many questions—how does any development connect to Mason Avenue, what is the balance between residential and commercial, how should green space and viewscape figure in, do we see this as a walking area, etc. if a conceptual master plan is put in place now, it will guide future development to the benefit of the Town.

Finally, the issue of population growth, and what type of growth, came up at the recent strategic planning session. Developing long-term projections for growth in Bay Creek, the Harbor District and other areas of town would be good input into any development decisions going forward as well as identifying any infrastructure capacity issues.

Thank you for the opportunity to provide comment.

Sam Jones

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From: Bonnie Moore <bonniecmoore@gmail.com>

Sent: Thursday, March 14, 2024 4:06 PM

To: Libby Hume

Subject: Re: Feedback on Strategic Plan

Hello,

Thank you for encouraging feedback to the Community Strategic Plan. Overall, the plan is excellent! I wanted to provide feedback (mostly positive!) for a few items:

Regarding Small-Town Character, I was delighted to see sidewalks and walkability mentioned in the plan (C). Walking Cape Charles is one of our favorite activities, and continuous sidewalks would be such a dream.

I wish there were more information on STR regulations in the plan (F). We have owned a STR in Cape Charles since 2020. We've had a tumultuous few years of highs during COVID to a low last year, combined with 50-70% increases in costs year over year. I recommend giving the market another year or two to even out before capping STRs, so you can get a firmer grasp on what the post-COVID travel economy looks like. The proposed regs would likely benefit us because we are already in the game, but I worry about unintended side effects on the local businesses we love. We try to do our part (G and H) by adding off-street parking in our alley, supplying two trash cans per house, and putting magnets about appropriate behavior and golf carting right at

eye level on our refrigerator. I also advertise town events through social media (LOVE Run, Festive Fridays, Surfing Day, First Day in the Bay, etc.).

For Town Services, we have never found that parking (D) is an issue in Cape Charles, even during 4th of July. Adding an EV charger (G) is a great idea - we have one available to guests and are contacted frequently by travelers who are desperately looking to recharge. A charger may attract travelers passing through and give them time to shop, dine, and fall in love with Cape Charles. Recycling (G) would be a huge benefit - I could replace half of my trash bins with recycling bins.

Thank you all for dedicating your time to serve this wonderful town.

Sincerely,  
Bonnie Moore

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From: Jo Bronson <jobronson03@gmail.com>  
Sent: Friday, March 15, 2024 4:26 AM  
To: John Hozey; Libby Hume  
Subject: Strategic Plan Comments

I am a voting resident of CC and live at 515 Tazewell Avenue in the historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Jo Bronson

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From: Susan Burger <sfriedbur@gmail.com>  
Sent: Friday, March 15, 2024 8:39 AM  
To: John Hozey; Libby Hume  
Subject: STR

I am a resident of CC and live at 550 Madison Ave in historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys is the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to

address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Susan Burger

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From: Nancy Proto <nancyproto@gmail.com>  
Sent: Friday, March 15, 2024 10:03 AM  
To: John Hozey; Libby Hume; Mayor Adam Charney  
Cc: Vice Mayor Steve Bennett; Councilman Andy Buchholz; Councilman Ken Butta; Councilman Andrew Follmer; Councilman Paul Grossman; councilwomanhalloway@capecharles.org  
Subject: Short Term Rentals

Dear Mayor Charney, Mr. Hozey and Ms. Hume,

I am a voting resident of Cape Charles. I live at 607 Pine Street in the historic district of Cape Charles. I am requesting that this email be entered into the public comment section of the March 21, 2024, meeting.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not fulltime residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council (via copy of this email) to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Nancy Proto

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From: Diane D'Amico <damicodiane@gmail.com>  
Date: Fri, Mar 15, 2024 at 9:58 AM  
Subject: Appendix B Strategic Plan  
To: Adam Charney <charneyleads@gmail.com>

Hey Adam, I will be at the TC meeting next Thursday but I want you to know my personal opinion on the subject of STR placement on Appendix B.

I realize that the Appendix B that is attached to the draft of the 2024 Strategic Plan is last years. Since it is the only one we have it is the only one I can comment on. The biggest issue dividing the Town now including Bay Creek is the subject of STRs. Full time and second owners do not feel they had a part in the discussion. Having a Town Hall meeting next Thursday and then voting directly after that convinces most that again their voice will not be heard. I want to see STRs number 1 on the list and a show of political will from the Town Council that this entire situation will be handled immediately regardless of other items on the list.

I will be happy to discuss this if you have the desire.

Diane

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**From:** Kimberly Granger <basketbows@gmail.com>  
**Sent:** Friday, March 15, 2024 11:07 AM  
**To:** Libby Hume <clerk@capecharles.org>  
**Subject:** Community Strategic Plan - Short Term Rentals

I am a voting resident of Cape Charles and live at 524 Jefferson Ave. in the historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for

the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Sincerely,  
Kimberly Granger

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From: Barbara Carroll <barbiboop@aol.com>  
Sent: Friday, March 15, 2024 12:06 PM  
To: Libby Hume; John Hozey  
Subject: Short Term Rentals

Hello Mr. Hozey and Ms. Hime,

I am a voting resident of Cape Charles and I live on Plum Street. I am contacting you in an effort to make you aware that the full time residents have become increasingly concerned about the number of Short Term Rentals (STR) allowed in our town.

We are not trying to eliminate or ban such a lucrative opportunity for the owners of these properties, but we have rights too! It is negligent on the part of the town to disregard the impact that this has or the consequences of doing nothing. STRs have been an issue for years and our Town Council has not made any changes except to allow more STRs to take over our Historical District! Our Town Manager initiated the STR Committee - which included various stakeholders, but not full-time residents. This committee was set up for the primary purpose of putting together recommendations for the Town Council. It should additionally be a part of the Community Strategic Plan. Our Town Council has not addressed or considered how to manage STRs in the past but it must be a priority now and in the future of Cape Charles.

The Community Strategic Plan is scheduled to be presented and voted on by the Council on March 21st. STRs should be a high priority (see Appendix B) but it's way at the bottom despite it being a top priority in our town surveys. The other top priority identified in these surveys was the beach and that has been addressed in the Beach Master Plan. This town needs an STR Master Plan!

As a voting resident of Cape Charles, I am asking our Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Work should be performed immediately to address STR issues such as guidelines for parking and occupancy standards. You need to insure that these properties are licensed and taxed accordingly. You have an obligation to hear our concerns and gather information from the voting / full time residents of Cape Charles.

Thank you,  
Barbara Carroll

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From: Barbara OHare <barboh5@gmail.com>  
Sent: Friday, March 15, 2024 12:30 PM  
To: John Hozey; Libby Hume  
Subject: Short Term Rentals

To: Mr. John Hozey, Ms. Libby Hume  
CC: Paul Grossman

I am writing in concern for the continuing growth of short term rentals in Cape Charles, and the historic district in particular. As a voting resident of the town, I see delays in addressing the issue of STRs in town that are impacting full-time residents. Owning and renting STRs has become a profitable business for some (e.g., a



non-resident neighbor owns 3 properties in town that are rented through AirB&B), and the proportion of homeowners that are full-time residents seems to have diminished. I have a number of formerly full-time friends who have moved away due to the changing town environment, and I must admit that my commitment to helping the town is waning. This may not be a Town concern if the preference is for Cape Charles to be a vacation town.

The recommendations developed by the STR Committee initiated by the Town have not been addressed by the Town Council, and do not appear to have been considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys.

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals a top priority to be addressed right away. Other towns have been able to address this issue. We have seen our taxes double despite being told that short term rentals are a wonderful income generator for the town.

Respectfully submitted,  
Barbara O'Hare  
11 Randolph Ave.

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From: Carol Carnegie <carcarnegie@gmail.com>  
Sent: Saturday, March 16, 2024 8:54 AM  
To: Libby Hume; John Hozey  
Subject: Priority List of the Community Strategic Plan

Dear Town Council,

We are voting residents of Cape Charles; and live at 513 Madison Avenue in the historic district. Many issues face the permanent residents and the town council this week. However, the main issue we are addressing is the situation with Short Term Rentals (STR). This has been an issue before this Town Council for many years and nothing has changed and the quantity of STRs continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included several stakeholders but not any full time residents set up for the purpose of putting together recommendations for the Town Council, have not been addressed by the Town Council. and therefore, has not been considered in the development of priorities in the Community Strategic Plan. This report deserves serious scrutiny by the Town Council and the residents of Cape Charles. Why hasn't it?

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Market Plan. Why has STR not been addressed in this way?

As voting residents of Cape Charles, we are asking the Town Council of Cape Charles to make Short Term Rentals the highest priority in the Community Strategic Plan. Therefore, we are requesting that work should be performed immediately to address the STR issues with opportunities to gather information from voting residents/the full time residents of Cape Charles and other towns on the Eastern Shore and other towns who are combating the STR situation such as Edenton, North Carolina. Please do not ignore the STR concerns in Cape Charles. It will not go away unless the Town Council makes it a priority!

Sincerely,  
Carol and Jim Carnegie  
513 Madison Avenue

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From: Bill OHare <billohare1@gmail.com>  
Sent: Saturday, March 16, 2024 11:00 AM  
To: Libby Hume  
Subject: short-term rentals

Dear Ms. Hime

I am a voting resident of Cape Charles and I live at 11 Randolph Avenue, in the historic district.

I am writing to make three points regarding the short-term rental issue.

First, as far as I can tell there is no good statistical data on the number of short-term rentals in Cape Charles or how that number has changed over the past 5 to 10 years. If I am mistaken about this, please direct me to where I can find that data.

Second, according to the Community Strategic Plan Appendix B, the issue of short-term rentals is tenth on the list of priorities. This issue deserves to be given more importance by the town. It should be the number one issue on the priority list.

Third, before the Town Council adopts the new strategic plan set of priorities, full-time town residents should be given a chance to provide input on the plan.

Thanks for your consideration.

Bill O'Hare, PhD

President

O'Hare Data and Demographic Services, LLC

11 Randolph Avenue

Cape Charles, VA 23310

cell phone 443 472 7434

email [billohare1@gmail.com](mailto:billohare1@gmail.com)

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From: Lisa Guzzardo <[cmoorelguzz@comcast.net](mailto:cmoorelguzz@comcast.net)>

Sent: Sunday, March 17, 2024 9:08 AM

To: Libby Hume; John Hozey

Cc: Chip Moore

Subject: CC Strategic Plan - Short Term Rentals

We are voting residents of CC and live at 156 Sunset Blvd in Bay Creek.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and nothing has changed...the quantity of STRs continue to grow! The recommendations developed by the STR Committee, initiated by the Town Manager, which included various stakeholders, were set up for the purpose of putting together recommendations for the Town Council. They have not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B of the plan) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As voting residents of Cape Charles, we are asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then we are requesting that work should be performed immediately to address the STR issues, with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Things that should be considered:

- Establish a cap on the number of STRs
- Establish rules that dictate: number of people per bedroom, parking spaces per rental home, etc.
- Increase license fee to enable decrease or elimination of personal property tax/meal tax fees based on:
  - Square footage of rental home
  - Number of renters advertised
  - Number of beds in the home
- Develop a plan to increase the number of full time residents (e.g. encourage families, increase available staff/employees, support year round business patronage) NOT focus only on tourism and STRs!!
- Slow down the mass exodus of full time residents to the "suburbs" -- Tower Hill, Kings Creek landing, seaside/bayside areas, etc. Many people we talk to in "town" are looking for other locations on the Shore.

We truly care about the sense of community within Cape Charles, which was part of why we moved here. Let's not let our town turn into the OBX or the Jersey shore...if it is not already too late!!!

Sincerely,

Earl (Chip) Moore

Lisa Guzzardo

C: 410-303-6493

L: 410-375-9706

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From: Rita Surface <rsurface@verizon.net>

Sent: Sunday, March 17, 2024 10:52 AM

To: Libby Hume

Subject: Short Term Rentals

We are voting residents of CC and live at 25 Kings Bay Dr. in Bay Creek.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and nothing has changed...the quantity of STRs continue to grow! The recommendations developed by the STR Committee, initiated by the Town Manager, which included various stakeholders, were set up for the purpose of putting together recommendations for the Town Council. They have not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B of the plan) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As voting residents of Cape Charles, we are asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then we are requesting that work should be performed immediately to address the STR issues, with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Things that should be considered:

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- Develop a plan to increase the number of full time residents (e.g. encourage families, increase available staff/employees, support year round business patronage) NOT focus only on tourism and STRs!!
- Slow down the mass exodus of full time residents to the "suburbs" -- Tower Hill, Kings Creek
- landing, seaside/bayside areas, etc. Many people we talk to in "town" are looking for other locations on the Shore.

We truly care about the sense of community within Cape Charles, which was part of why we moved here. Let's not let our town turn into the OBX or the Jersey shore...if it is not already too late!!!

Tom and Rita Surface

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From: George <grproto1@gmail.com>

Sent: Sunday, March 17, 2024 11:14 AM

To: Mayor Adam Charney

Cc: John Hozey; Libby Hume

Subject: Short Term Rentals

Mr. Charney,

I am a registered voter residing in Cape Charles.

I am writing relative to the issue of short-term rentals in Cape Charles. I've read the recommendations of the STR Regulation Committee and, in general, am in agreement with them. I do have several requests.

1. Appendix B of the Community Strategic Plan lists the development of short-term rental regulations as #10 in terms of priority, "New items to be started as time/resources are available". This issue needs to be given a much higher priority than this and certainly should be among the top 3. I believe this needs to be addressed in the new Comprehensive Plan, but let's not allow the development of the Comprehensive Plan to delay STR regulations. Note that, per Mr. Hozey, the Community Survey taken last year put this as the number one priority, so this is a matter of great importance to our citizens.

2. As part of this change in priority, input from the voting residents of Cape Charles – in the form of a Town Hall Meeting as recommended in the Mr. Hosey's memo of November 2, 2023 – should be sought at the soonest possible opportunity.

3. The current proposed date for recommendations is January 1, 2025. It's true that this is a complex subject, and it might well take to the end of the year to finalize things. In the meantime, I strongly urge that an interim cap limiting the number of STR's to that currently approved be adopted to prevent a flood of applications and to maintain some level of control. While these STR's do bring revenue to the town we also need to consider the impact on the quality of life of the full-time residents, even in the short term.

4. I believe there should be a separate STR registry to allow easier tracking, particularly when it comes to complaints.

I have several other comments. These include:

1. With regard to Item 4 of the recommendations, this regulation should be worded so as to prevent the "stealth growth" of STR's. So, for example, the use of a rehabilitated building as an STR might be limited to some period, say 3 years, or, rather than that, give rehabbed buildings priority to obtain an STR permit from the existing capped number for some period of years.

2. STR's should not be transferrable with the sale of the property.

3. In addition to limiting the number of STR's in each zone it would be advisable (if allowed by law) to limit the maximum number of STR's on individual blocks.

4. As I read this, STR permits renew automatically every year with the approval of the business license. In effect, this grandfathers STR's in and, with a cap, would make it very difficult for new rentals to enter the market. Let's make sure there is no grandfathering by putting a limit on the length of the permit requiring a new application periodically, say every three years.

I realize this is a complex subject and likely to raise emotions, but it definitely needs to be addressed, and I applaud the Town Council and Management for tackling it. That said, let's go forward quickly to get this issue closed.

Thank you for your kind attention.

Regards,  
George Proto  
845 702 2768

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From: Heather Atkinson <hdatkinson22@hotmail.com>  
Sent: Sunday, March 17, 2024 7:32 PM  
To: Libby Hume  
Subject: Re: Short Term Rentals

Heather Atkinson  
555 Monroe Avenue  
Cape Charles, Va 23310

On Mar 17, 2024, Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

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From: walt bronson <walter.bronson@comcast.net>  
Sent: Sunday, March 17, 2024 8:50 PM  
To: Libby Hume; John Hozey  
Subject: Community Strategic Plan

As in many communities across the Country, Short Term Rentals (STRs) has become a divisive and topic. Detractors point out, as noted in a Planning Magazine article on Nov. 4, 2022 by Nick Del Pego, "STRs can pop up in residential neighborhoods, impact rural areas not zoned for commercial business, and contribute to housing scarcity. And with an average of five to 10 people staying at an STR (multiplied several times over), the stress on local infrastructure can be significant: more trash, reduced parking, and greater wear and tear of streets, increased noise, and a loss of a sense of community" Proponents point out that STRs are needed to support local businesses and that STRs are a primary reason that Cape Charles has been redeveloped from its dilapidated condition of the 1970s to early 2000s.

We can all agree that Cape Charles is a wonderful place that we all love whether we are full time residents or part timers coming when we can to homes that we own or rent. Some of us also make our livings here as business owners and employees, including short term rental owners. The love we have for our community and the financial dependence that is tied to it makes us all very passionate, particularly when it comes to the short term rental situation.

There is no doubt that Cape Charles would not be what it is today without a vibrant short term rental market. Northampton County does not have enough employers to support one hundred percent full time residents in Cape Charles as it did in the late 1800s to the mid 1900s. The Town now depends on tourism to support the restaurant and retail businesses as well as the community activities that we all enjoy. On the other hand, a town of overwhelmed by short term rentals and vacation homes is no community at all. It would be a town without a community, without a heart. The Town needs people to run not only its commercial businesses and government offices, but also many of the wonderful things about Cape Charles including the Central Park Committee, Cape Charles Main Street supported Festive Fridays, 4<sup>th</sup> of July Parade, and Love Run, the Historical Society, the Volunteer Fire Department, and many others.

There has to be a balance that is struck between the number of STR and full-time residents.

STRs are very profitable and STR owners can afford to pay high prices for properties because of the high rents they can charge. There is no doubt that the STR market has driven the Cape Charles real estate market to incredible heights. The tax assessment that came out last year is enough to show that as well as the new one just starting to make news. And while that is good for those that wish to sell and leave Cape Charles, it means that the only ones that can afford these prices are those buying to convert to VRBOs. It also means higher taxes for those wishing to stay. With most properties being bought to convert to VRBOs there are no or very few new full-time residents that are moving into town. Which means that Cape Charles is losing its heart and its community.

Vacation home rentals have become very popular, especially since the pandemic. Because they are popular, especially in Cape Charles, rents are quite high. The high rents mean that the clientele tends to be affluent well-established families. All pendulums swing back and forth though. Short term rentals have seen unprecedented growth over the past four years. More recently the news has stories of the vacationing public becoming disenchanted with AirBNB and VRBO and growth is slowing. Slowing growth is also likely a result of people returning to more traditional travel such as cruises and international travel with the end of the pandemic.

The number of short term rentals continues to grow in Cape Charles, however. What will happen when demand reduces and supply increases, which will undoubtedly happen at some point, be it this year, next year, or five years from now. Prices will drop as owners compete to try and stay booked and the clientele will change. At the extreme, short term rental owners may not be able to pay their mortgages and then there will be sell off, devaluation of properties, and possibly a return to abandoned and empty buildings. Restricting the number of short term rentals in the Town will help to limit or even prevent the damage that the pendulum swing will cause and it will be good for everyone from that perspective.

Every week it seems as though another house sells in Cape Charles to be converted to a STR, maybe more than once a week. This is not a sustainable model for the numerous reasons as noted above:

- Stress on local infrastructure including water and sewer plants,
- More trash,
- Reduced parking,
- Greater wear and tear of streets
- Increased noise,
- Loss of full time residents and sense of community.
- Increased property taxes.

The work begun by the STR Committee is an admirable start, but the timeline proposed for implementation (2025) will allow all of the above to continue to get worse. The Town needs to act NOW while it completes the studies and implements permanent rules. The longer it waits the more STRs will exist, the harder it will be to control and the greater the impact will be when the controls are implemented.

The Town Council must listen to its citizens. STRs have been high on the list of the community survey for at least two years, yet low on the Council's list of items to deal with. That must change. It is past time for action to be taken to protect and sustain our community, while we still have one.

Walter Bronson  
525 Tazewell  
609-752-1724

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From: N and C Mitchell <norm.cindy.111@gmail.com>  
Sent: Sunday, March 17, 2024 8:56 PM  
To: Libby Hume; John Hozey  
Subject: Cape Charles STR

We are voting residents of CC and live at 111 Tazewell Ave.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and nothing has changed...the quantity of STRs continue to grow! The recommendations developed by the STR Committee, initiated by the Town Manager, which included various stakeholders, were set up for the purpose of putting together recommendations for the Town Council. They have not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B of the plan) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As voting residents of Cape Charles, we are asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then we are requesting that work should be performed immediately to address the STR issues, with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Things that should be considered:

- Establish a cap on the number of STRs
- Establish rules that dictate: number of people per bedroom, parking spaces per rental home, etc.
- Increase license fee to enable decrease or elimination of personal property tax/meal tax fees based on:
  - Square footage of rental home
  - Number of renters advertised
  - Number of beds in the home

- Develop a plan to increase the number of full time residents (e.g. encourage families, increase available staff/employees, support year round business patronage) NOT focus only on tourism and STRs!!
- Slow down the mass exodus of full time residents to the "suburbs" -- Tower Hill, Kings Creek landing, seaside/bayside areas, etc. Many people we talk to in "town" are looking for other locations on the Shore.

We really love the sense of community we have here in Cape Charles, and do not want our town to turn into the Outerbanks or the Jersey shore. Let's not let our beautiful little town become a place like that.

Thank you,  
Norm & Cindy Mitchell

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From: Linda Hitchings <linda.hitchings@vnb.com>  
Sent: Monday, March 18, 2024 10:30 AM  
To: John Hozey  
Cc: Libby Hume  
Subject: Short Term Rentals

Good Morning.

I am a voting resident of CC and live at 606 Monroe Avenue in the historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Linda W. Hitchings  
Cell: 434-987-6169

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From: huxley83@verizon.net  
Sent: Monday, March 18, 2024 12:09 PM  
To: Libby Hume  
Subject: Fw: STR's

I am a voting resident of CC and live at \_220 Monroe ave in \_historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed

immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Respectfully,  
Dennis Libby

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From: Joan Cooper <cooperjoan554@gmail.com>  
Sent: Monday, March 18, 2024 4:09 PM  
To: John Hozey; Libby Hume  
Subject: Ordinances and Regulations for short-term rentals

For the Cape Charles Town Council:

I am a full-time resident of CC and a registered voter living at 517 Madison Ave in the historic district. Before moving here permanently, late last year, I used my home for short-term rentals. Having been on both sides of the fence, I know that updated ordinances and regulations for short-term rentals are sorely needed to keep the small town charm that brings visitors, and is the reason so many choose to make it their permanent home.

Short Term Rentals (STR) have been an issue before this Town Council for many years, yet the quantity of STR continues to grow. The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents) was set up for the purpose of putting together recommendations for the Town Council. Those recommendations must be addressed by the Town Council in order to be considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (in Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. STR ordinances and regulations should be made a top priority for 2024 in the Strategic Plan.

Other beach communities, such as Hilton Head, NC have adopted ordinances on short-term rentals to address:

- Permits.
- Vehicles and parking.
- Noise management.
- Violations.
- Complaint tracking and response.
- Trash storage and removal

As a voting resident of Cape Charles, I am asking the Town Council to make regulations and effective ordinances for Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles to add to the recommendations already made.

Respectfully submitted,  
Joan Cooper  
517 Madison Avenue  
Cape Charles, VA 23310

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From: susanhudson3@me.com  
Sent: Monday, March 18, 2024 7:52 PM  
To: Libby Hume; John Hozey  
Cc: Susan Hudson  
Subject: Short Term Rentals not a priority in Cape Charles...Why?

We are residents of Cape Charles and live at 70 Creekside Lane in Bay Creek.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and not much has changed...the number of STRs continues to grow. The draft recommendations developed by the Town STR Committee (initiated by the Town Manager and includes various stakeholders), were developed for the purpose of putting together some ideas for the Town Council to consider. Their draft recommendations were



presented at a town council meeting last November, but have not yet been addressed by the Town Council, and don't appear as one of the top priorities in the 2024 Community Strategic Plan (see Appendix B of the plan), despite the STR topic being one of the two top priorities identified by residents in various town surveys.

The other top priority identified in these surveys was the Town Beach and that has been addressed, and a company hired to start on the Beach Master Plan. Why have STRs not been addressed with the same sense of urgency?

As residents of Cape Charles, we are asking the Town Council to make Short Term Rentals a much higher priority in the Community Strategic Plan. We are requesting that work be performed sooner than later, to address the STR issues, including opportunities to gather information from the residents of Cape Charles.

We are acutely aware that many long-term renters have been driven out of town because their landlords have turned those properties into STRs to make more money. We truly care about the sense of community within Cape Charles. Let's not let our town continue to be a community of rentals in the summer, then empty streets in the winter months. Hopefully it's not too late to make the necessary changes to save our community.

Respectfully submitted:  
Michael and Susan Hudson  
70 Creekside Lane  
Susan B. Hudson  
Bay Wick  
PO Box 161  
Cape Charles, VA 23310

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From: Lee Masterson <mastersonlee@aol.com>  
Sent: Tuesday, March 19, 2024 7:05 AM  
To: Libby Hume  
Subject: Short term rentals

We are residents of Cape Charles and live at (address) in Bay Creek. Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and not much has changed...the number of STRs continues to grow. The draft recommendations developed by the Town STR Committee (initiated by the Town Manager and includes various stakeholders), were developed for the purpose of putting together some ideas for the Town Council to consider. Their draft recommendations were presented at a town council meeting last November, but have not yet been addressed by the Town Council, and don't appear as one of the top priorities in the 2024 Community Strategic Plan (see Appendix B of the plan), despite the STR topic being one of the two top priorities identified by residents in various town surveys.

The other top priority identified in these surveys was the Town Beach and that has been addressed, and a company hired to start on the Beach Master Plan. Why have STRs not been addressed with the same sense of urgency? As residents of Cape Charles, we are asking the Town Council to make Short Term Rentals a much higher priority in the Community Strategic Plan. We are requesting that work be performed sooner than later, to address the STR issues, including opportunities to gather information from the residents of Cape Charles.

We are acutely aware that many long-term renters have been driven out of town because their landlords have turned those properties into STRs to make more money. We truly care about the sense of community within Cape Charles. Let's not let our town continue to be a community of rentals in the summer, then empty streets in the winter months. Hopefully it's not too late to make the necessary changes to save our community.

Signature(s)  
Jeanne and Lee Masterson  
305 Bayside Avenue  
Cape Charles  
Full time residents.

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From: Margaret Deuel <margaretdeuel@gmail.com>  
Sent: Tuesday, March 19, 2024 8:51 AM  
To: John Hozey; Libby Hume

Subject: Addressing STRs in 2024 Community Strategic Plan

We are residents of Cape Charles and live at 519 Walbridge Bend in Bay Creek.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and not much has changed...the number of STRs continues to grow. The draft recommendations developed by the Town STR Committee (initiated by the Town Manager and includes various stakeholders), were developed for the purpose of putting together some ideas for the Town Council to consider. Their draft recommendations were presented at a town council meeting last November, but have not yet been addressed by the Town Council, and don't appear as one of the top priorities in the 2024 Community Strategic Plan (see Appendix B of the plan), despite the STR topic being one of the two top priorities identified by residents in various town surveys.

The other top priority identified in these surveys was the Town Beach and that has been addressed, and a company hired to start on the Beach Master Plan. Why have STRs not been addressed with the same sense of urgency?

As residents of Cape Charles, we are asking the Town Council to make Short Term Rentals a much higher priority in the Community Strategic Plan. We are requesting that work be performed sooner than later, to address the STR issues, including opportunities to gather information from the residents of Cape Charles.

We are acutely aware that many long-term renters have been driven out of town because their landlords have turned those properties into STRs to make more money. We truly care about the sense of community within Cape Charles. Let's not let our town continue to be a community of rentals in the summer, then empty streets in the winter months. Hopefully it's not too late to make the necessary changes to save our community.

Margaret A. Deuel  
James M. Liepman  
519 Walbridge Bend  
Cape Charles

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From: Neilproof110 <neilproof10@gmail.com>  
Sent: Tuesday, March 19, 2024 8:51 AM  
To: Libby Hume  
Cc: Karen Duncan  
Subject: Cape Charles and preserving our town year round

We are voting residents of CC and live at 5 Kings Bay Dr in Bay Creek.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and nothing has changed...the quantity of STRs continue to grow! The recommendations developed by the STR Committee, initiated by the Town Manager, which included various stakeholders, were set up for the purpose of putting together recommendations for the Town Council. They have not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B of the plan) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

Failure to address this issue will result in the cannibalism of our town. Without a balance of full time residents along with a percentage cap of STR's businesses will not be able to sustain in the offseason months. We've already heard this from business owners barely meeting their bills this year as residents have sold and moved away or turned their homes into short term rental properties. CC has turned into a ghost town outside tourist season and runs the risk of relying solely upon tourist dollars to sustain the town's businesses. We will eventually lose businesses based on this model along with the charm of our town without having full time residents and affordable housing for individuals needed as employees these businesses.

As voting residents of Cape Charles, we are asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then we are requesting that work should be performed

immediately to address the STR issues, with opportunities to gather information from the voting residents/full time residents of Cape Charles.

We agree with the following things below outlined.

Things that should be considered:

- Establish a cap on the number of STRs
- Establish rules that dictate: number of people per bedroom, parking spaces per rental home, etc.
- Increase license fee to enable decrease or elimination of personal property tax/meal tax fees based on:
  - Square footage of rental home
  - Number of renters advertised
  - Number of beds in the home
- Develop a plan to increase the number of full time residents (e.g. encourage families, increase available staff/employees, support year round business patronage) NOT focus only on tourism and STRs!!
- Slow down the mass exodus of full time residents to the "suburbs" -- Tower Hill, Kings Creek landing, seaside/bayside areas, etc. Many people we talk to in "town" are looking for other locations on the Shore.

We truly care about the sense of community within Cape Charles, which was part of why we moved here. Let's not let our town turn into the OBX or the Jersey shore...if it is not already too late!!!

Thank you for your consideration and concern for our community.

Best,  
Neil Stevens & Karen Duncan

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From: Sue Weaver <suew5659@gmail.com>  
Sent: Tuesday, March 19, 2024 11:44 AM  
To: Libby Hume  
Subject: Limiting Short Term Rentals

I am a full time resident, a retiree and a registered voter in Cape Charles. Please make Short Term Rentals the first priority in the community Strategic Plan. I am very concerned about losing the small town culture of Cape Charles. Please do what is necessary to immediately address the STR issues with opportunities to gather information from all of us who reside in Cape Charles.  
Sue Weaver

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From: Mark Usry <usryml57@aol.com>  
Sent: Tuesday, March 19, 2024 5:38 PM  
To: Libby Hume  
Cc: John Hozey  
Subject: Strategic Plan Thoughts

Dear Members of Town Council:

First, thank you for the time and personal sacrifice that you make to serve our community.

While I appreciate the overall scope of the revised strategic plan and don't wish to see anything removed, I have some suggestions.

- Short-term rental issues must be addressed, immediately. A standard is needed for maximum occupancy of a home (inspector should consider bedrooms/bathrooms), and the total number of cars per rental. Please address this issue before it further divides our community. Implement the plan from the task force.
- Our community has four public gems – the beach, the harbor, Mason Avenue and Central Park.
- My serious concern about the current strategic plan specifically states, 'Protect and maintain the beachfront', 'Protect and maintain the harbor', 'Retain and expand businesses in a business-friendly environment' – however, despite reading and re-reading the strategic plan I find no mention of Central Park.

- The patchwork pattern of sidewalks in town needs to be a higher priority where they are missing they need to be filled in.
- As a community we need to be thinking about what there is to do for middle and high-school students. We have a wonderful 'safe' beach and playground for younger children, but as those kids grow up what is for them to do beyond that? Basketball and volleyball courts could help with that situation.

Again, my thanks to you all and to our town staff.

Sincerely,  
Mark L. Usry, full-time resident of Cape Charles  
117 Strawberry Street

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From: Jeff Gray <jhg.gray@gmail.com>  
Sent: Tuesday, March 19, 2024 5:51 PM  
To: Libby Hume; John Hozey  
Subject: Short Term Rental Issues

My name is Jeff Gray and I live full time in the Historic District here in Cape Charles. I'm sure you have heard and will hear a lot about the short term rental issue from citizens who are concerned. I am one of those people. Thank you for taking a moment to consider my perspective.

First, I want to acknowledge and thank you for the amount of great work that the Town of Cape Charles is doing. As a vibrant, popular and growing community, there is no shortage of significant issues that need attention.

I am concerned, however, that the short term rental issue is not getting sufficient attention. With every day that passes, more properties in our community are on the market or are changing ownership. There's no question that many potential buyers are attracted to the town because of the potential return on their investment by using the property as a short term rental. I have personal friends who use their Cape Charles properties for short term rentals, yet hope to move here permanently in the future. While I appreciate that the economic equation for rentals can be and often is attractive to an investor or buyer, it's critical to consider the impact on our community as a whole if this rapidly accelerating trend continues.

I think there's no disagreement about the importance of year round residents to provide a better chance for new and existing businesses to flourish on a year round basis. In addition, a greater number of year round residents (or at least residents who frequently are here and are not renting their home on a short term basis) will foster a better sense of community. From my perspective, we don't want to turn into just a resort destination that is dead in the off-season.

I would emphasize that I am thankful for and have nothing against tourists. I think we are blessed with the fact that the vast majority of our guests are well behaved. Many are young families who love our kid-friendly beach and amenities.

I urge the Town, the Mayor and Council to do whatever is necessary to expedite the study and implementation of regulations to address the short term rental issue. Part of the problem we face is timing: a well thought out solution cannot happen overnight. I presume, for example, that any solution will need to address whether we need to "grandfather" existing STR arrangements, even if we implement new restrictions. I don't know the answer to that question, but that analysis certainly is part of the equation.

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From: david pershing <pershingd@gmail.com>  
Sent: Wednesday, March 20, 2024 2:02 AM  
To: Libby Hume; John Hozey  
Cc: Ann Pershing  
Subject: Short Term Rentals -- in the Town of CC

We (David and Ann Pershing) are soon to be full time residents of Cape Charles and live at 308 Captain Orris Brown, Cape Charles, in Bay Creek. We are currently building and anticipate living in the community by the end of 2024.

Short Term Rentals (STR) have been an issue for the Town Council(s) for many years and not much has changed...the number of STRs continues to grow. The draft recommendations developed by the Town STR Committee (initiated by the Town Manager and includes various stakeholders), were developed for the purpose of putting together some ideas for the Town Council to consider. Their draft recommendations were presented at a town council meeting last November, but have not yet been addressed by the Town Council, and don't appear as one of the top priorities in the 2024 Community Strategic Plan (see Appendix B of the plan), despite the STR topic being one of the two top priorities identified by residents in various town surveys.

The other top priority identified in these surveys was the Town Beach and that has been addressed, and a company hired to start on the Beach Master Plan. Why have STRs not been addressed with the same sense of urgency?

As soon to be full time residents of Cape Charles, we are asking the Town Council to make Short Term Rentals a much higher priority in the Community Strategic Plan. We are requesting that work be performed sooner than later, to address the STR issues, including opportunities to gather information from the residents of Cape Charles.

We are requesting that work should be performed immediately to address the STR issues, with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Things that should be considered:

- Establish a cap on the number of STRs
- Establish rules that dictate: number of people per bedroom, parking spaces per rental home, etc.
- Increase license fee to enable decrease or elimination of personal property tax/meal tax fees based on:
  - Square footage of rental home
  - Number of renters advertised
  - Number of beds in the home
- Develop a plan to increase the number of full time residents (e.g. encourage families, increase available staff/employees, support year round business patronage) NOT focus only on tourism and STRs!!
- Slow down the mass exodus of full time residents to the "suburbs" -- Tower Hill, Kings Creek landing, seaside/bayside areas, etc. Many people we talk to in "town" are looking for other locations on the Shore.
- Enforcement. If STRs are allowed, along with caps, assuming rules for STRs would be then published
- Enforcement of those rules must be considered. For example failure to comply with the STRs rules/regulations would prohibit future ability to use property as an STR. The owner would then have to reapply to use their property as an STR. Consider revoking STR license or approval for use as an STR. I constantly hear advocates of STRs, that state we have never had an issue with our renters or what is the harm in using my property as an STR? If that is the case, then enforcement of the STRs rules, and the risk of failing to comply with the STRs rules resulting in the inability to use property as an STR should not be a concern with STRs advocates, since they have indicated there are not any issues with using their property as an STR. Enforcement of the STR rules and risk of losing the ability to use the property as an STR would also ease the minds of the full time residents - in that knowing the STR owner is incentivized to follow the rules, since the risk is high for failure to comply with the rules.

We truly care about the sense of community within Cape Charles, which was part of why we moved here. Let's not let our town turn into the OBX or the Jersey shore...if it is not already too late!!!

We are acutely aware that many long-term renters have been driven out of town because their landlords have turned those properties into STRs to make more money. We truly care about the sense of community within Cape Charles. Let's not let our town continue to be a community of rentals in the summer, then empty streets in the winter months. Hopefully it's not too late to make the necessary changes to save our community.

Thanks, Dave and Ann Pershing

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From: Jim Granger <shputz8@gmail.com>  
Sent: Wednesday, March 20, 2024 9:40 PM  
To: Libby Hume; John Hozey  
Subject: Strategic Plan - Short Term Rentals

Mayor Charney, Members of Town Council, Mr. Hozey,

I am a full time, voting resident of Cape Charles and live at 524 Jefferson Avenue in the Historic District. Short Term Rentals (STR) have been an issue for many years with almost no action taken and the quantity of STR continues to grow. The recommendations developed by the Town Manager-initiated STR Committee, which included various stakeholders (but almost no full-time residents), set up for the purpose of developing recommendations for the Town Council, have not been addressed by the Town Council and were not considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in several town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. STR need to be addressed in the same manner.

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. I also request STR issues get addressed without delay, and that input from the full time, voting residents of Cape Charles be properly taken into consideration.

I am not against STRs. Many of my friends have them, and individually, they're usually no issue. Many people visit Cape Charles for the same reasons that drew us to live here. Most visitors are wonderful people. However, the vast number of STRs has overwhelmed the town. When full time doing residents feel like leaving the town during the summer season, that's wrong. Cape Charles didn't have the foresight to see what has happened in just a few short years. If we had, we could have put controls like they've done in Edenton, NC. That's water under the bridge. We CAN address the specific issues that many full time residents have through aggressive enforcement of existing policies, much like Corolla, Duck, and other OBX towns have taken to crack down on unruly renters.

Some of our issues include the following:

- Excessive noise, particularly after 10 PM
- Excessive lights
- Too many people in single small rental houses, beyond the allowed occupancy
- Too many unregistered rentals that are marketed directly to renters via social media
- Too many vehicles for houses that have at most 1-2 parking spots
- Public alcohol use
- Underaged golf cart operators

I'm not the first to mention those issues - the STR committee addressed many of them. Some are already being addressed, like underaged golf cart operators. We need to continue to be aggressive about enforcement and put our Town first. We should include the VHOCC in those discussions, as they have an interest in the town as well. If we do that, we'll drive out the undesirable renters and return to being a town that we all can enjoy living in.

The sheer number of STRs, here and in Northampton County, have started us into a downward spiral. STRs have driven housing costs through the roof. Families with children can no longer afford to live in CC, and there are very few other places on the Shore for them to live. We want to have a vibrant Main Street with businesses that renters and tourists will shop in to increase economic vitality of the town. Every business owner I know of is desperately hurting for staff, often those 18-25 year olds. We've driven them out of town, and we're driving them out of the County and off the Shore too.

Northampton County is working on a \$80M+ rehabilitation of Northampton High School and Middle School. It's funded by our sky-high taxes, and Cape Charles provides a major chunk of the County's tax base. Where are all the kids coming from that will attend the schools? We have about 1200 kids in the entire school system, and numbers are dropping.

It's my guess that over the next 3-5 years, STRs will suffer from a downturn. With housing prices so high, owners have to charge a high rent to cover their costs. Renters in turn will demand more amenities, modern updates, and more shops and restaurants to enjoy. They won't like long lines at understaffed businesses, and

negative reviews will pop up, and the numbers will decline, putting more pressure on the under-capitalized rental owners.

Another issue is volunteers. We depend on volunteers to do a lot of things, from selling margaritas at concerts to the LOVE run to the parades. It's one thing to volunteer to support your fellow residents, it's another to put in a lot of work for people that you don't even know. I know at least several people who have stopped volunteering for that very reason.

Lastly, we're losing the soul of Cape Charles. Residents are voting – with their feet. Cheriton, Tower Hill, Kings Creek Landing, and other communities are booming, and longtime voting residents of Cape Charles are moving out of town to those communities.

I implore the Town Council to take action on STRs, and I can only hope that it's not too late.

Sincerely,  
Jim Granger

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From: Jennifer Delaroderie <jennifer.delaroderie@yahoo.com>  
Sent: Thursday, March 21, 2024 8:18 AM  
To: Libby Hume  
Subject: Town Council Consideration

Good morning, I am a voting resident of CC and live at 606 Randolph in the historic district.

Short Term Rentals (STR) have been an issue before this Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

Thank you for your time and consideration.

Sincerely,  
Jennifer Delaroderie

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From: Mollie Pickron <pickronm@gmail.com>  
Sent: Thursday, March 21, 2024 1:31 PM  
To: John Hozey; Libby Hume  
Subject: STRs in Cape Charles

I am a voting resident of CC and live at \_501 Monroe Ave in the historic district.

Short Term Rentals (STR) have been an issue before our Town Council for many years and nothing has changed and the quantity of STR continues to grow! The recommendations developed by the STR Committee initiated by the Town Manager, which included various stakeholders (but not full-time residents), set up for the purpose of putting together recommendations for the Town Council, has not been addressed by the Town Council and not, therefore, considered in the development of priorities in the Community Strategic Plan.

The Community Strategic Plan scheduled to be presented and voted on by the Council on March 21, does not make STRs a high priority (see Appendix B) despite the STR situation being one of the two top priorities

identified in various town surveys. The other top priority identified in these surveys was the Beach and that has been addressed and a company hired to start on the Beach Master Plan. Why has STR not been addressed in this way??

As a voting resident of Cape Charles, I am asking the Town Council to make Short Term Rentals the highest priority in the Community Strategic Plan. Then I am requesting that work should be performed immediately to address the STR issues with opportunities to gather information from the voting residents/full time residents of Cape Charles.

I personally have lost 4 full time historic district neighbors and friends who have moved out of Cape Charles to other towns because of the STR disruptions. We will surely continue to lose residents if we don't do something to maintain and restore the small town atmosphere, character, and other reasons why we all moved here in the first place.

Mollie Pickron

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### **Public Comments Made in Person at the Public Hearing**

*Richard Burger*

Good evening Mayor Charney and members of the Town Council.

I am Richard Burger, Chairperson of *your* Cape Charles Memorial Library Board. I come this evening to address you once again on behalf of our Library, this time regarding the newly proposed Strategic Plan.

For Bullet Point number 1 "...small-town character..." subhead a, there's a note below Roman numeral 4 regarding the recognition or acknowledgement of various civic groups in town. I can think of no better way to recognize and acknowledge members of the groups listed, as well as members of various town boards, than to invite them to serve on town committees like the one that drafted this plan. Their community engagement is already self-evident. Their input could be invaluable.

Same Bullet Point, item d "...quirky events..." (and by the way, I love that phrasing.) I believe that our Library programming may be the epitome of quirkiness, thanks to the efforts of our incredible Library staff, Sharon, Betsy and Maureen. From jugglers and mimes to Bay seining, story times and owl prowls, June brides and puppet shows, promoting quirky, for all ages, is what we do. Supporting the Library is supporting quirky events.

Same Bullet Point, item e, regarding the arts, entertainment and recreation, Roman numeral 1, "...at low or no cost..." look no further than the Cape Charles Memorial Library for free events in all three categories, (and, need I say it, books and other materials, also free.)

Bullet Point 7 proposes to "Meet our residents' expectation for Town services," item a, "to establish modern municipal facilities." First let me thank you for the upgrades to the Library's heating system. We warmly appreciate your efforts. But reading between the lines here, I imagine we're talking about the new town offices way out on the other side of the hump and the harbor. That's all well and good. The current offices need to be replaced, for a host of reasons. But please don't forget our Library, attracting far more citizens and visitors than the town offices and conveniently located right on Mason Street in the heart of the commercial district. Please insure that our building too, quoting the plan, is safe and remains effective.

I see that further down on tonight's agenda you are issuing a proclamation regarding National Library Week. On behalf of the Board and Library staff, and our hundreds of patrons, I thank you for this proclamation. (It would have been nice to have invited the Library staff for this acknowledgement.) As you make decisions and set priorities regarding the implementation of this strategic plan, please keep your proclamation, my presentation last month and my remarks this evening in mind. Your support of our Library will satisfy a number of elements of the plan, cost effectively, efficiently, and to the benefit of all of the town's residents and visitors.

Thank you for your time.

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*Phil Goetkin*



My name is Phil Goetkin. My wife, Diane D'Amico, and I are full time residents of Cape Charles and live at 602 Jefferson Avenue. We are asking for a change in the priorities included in Appendix B of the Strategic Plan.

Diane and I decided to move from Northern Virginia to Cape Charles because of its small town character, its sense of community, and the Eastern Shore's natural beauty. We purchased our lot in August of 2014 and moved into our new house in June of 2015. When we first moved here, it seemed like you knew everyone. Regardless of which event you were attending, most of the people there were your friends and neighbors. People had common goals and interests and we certainly felt a sincere sense of community.

Some of our original neighbors were named Alice, Diane and Linwood, Bob, Walter and Lillian, Janet and Fab. All of these people are long gone from the neighborhood. Now some of our new neighbors are named Ware Neck Properties, LLC; Good Times on the Cape, LLC; Distinguished Properties, LLC; Wilmington Lots, LLC; and Bad Dog Investments, LLC. The purpose of a LLC is to make profits. The reason so many of my new neighbors are LLCs is because they saw an opportunity to make profits in Cape Charles by building or purchasing homes and renting them out on a short term basis.

Full time residents are the strength of any community. That is especially true here in Cape Charles. Without full time residents, who would serve on the Town's committees and commissions; in civic organizations; on Main Street; on all of the special events that occur all year long in our town. Many full time residents are becoming frustrated and a little depressed because of the impact short term rentals are having on the fabric of our community. Many people are considering moving and some have already done so. We are not the town we once were. Our small town character and our sense of community has been diminished.

On the five and six hundred blocks of Jefferson Ave (where we live), there are a total of 41 houses. 13 of them are occupied by full time residents; 19 are short term rentals; the remaining 9 houses have part time owners or are vacant. That is not the definition of a well-balanced neighborhood – that is the definition of a neighborhood being taken over by business interests.

As an aside, our real estate taxes are now 100% higher than they were when we first moved here and are 25% higher than they were when we lived in Northern Virginia. I attribute those increases primarily to short term rentals.

Therefore, we are asking for the following change to the 2024 Strategic Plan: make development of short term rental regulations and ordinances our number one priority on Appendix B of the Plan. More importantly, the work on these new regulations and ordinances needs to begin immediately. In our opinion, many of the priorities on Appendix B become meaningless if we no longer have our small town character and sense of community. We need to take care of our full time residents.

We are not against short term rentals. However, we need to achieve a proper balance in our community between full time residents, part time residents and short term rentals. The only way to achieve this balance is to limit the number of short term rentals before the issue becomes moot. Issues like noise, trash, parking and overcrowding are all important issues. However, we feel that without appropriate limits we will not achieve our goals.

Please re-prioritize Appendix B, make short term rentals number one and immediately work to develop and implement these regulations and ordinances.

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### **Regular Meeting Public Comments Provided in Writing**

*Walter Bronson, resident*

According to Effective Governance; A vision statement describes what an organization aspires be. It serves as a north star pointing to the future state. It also provides direction to everyone in the organization as they focus their efforts on achieving the vision. It's reported that during J.F Kennedy's 1962 tour of NASA, a janitor, when asked what he did for NASA, replied "I'm helping put a man on the moon."

Cape Charles's Vision is to:

1. Preserve our historical, natural and cultural resources.
2. While managing growth and fostering a sense of community
3. That enhances well being and prosperity

4. Now and for generations to come.

SO WHAT DOES THAT MEAN:

ONE: PRESERVING OUR HISTORICAL, NATURAL, AND CULTURAL RESOURCES:

SEEMS PRETTY STRAIGHT FORWARD. THE TOWN WORKS DELIGENTLY WITH OUR HISTORICAL DISTRICT REVIEW BOARD, WETLANDS AND COASTAL ZONE REVIEW BOARD, BEACHFRONT MASTER PLANNING, ETC.

TWO: WHILE MANAGING GROWTH AND FOSTERING SENSE OF COMMUNITY:

SEEMS A BIT MORE DIFFICULT. MANAGING GROWTH, EVEN MAINTAINING A STABLE BUSINESS ENVIRONMENT HAS CHALLENGES. THE SOLUTIONS TO THOSE CHALLENGES CAN OFTEN OVERLOOK THE OVERALL NEEDS OF THE COMMUNITY. THE VISION SEEMS TO BE TO BALANCE GROWTH WITHOUT NEGATIVELY IMPACTING THE COMMUNITY. NO EASY TASK, TO BE SURE.

THREE: THAT ENHANCES WELL BEING AND PROSPERITY:

ANOTHER CHALLENGE. THE VISION IS TO INTENSIFY, INCREASE, AND IMPROVE THE WELL BEING OF THE COMMUNITY WHILE AT THE SAME TIME IMPROVING ITS PROSPERITY. AND AGAIN THERE IS A NEED TO PROVIDE BALANCE BETWEEN COMMUNITY WELL BEING AND PROSPERITY

FOUR: NOW AND FOR GENERATIONS TO COME:

AN EVEN GREATER CHALLENGE. WE MUST CONSIDER THE ACTIONS WE TAKE NOW, OR DON'T TAKE, AND NOT ONLY FORESEE HOW THEY WILL IMPACT GROWTH, PROSPERITY, AND OUR COMMUNITY TODAY, BUT ALSO YEARS OR EVEN DECADES FROM NOW.

IN CLOSING, I ENCOURAGE THE COUNCIL TO CONSIDER THE COMMUNITY, THE PEOPLE THAT LIVE HERE, AND THE IMPACTS THAT YOUR ACTIONS AND LACK OF ACTION HAVE WHILE YOU STIVE TO MAINTAIN AND ENAHNCE PROSPERITY. YOU MUST ACHIEVE A BALANCE AS TOO MUCH OF ONE MAY NOT BE GOOD FOR THE OTHER.

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*Jo Bronson, resident*

I would like to address a concern that I as well as others have regarding parking in this quaint little town.

Tackling issues arising from STRs does not have to be all or nothing. There are issues that can and should be looked at individually for immediate attention.

If anyone in this room has not experienced parking issues yet, it is likely because you haven't had a vacation rental that advertises a minimum of 10 adults with an unlimited bevvy of kids. Believe it or not, there are 114 of such rentals on just VRBO website in Cape Charles alone. 114!

There is always that one rental on every block that accommodates 10+ properties but has NO onsite parking... with guests arriving in a minimum of 5 cars, 2 golf carts, a trailered boat, and/or a trailer of boat toys. That is what we are treated to almost every week during the peak rental periods. This is a problem, not an issue. It is frustrating for fulltime residents as well as vacation rental owners that do the right thing and provide sufficient parking onsite to accommodate their guests.

If you are on 600 block of Tazewell... you too will have another vacation rental property owner who only has space for 2 vehicles on the street with no onsite parking. This house was just approved by Cape Charles for 14 people. Yes, 14! Where will these 14 people park?

Correct me if I'm wrong Tammy. But in both these instances... the house near me and the new one on the 600 block, they are each allowed to accommodate more people than your Bed & Breakfast hotel allows. But unlike the B&B that is required to provide 1 parking spot per room, these property owners are not required to create or provide any parking for any of the hordes of guests they are welcoming.

Parking can easily be addressed, not by using tax dollars to create and maintain large parking lots for these vacation rentals, not by painting curbs, and not by making full time residents police the guests of the vacation rental business owners. But by controlling occupancy at each rental property.

I'm suggesting that you require rental property owners to provide one parking spot for every bedroom they advertise. If you advertise 4 bedrooms and can only accommodate 3 parked vehicles, then your maximum occupancy needs to be based on your available parking, NOT the number of bedrooms.

Compare the number of bedrooms THE PROPERTY OWNER PAYS TAXES ON (not the number listed in an AIRBNB ad) to the NUMBER OF ONSITE and FRONTAGE PARKING SPOTS PROVIDED. Whichever is less determines occupancy. Multiply that number by 2 and that is the maximum adult occupancy that should be permitted on the property. Not the number of mattresses thrown in a room, nor occupation using square area of bedrooms, which is nothing less than bizarre.

With the density of our houses, we should not have to live adjacent to vacation rental houses with 10-14 adults and 7 kids.

It is not even remotely out of line to limit a 3 BR house to 6 adults. I question whether you could find any owner occupied residence in town with that many adults living under the roof. This is still a quaint little town with charming houses that draw visitors here. It is not a frat party zone for parties of 10 or more.

Set maximum occupancies for these rental properties that corresponds to available parking and many parking complaints, if not all, will go away.

That is a first step in doing right by the full and part time residents here in Cape Charles, who are the only demographic without a voice on the subject.

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*Roland & Nancy Vest, residents*

Subject: Please help

Dear Ms. Nunez and the Members of Town Council,

We appreciate your detailed work on the Proposed Outdoor Lighting Ordinance. We see that you referenced the current Lighting Standards and the fact that all lighting "shall comply with Dark Sky standards". We have mentioned this requirement to several individuals in the Town Offices, but they have claimed to be unaware of or did not care about any such ordinance.

As residents of Cape Charles, we have always complied with the Dark Sky Standards and use only low wattage bulbs on our front porch and garage.

Unfortunately, we live next door to a VRBO that uses multiple strands of string lights to illuminate their patio. As this establishment is rented almost every week, we must endure the "light trespass" that flows into our windows every night. It seems you are now proposing that these types of lights be "grandfathered in."

We find this very disheartening. People who follow the rules are punished as people who break the rules are rewarded. Rules are rules and everyone in town should be working with and abiding by the same set of regulations.

If the Town of Cape Charles were to lower the speed limit in town, would the people who exceed the new speed limit be "grandfathered in" and allowed to continue to use the old speed limit?

The lights in the next door VRBO's yard are not dark sky compliant and should not have been allowed. They should not be "grandfathered in." This should be true for all the homes in Cape Charles.

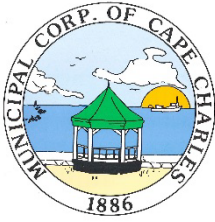
We hope you will enforce the rules fairly and equally for all citizens.

Sincerely,

Roland B. Vest, Jr. (Butch) and Nancy Daniel Vest

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**Annual Reports for the Planning Commission & Boards**



**DRAFT**  
**TOWN COUNCIL**  
**Work Session**  
**Cape Charles Civic Center**  
**March 21, 2024**  
**Immediately Following the Regular Meeting**

At 8:08 p.m., Mayor Adam Charney, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Charney, present were Vice Mayor Bennett, Councilmen Buchholz, Butta, Follmer and Grossman, and Councilwoman Holloway. Also in attendance from the Beachfront Master Plan Committee were Claudette Lajoie, John Schoeneck, Gerry Taylor and Public Works Manager Ralph Bowen. Other staff in attendance were Town Manager John Hozey, Planner/Zoning Administrator Katie Nunez, and Town Clerk Libby Hume.

There were no members of the public in attendance.

Mayor Charney stated that the item for discussion this evening was the Beachfront Master Plan.

John Hozey stated that the Town contracted with Vanasse Hangen Brustlin, Inc (VHB) to assist with the development of the Cape Charles Beachfront Master Plan. Ricky Wiatt, from VHB, was here tonight to provide a short presentation with an overview of the project. He also introduced the Beachfront Master Plan committee members: Gerry Taylor representing Cape Charles Main Street, Claudette Lajoie representing the Historic District Civic League, Public Works Manager Ralph Bowen, and John Schoeneck from the Wetlands & Coastal Dune Board. Unable to attend this evening were Bill Prickett representing the Citizens for Central Park, and Capital Projects Manager Bob Panek who was also representing the Cape Charles Yacht Club. John Hozey stated that he and Mayor Charney were also on the committee.

Ricky Wiatt stated that he was the project manager for the Beachfront Master Plan. VHB was a large-scale planning, design and engineering firm that did everything but construction. They had offices up and down the east coast. Neville Reynolds, one of their principals, worked with both the private and public sectors and had a history with Cape Charles dating back to when the beach was first built. He stated that he enjoyed hearing some of the conversation from the public hearing and regular meeting, adding that parking was the key. It was an issue with most localities and should be a part of any master plan.

Mr. Wiatt went on to provide an overview of the process and timeline for the development of the Beachfront Master Plan. (Please see attached.)

The draft Beachfront Master Planning Programming Survey questions were reviewed. There was some discussion of the survey and questions as follows: i) John Hozey stated that with the Town's annual community survey, we had a mandatory requirement that names and addresses be provided and no anonymous surveys were accepted. This helped with duplications, which were also not accepted, and brought credibility to the data. Council agreed that this needed to be a requirement in the Beachfront Master Planning survey as well; ii) Councilman Follmer suggested using the same demographic questions as in the community survey so the responses could be tracked, and the data could be broken down in the same way, to which Council agreed; iii) Several modifications were made to the survey questions.

John Hozey thanked everyone in attendance. The survey would be finalized, and hard copies would be distributed with the March utility bills that would be going out next week. The online version would go live at the same time. The response deadline would be April 30, 2024.

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

The work session was adjourned at 8:50 p.m.

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Mayor Adam Charney

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Town Clerk

DRAFT

## March 21, 2024 Work Session – Beachfront Master Plan



Town of Cape Charles, Virginia

# Beachfront Master Plan Town Council Meeting

March 21, 2024









## Beachfront Master Planning Committee

Adam Charney, Mayor/Town Council

Bill Prickett, Citizens for Central Park

John Schoeneck, Wetlands Board

Bob Panek, Yacht Club and CIP Manager

Claudette Lajoie, CC Civic League

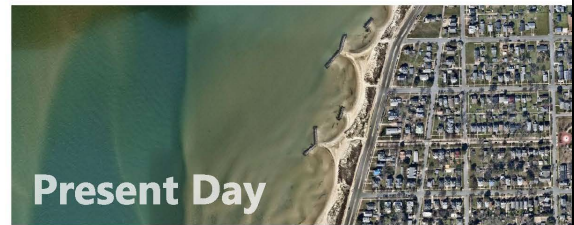
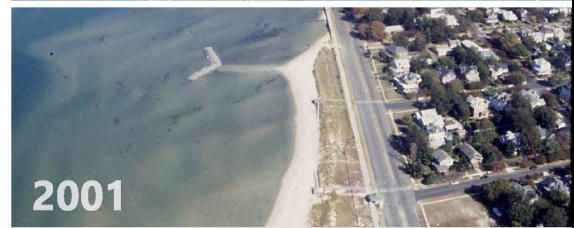
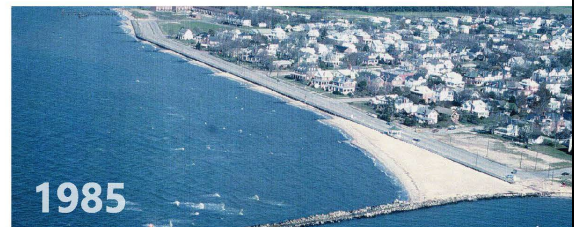
Ralph Bowen, Public Works Manager

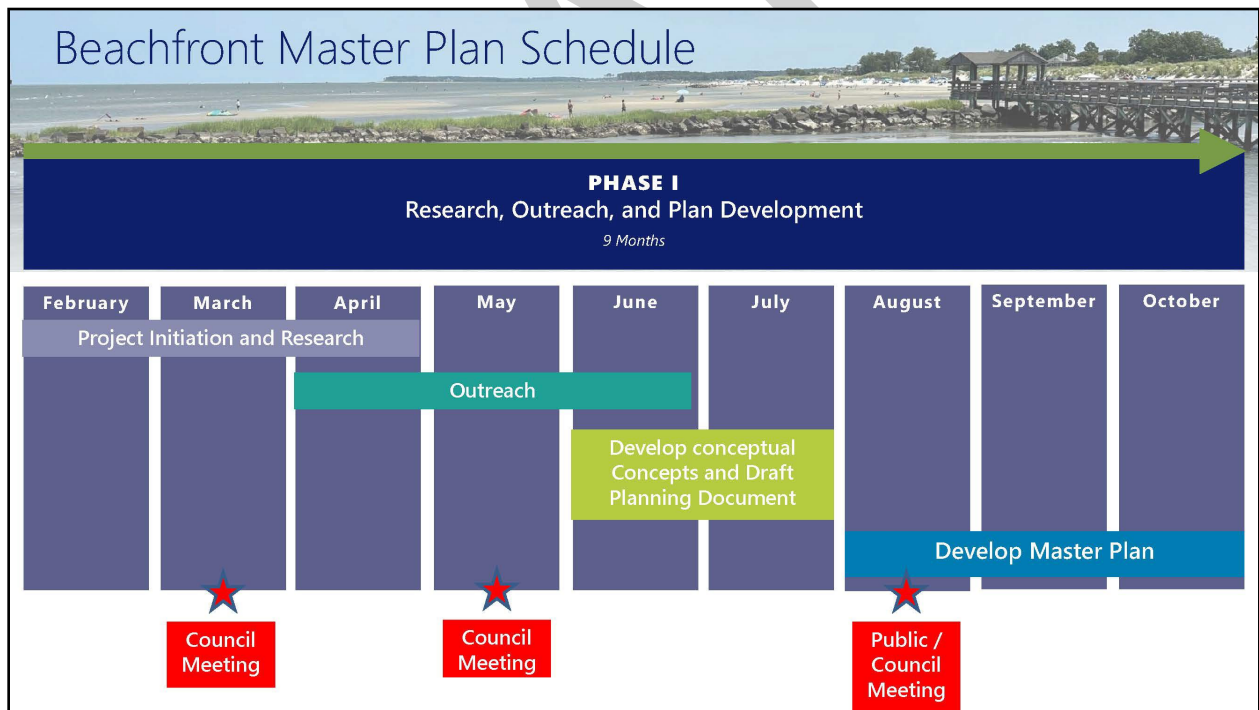
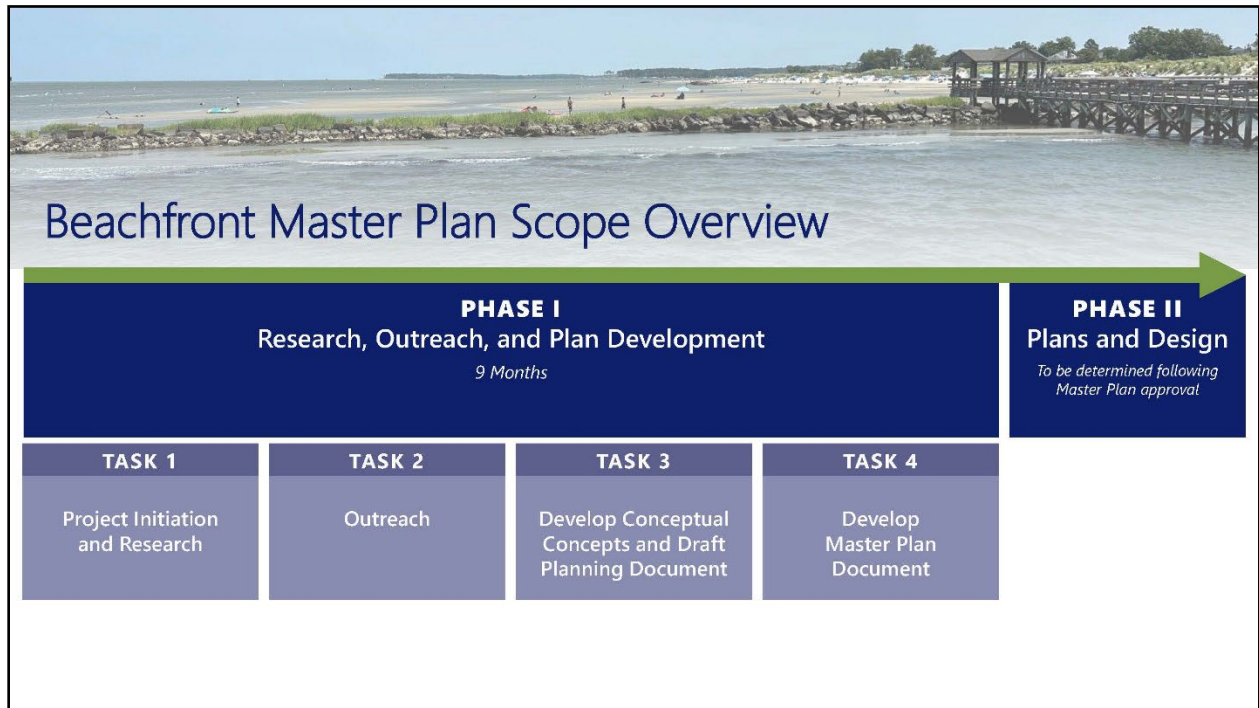
Gerry Taylor, Main Street

John Hozey, Town Manager

### Understanding of the Project

- ✓ Enhance the beach
  - ✓ Promote economic development
  - ✓ Improve accessibility
  - ✓ Reinvigorate recreation opportunities
  - ✓ Reevaluate existing infrastructure
1. Beach / Dune
  2. Bathhouse / Restroom
  3. Western Bay Avenue and all areas south and east of the dune
  4. Fishing Pier









## Task 1: Research

- Kickoff Meeting – February 8, 2024
  - Establish Clear Expectations of the project
- Background and Data Review
  - Develop base-mapping of the project area (clearly define area)
- General Shoreline Conditions
  - Physical, hydrodynamic, and biological conditions and acting coastal processes along the shoreline
- Site Inventory and Analysis
  - Site Visit with Committee – March 7, 2024



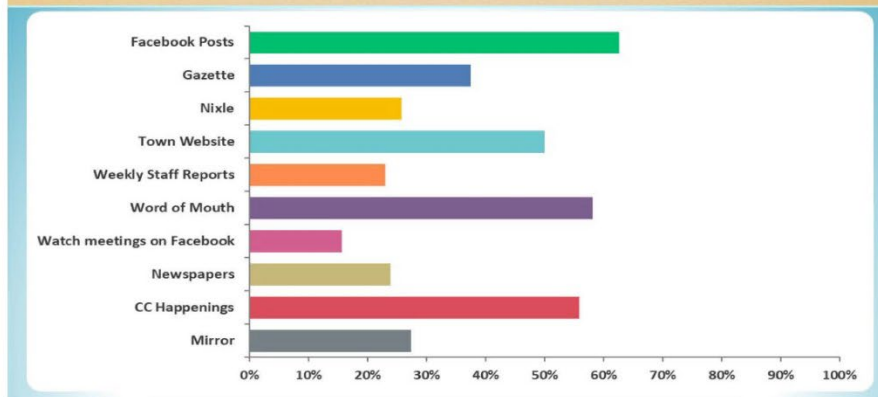
## Task 2 – Outreach - Public Survey

- Paper copy with Utility Bills – Week of 3/25
- Online Version – Posted Live – 3/27/24
- Deadline – 4/30/24

Cape Charles Beachfront Master Plan  
Virtual Meeting Room

## Task 2 – Outreach - Public Survey

Q12: What tools do you use to stay in touch with town happenings?



Tuckahoe virtual meeting room

## Funding



Rebuilding American Infrastructure with Sustainability and Equity (RAISE)



Building Resilient Infrastructure and Communities (BRIC)



National Coastal Resilience Fund (NOAA/NFWF)



Transportation Alternatives Program (TAP)



Preservation Trust Fund (PTF)



Virginia Saltwater Recreational Fishing Development Fund



Recreational Trails Program (RTP)

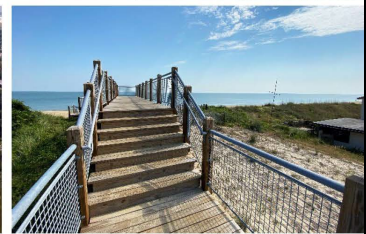


Boating Infrastructure Grant (BIG)



[www.vhb.com](http://www.vhb.com)

# Q&A



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## Final version of survey

### Beachfront Master Planning Programming Survey

Please help us improve our Beach by completing this short survey.

Page 2 includes demographic information. Please do not skip this section as anonymous surveys will not be accepted. **Feel free to attach additional comments on a separate sheet if more space is needed.**

**Responses are due back to Town Hall no later than 2:00 PM, April 30, 2024.**

Surveys may be dropped off, mailed-in (2 Plum St), or scanned and emailed to [clerk@capecharles.org](mailto:clerk@capecharles.org).

An electronic version of the survey is also available by QR Code or on the Town's website [www.capecharles.org](http://www.capecharles.org).



#### A Day at the Beach

1. What do you like to have at the beach for a perfect day? \_\_\_\_\_
2. What do you like to have, but wished you didn't have to bring with you for a perfect day at the beach? \_\_\_\_\_
3. Do you or your family use the fishing pier? **Yes / No** If so, what kinds of activities do you do there? (circle all that apply) **Fishing Crabbing Walking Sight-Seeing Photography Wildlife Observation Other** \_\_\_\_\_
4. What kinds of improvements (if any) could be made at the fishing pier? \_\_\_\_\_
5. What is your opinion of the dune's general size? (circle one) **Too Small / Too Large / Just Right**  
Please explain. \_\_\_\_\_
6. What else should we know about the dune based on your personal experience at the beachfront? \_\_\_\_\_
7. Currently there is only **one** overlook at the dunes. Should there be more? (circle one) **Yes / No / Unsure**  
If yes, then how many? (circle one) **1 2 3 Other** \_\_\_\_\_

#### Beachfront Attractions & Amenities

1. How do you feel about the existing sculptures located along the beachfront [King Neptune, Dolphin, LOVE]? (circle one) **Do not like / Neutral / Like / Love** Should there be more art at the beachfront? **Yes / No / Unsure**
2. Do you feel like the beachfront needs anything? It could be improvements to existing infrastructure, new services, or new attractions. (circle one) **Yes / No / Unsure** ; Please explain your answer. \_\_\_\_\_
3. How easy is it to access the beach and why? (circle one: 1 = not easy; 5 = very easy) **1 2 3 4 5**  
Why? \_\_\_\_\_
4. Would you find it acceptable to see additional coastal structures, such as jetties or breakwaters in your views of the bay? (circle one) **Yes / No / Unsure** ; Please share any concerns. \_\_\_\_\_
5. What is your opinion of the beach's general size and character? (circle one) **Too Small / Too Large / Just Right**  
Please explain. \_\_\_\_\_
6. Circle your **Top 5 Potential Beachfront Attractions or Amenities** from the following list:

|             |                 |                            |                     |
|-------------|-----------------|----------------------------|---------------------|
| Picnic area | Outdoor Showers | Private cabanas            | Enhanced ADA access |
| Grills      | Restrooms       | Sports areas               | Boardwalk           |
| Shade       | Lockers         | Pet-friendly area          | Other _____         |
| Seating     | Lighting        | Quiet areas for relaxation |                     |
| Venue space | Overlook        | Existing sculptures        |                     |



## Beachfront Master Planning Programming Survey

### Services & Vendors

1. Would you prefer for vendors to be in (circle one) **one central location** or **spread out** along Bay Ave? Please explain. \_\_\_\_\_
2. Should there be more informational areas (kiosks) located along the beachfront? (circle one) **Yes / No / Unsure**
3. Would you be interested in renting lockers to store kayaks, paddle boards, or other recreation/leisure equipment near the beachfront? (circle one) **Yes / No / Unsure**
4. What kind of vendors or rental services would you like to see at the beachfront? (circle all that apply)  
Food Trucks                      Chair                      Wagons                      Cabanas  
Beverages                      Umbrella                      Toys / Games                      Metal Detectors  
Ice                      Coolers                      Bicycles                      Fishing Gear  
Other \_\_\_\_\_                      Kayak                      Paddleboard
5. What attractions, amenities, or recreation opportunities do you enjoy at other beachfront areas? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Transportation/Parking

1. What mode of transportation would you prefer to use when accessing the beach? \_\_\_\_\_
2. Please rank the following types of parking spaces, where 1 is most preferred:  
\_\_\_\_\_ **parallel** (current condition) \_\_\_\_\_ **angled** (pull-in) \_\_\_\_\_ **90°** (perpendicular to roadway)
3. How easy is it for you to find parking on Bay Ave? (circle one: 1 = not easy; 5 = very easy) **1 2 3 4 5**
4. If no parking is available on Bay Avenue, how far away are you willing to walk to the beachfront? (circle one)  
**2 Blocks – Pine St / 3 Blocks – Strawberry St / 4 Blocks – Plum St / Other** \_\_\_\_\_

### Safety

1. How safe do you feel walking along or crossing Bay Ave? (circle one; 1 = not safe; 5 = very safe) **1 2 3 4 5**
2. Is the existing lighting on Bay Ave adequate as it relates to how safe you feel? (circle one) **Yes / No / Unsure**  
Please explain. \_\_\_\_\_
3. What else should we know about safety at the beachfront based on your personal experience there? \_\_\_\_\_  
\_\_\_\_\_

### Demographic Information

1. Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. Please choose the closest that applies to you:
  - a. Full-time resident living within the corporate limits of Cape Charles
  - b. Resides in Northampton County but outside the corporate limits of Cape Charles
  - c. Owns property within the Town of Cape Charles but maintains a primary residence outside of the town
  - d. Resides outside Northampton County but a frequent visitor to Cape Charles
4. Age \_\_\_\_\_
5. Gender \_\_\_\_\_
6. How long have you lived in Cape Charles? \_\_\_\_\_

## **February 2024 Treasurer's Report**

### **Page 1 – Cash Position**

- The decrease in our total cash position over January can be attributed to a scheduled debt service payment made on February 1 on the VML/VACo 2010D general obligation bond for \$166,004. There are also timing differences that impact cash significantly due to the payments of capital project expenditures (highlighted below) and the receipt of grant reimbursements related to these expenditures.
- The facility fee reserve cash balance as of 2-29-24 is \$3,568,506.

### **Page 3 – Capital Projects**

- The fourth progress payment of \$88,737 was paid to Conrad Brothers for the Multi-use Trail project phase III, i.e., South Peach Street. Total payments made to date: \$298,957. The total contract amount is \$759,567.
- Progress payment #3 of \$198,240 was made to Marine Contracting for harbor breakwater and bulkhead repairs. With this payment, the contract is 91% complete.

### **Page 4 – Tax Collection Rate**

- As of February 29, total property tax collections year-to-date are \$1,662,265 representing 96% of tax billings. For the same date, our collection rate on personal property taxes is 77%.

### **Page 5 – Tax Revenue Trends**

- Compared to this time last fiscal year (July 1 through January 31), total business license (BPOL) revenue is running nearly 22% higher. Annual BPOL license fees are due by April 15.

**MUNICIPAL CORPORATION OF CAPE CHARLES**  
**TREASURER'S REPORT**  
**February 29, 2024**

| <u>Cash on Hand</u>                           | <u>1/31/2024</u>   | <u>2/29/2024</u>   | <u>Increase/<br/>(Decrease)</u> |
|-----------------------------------------------|--------------------|--------------------|---------------------------------|
| Atlantic Union Bank Checking Account          | \$406,089          | \$249,035          | -\$157,054                      |
| Atlantic Union Bank Money Market Account      | \$1,835,498        | \$1,586,215        | -\$249,283                      |
| LGIP Account 1 - Unrestricted                 | \$112,203          | \$112,692          | \$489                           |
| LGIP Account 2 - Unrestricted                 | \$326,074          | \$327,629          | \$1,555                         |
| Virginia Investment Pool Liquidity Unassigned | \$2,344,281        | \$2,354,530        | \$10,249                        |
| Virginia Investment Pool 1-3 Year Unassigned  | \$1,044,741        | \$1,040,166        | -\$4,576                        |
| <b>Total Cash On Hand</b>                     | <b>\$6,068,887</b> | <b>\$5,670,267</b> | <b>-\$398,620</b>               |

| <u>Restricted and Reserved Cash Balances</u>                              | <u>1/31/2024</u>   | <u>2/29/2024</u>   | <u>Increase/<br/>(Decrease)</u> |
|---------------------------------------------------------------------------|--------------------|--------------------|---------------------------------|
| Atlantic Union Bank Checking Account - Police Funds                       | \$431              | \$431              | \$0                             |
| LGIP Account 2 - Restricted for USDA loan covenant                        | \$30,562           | \$30,562           | \$0                             |
| Atlantic Union Checking Account Library CD converted to cash              | \$11,131           | \$11,131           | \$0                             |
| Atlantic Union Bank Checking Account - E-Summons Revenue Rsrvd            | \$14,081           | \$14,228           | \$147                           |
| US Bank - Reserved per VRA Interest Free Loan Requirements                | \$266,035          | \$260,818          | -\$5,217                        |
| ComputerShare 2010 Debt Service pass through account #300                 | \$3,196            | \$3,211            | \$14                            |
| ComputerShare 2010 Debt Service pass through account #308                 | \$1,128            | \$1,133            | \$5                             |
| Atlantic Union Money Market # ARPA CRF #5847                              | \$75,115           | \$8                | -\$75,107                       |
| Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities) | \$3,478,996        | \$3,568,506        | \$89,509                        |
| <b>Total Cash Held in Reserve</b>                                         | <b>\$3,880,675</b> | <b>\$3,890,026</b> | <b>\$9,351</b>                  |
| <b>Total Cash - All Accounts</b>                                          | <b>\$9,949,563</b> | <b>\$9,560,293</b> | <b>-\$389,269</b>               |

**DEBT SERVICE**

Net Debt as of Current Reporting Month End  
(Excludes USDA vehicle and equipment loans)

\$4,722,974

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

February 29, 2024

## REVENUE VS. EXPENDITURES

| <b>FUND</b>                            | <b>CURRENT<br/>MONTH</b> | <b>PRIOR<br/>YEAR-TO-DATE</b> | <b>CURRENT<br/>YEAR-TO-DATE</b> | <b>INCREASE/<br/>(DECREASE) YTD</b> | <b>ANNUAL<br/>BUDGET</b> | <b>% REALIZED/<br/>EXPENDED FY24</b> |
|----------------------------------------|--------------------------|-------------------------------|---------------------------------|-------------------------------------|--------------------------|--------------------------------------|
| <b>GENERAL Fund</b>                    |                          |                               |                                 |                                     |                          |                                      |
| REVENUE                                | \$210,186                | \$3,490,753                   | \$4,228,908                     | \$738,155                           | \$5,719,837              | 73.93%                               |
| EXPENDITURES                           | \$316,907                | \$2,630,224                   | \$2,545,382                     | -\$84,842                           | \$5,719,837              | 44.50%                               |
| <b>NET</b>                             | <b>(\$106,721)</b>       | <b>\$860,529</b>              | <b>\$1,683,526</b>              | <b>\$822,997</b>                    | <b>\$0</b>               |                                      |
| <b>GENERAL Capital Fund</b>            |                          |                               |                                 |                                     |                          |                                      |
| REVENUE                                | \$2,597                  | \$430,835                     | \$169,180                       | -\$261,655                          | \$2,446,213              | 6.92%                                |
| EXPENDITURES                           | \$106,752                | \$356,944                     | \$447,607                       | \$90,663                            | \$2,446,213              | 18.30%                               |
| <b>NET</b>                             | <b>(\$104,154)</b>       | <b>\$73,891</b>               | <b>(\$278,428)</b>              | <b>(\$352,319)</b>                  | <b>\$0</b>               |                                      |
| <b>GENERAL Debt Service Fund</b>       |                          |                               |                                 |                                     |                          |                                      |
| REVENUE                                | \$99,505                 | \$222,440                     | \$220,429                       | -\$2,011                            | \$255,223                | 86.37%                               |
| EXPENDITURES                           | \$99,505                 | \$222,440                     | \$220,429                       | -\$2,011                            | \$255,223                | 86.37%                               |
| <b>NET</b>                             | <b>\$0</b>               | <b>\$0</b>                    | <b>\$0</b>                      | <b>\$0</b>                          | <b>\$0</b>               |                                      |
| <b>GENERAL Special Activities Fund</b> |                          |                               |                                 |                                     |                          |                                      |
| REVENUE                                | \$7,568                  | \$576,253                     | \$71,559                        | -\$504,694                          | \$296,350                | 24.15%                               |
| EXPENDITURES                           | \$0                      | \$61,460                      | \$66,098                        | \$4,638                             | \$296,350                | 22.30%                               |
| <b>NET</b>                             | <b>\$7,568</b>           | <b>\$514,793</b>              | <b>\$5,461</b>                  | <b>(\$509,332)</b>                  | <b>\$0</b>               |                                      |



## MUNICIPAL CORPORATION OF CAPE CHARLES

## TREASURER'S REPORT

February 29, 2024

## REVENUE VS. EXPENDITURES

| <b>FUND</b>                                                        | <b>CURRENT<br/>MONTH</b> | <b>PRIOR<br/>YEAR-TO-DATE</b> | <b>CURRENT<br/>YEAR-TO-DATE</b> | <b>INCREASE/<br/>(DECREASE) YTD</b> | <b>ANNUAL<br/>BUDGET</b> | <b>% REALIZED/<br/>EXPENDED FY24</b> |
|--------------------------------------------------------------------|--------------------------|-------------------------------|---------------------------------|-------------------------------------|--------------------------|--------------------------------------|
| <b>PUBLIC UTILITIES Fund</b>                                       |                          |                               |                                 |                                     |                          |                                      |
| REVENUE - Operating                                                | \$180,995                | \$1,372,624                   | \$1,488,018                     | \$115,394                           | \$2,051,988              | 72.52%                               |
| EXPENDITURES - Operating                                           | \$63,948                 | \$1,392,613                   | \$666,042                       | -\$726,571                          | \$1,982,118              | 33.60%                               |
| <b>NET</b>                                                         | <b>\$117,047</b>         | <b>(\$19,989)</b>             | <b>\$821,976</b>                | <b>\$841,965</b>                    | <b>\$69,869</b>          |                                      |
| REVENUE - CAPITAL GRANTS, LOANS, FUND<br>BALANCE                   | \$0                      | \$0                           | \$0                             | \$0                                 | \$2,036,728              |                                      |
| REVENUE - FACILITY FEES                                            | \$53,000                 | \$379,014                     | \$339,200                       | -\$39,814                           | \$466,400                | 72.73%                               |
| EXPENDED - FACIL FEES, CAPITAL<br>PROJECTS, DEBT SVC               | \$120,099                | \$349,011                     | \$1,190,271                     | \$841,260                           | \$2,572,997              | 46.26%                               |
| <b>TOWN CONTRIB. &amp; PENDING GRANTS</b>                          | <b>(\$67,099)</b>        | <b>\$30,003</b>               | <b>(\$851,071)</b>              | <b>(\$881,074)</b>                  | <b>(\$69,869)</b>        |                                      |
| <b>HARBOR Fund</b>                                                 |                          |                               |                                 |                                     |                          |                                      |
| REVENUE - Operating                                                | \$4,809                  | \$601,050                     | \$553,762                       | -\$47,288                           | \$1,008,625              | 54.90%                               |
| EXPENDITURES - Operating                                           | \$9,849                  | \$529,453                     | \$495,658                       | -\$33,795                           | \$1,082,312              | 45.80%                               |
| <b>NET</b>                                                         | <b>(\$5,040)</b>         | <b>\$71,597</b>               | <b>\$58,104</b>                 | <b>(\$13,493)</b>                   | <b>(\$73,687)</b>        |                                      |
| REVENUE - GRANTS & LOANS                                           | \$0                      | \$0                           | \$110,957                       | \$110,957                           | \$228,687                | 48.52%                               |
| TRANSFERRED FM GEN FUND FOR DEBT<br>SERVICE OR HARBOR FUND BALANCE | \$68,657                 | \$103,499                     | \$101,604                       | -\$1,895                            | \$450,115                | 22.57%                               |
| EXPENDED - Capital Projects, Debt Svc                              | \$268,771                | \$103,499                     | \$641,785                       | \$538,286                           | \$605,115                | 106.06%                              |
| <b>TOWN CONTRIB. &amp; PENDING GRANTS</b>                          | <b>(\$200,115)</b>       | <b>\$0</b>                    | <b>(\$429,224)</b>              | <b>(\$429,224)</b>                  | <b>\$73,687</b>          |                                      |
| <b>SANITATION Fund</b>                                             |                          |                               |                                 |                                     |                          |                                      |
| REVENUE                                                            | \$28,186                 | \$188,161                     | \$222,417                       | \$34,256                            | \$314,265                | 70.77%                               |
| EXPENDITURES                                                       | \$26,059                 | \$336,200                     | \$193,391                       | -\$142,809                          | \$314,265                | 61.54%                               |
| <b>NET</b>                                                         | <b>\$2,127</b>           | <b>(\$148,039)</b>            | <b>\$29,026</b>                 | <b>\$177,065</b>                    | <b>\$0</b>               |                                      |

## FY 24 Capital Improvement Project Tracking Report

As of:  
2/29/2024

|                                                   | <u>FY24<br/>Status or Start Date</u> | <u>Percent of<br/>Completion</u> | <u>FY24<br/>Budgeted</u> | <u>QTR 1<br/>Expended</u> | <u>QTR 2<br/>Expended</u> | <u>QTR 3<br/>Expended</u> | <u>QTR 4<br/>Expended</u> | <u>FY24 YTD<br/>Expended</u> | <u>(Over)/Under<br/>Budget</u> |
|---------------------------------------------------|--------------------------------------|----------------------------------|--------------------------|---------------------------|---------------------------|---------------------------|---------------------------|------------------------------|--------------------------------|
| <b>General Capital Fund</b>                       |                                      |                                  |                          |                           |                           |                           |                           |                              |                                |
| Multi-Use Trails, Phase 3 Construction            | <u>In Process</u>                    | 35.7%                            | \$ 929,922               | \$ 4,150                  | \$ 148,788                | \$ 178,936                |                           | \$ 331,874                   | \$ 598,048                     |
| Municipal Space Replacement Planning (ARPA)       | <u>In Process</u>                    | 35%                              | \$ 210,000               | \$ 62,755                 | \$ 11,623                 |                           |                           | \$ 74,378                    | \$ 135,622                     |
| Welcome Center Design & Construction - HBA        | <u>In Process</u>                    | 1.0%                             | \$ 455,000               | \$ 4,070                  | \$ 541                    |                           |                           | \$ 4,611                     | \$ 450,389                     |
| 3 Police Vehicles; 1 ARPA/2 USDA                  | <u>Pending</u>                       | 0%                               | \$ 126,000               |                           |                           |                           |                           | \$ -                         | \$ 126,000                     |
| Library Upgrade & Condo-ization - HBA             | <u>In Process</u>                    | 10%                              | \$ 310,000               | \$ 4,323                  | \$ 27,203                 |                           |                           | \$ 31,525                    | \$ 278,475                     |
| Storage Facility Roofing                          | <u>Pending</u>                       | 0%                               | \$ 20,000                |                           |                           |                           |                           | \$ -                         | \$ 20,000                      |
| Capital Project Contingency                       | <u>Pending</u>                       | 0%                               | \$ 41,141                |                           |                           |                           |                           | \$ -                         | \$ 41,141                      |
| <b>subtotal</b>                                   | \$ -                                 |                                  | \$ 2,092,063             | \$ 75,297                 | \$ 188,155                | \$ 178,936                | \$ -                      | \$ 442,388                   | \$ 1,649,675                   |
| <b>Utility Fund - Water</b>                       |                                      |                                  |                          |                           |                           |                           |                           |                              |                                |
| Keck Well Connection                              | <u>In Process</u>                    | 2%                               | \$ 1,150,000             | \$ 15,243                 | \$ 3,811                  |                           |                           | \$ 19,054                    | \$ 1,130,946                   |
| <b>Utility Fund - Wastewater</b>                  |                                      |                                  |                          |                           |                           |                           |                           |                              |                                |
| WWTP Membrane Replacement                         | <u>In Process</u>                    | 100%                             | \$ 465,000               |                           | \$ 451,986                | \$ 14,820                 |                           | \$ 466,806                   | \$ (1,806)                     |
| Sewer Pod Controller Upgrades                     | <u>Pending</u>                       | 101%                             | \$ 14,500                |                           | \$ 14,635                 |                           |                           | \$ 14,635                    | \$ (135)                       |
| <b>subtotal</b>                                   | \$ -                                 |                                  | \$ 1,629,500             | \$ 15,243                 | \$ 470,432                | \$ 14,820                 | \$ -                      | \$ 500,495                   | \$ 1,129,005                   |
| <b>Harbor Fund</b>                                |                                      |                                  |                          |                           |                           |                           |                           |                              |                                |
| Inner Harbor Fixed Dock Repair                    | <u>Pending</u>                       | 0%                               | \$ 13,000                |                           |                           |                           |                           | \$ -                         | \$ 13,000                      |
| Inner Harbor King Pile & Waler Replacement Design | <u>In Process</u>                    | 7%                               | \$ 306,000               | \$ 18,050                 | \$ 4,688                  |                           |                           | \$ 22,738                    | \$ 283,263                     |
| Inshore Breakwater Repair/Upgrade                 | <u>Pending</u>                       | 287%                             | \$ 180,000               |                           | \$ 162,904                | \$ 354,540                |                           | \$ 517,444                   | \$ (337,444)                   |
| <b>subtotal</b>                                   | \$ -                                 |                                  | \$ 499,000               | \$ 18,050                 | \$ 167,592                | \$ 354,540                | \$ -                      | \$ 540,181                   | \$ (41,181)                    |
| <b>TOTAL</b>                                      | \$ -                                 |                                  | \$ 4,220,563             | \$ 108,590                | \$ 826,179                | \$ 548,295                | \$ -                      | \$ 1,483,064                 | \$ 2,737,499                   |

\*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

**MUNICIPAL CORPORATION OF CAPE CHARLES**  
**February 29, 2024**

**YTD 2023 Real Estate Tax Collections**

|                                           |                    |     |
|-------------------------------------------|--------------------|-----|
| Total Taxable Land Value                  | 318,538,900        |     |
| Total Improvement Value                   | 486,197,800        |     |
| Exemptions                                | (9,908,530)        |     |
| Additional Assessments (SCC Utility)      | 3,384,443          |     |
| <b>Total Real Estate Value (taxable)</b>  | <b>798,212,613</b> |     |
| <br>Total Budgeted Real Tax Revenue       | <br>1,605,700      |     |
| Total Tax Billed                          | 1,724,622          |     |
| Total Adjustments                         | (3,363)            |     |
| Total Collected YTD (percent of billed)   | <u>1,662,265</u>   | 96% |
| <b>Amount Due per Accounts Receivable</b> | <b>58,994</b>      |     |

**YTD 2023 Personal Property Tax, Machinery and Tools Tax  
& 2023 License Tax Collections**

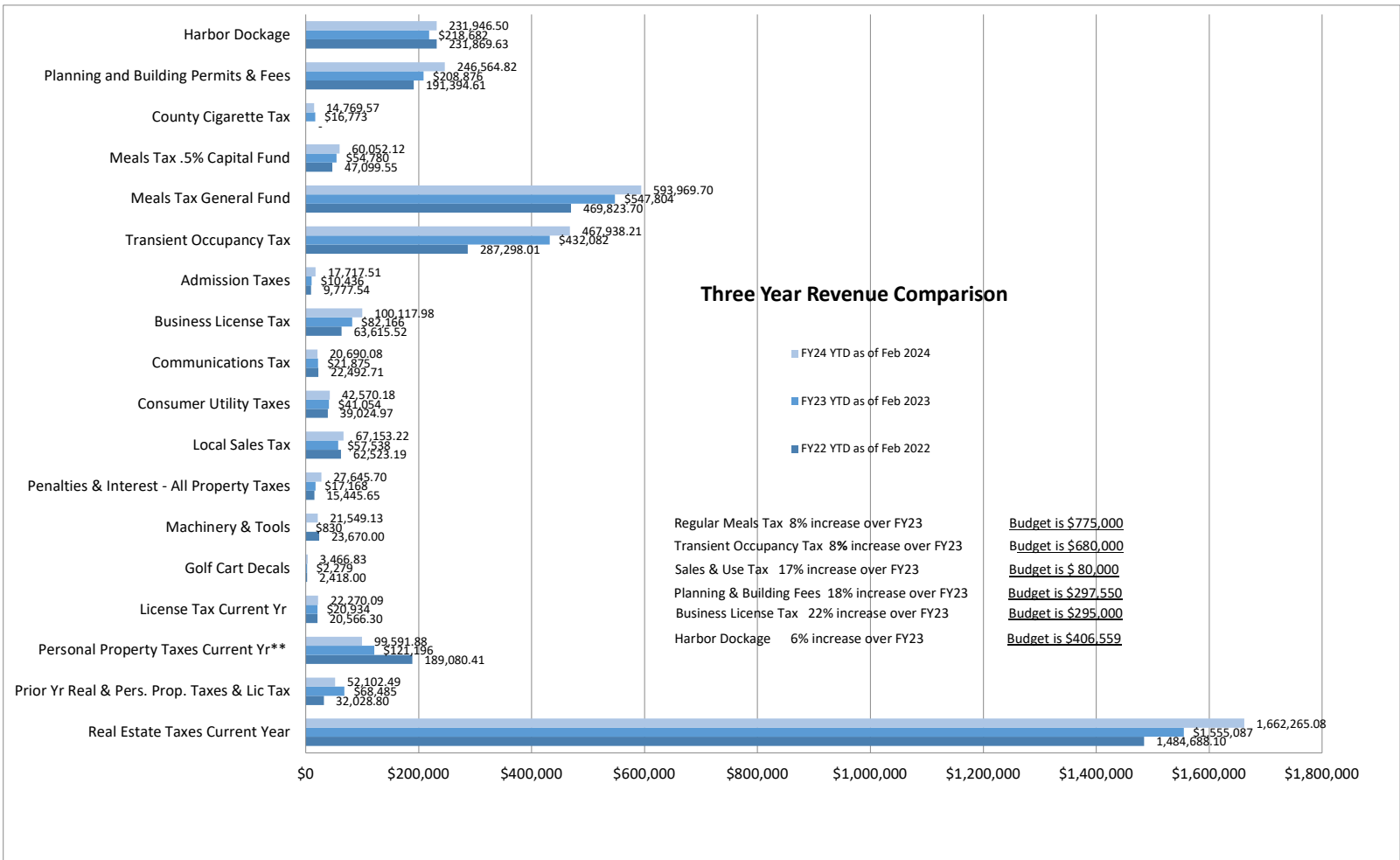
|                                                     |               |                         |
|-----------------------------------------------------|---------------|-------------------------|
| Total Personal Property Value                       | 21,720,600    |                         |
| 2023 Reduction Due to Proration                     | (362,825)     |                         |
| Personal Property Billable Valuation                | 21,357,775    |                         |
| 2023 PPTRA Valuation Amount                         | (9,687,117)   |                         |
| <br>2022 Supplemental Assessments billed in July 23 | <br>4,930,700 |                         |
| 2022 Supplemental PPTRA & Exonerations              | (2,078,492)   |                         |
| Personal Property Value Billed                      | 2,852,208     |                         |
| <br>2023 Supplemental Assessments                   | <br>-         | Will bill in Spring '24 |
| 2023 Supplemental PPTRA & Exonerations              | -             |                         |
| Personal Property Value, billed                     | -             |                         |

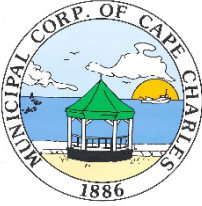
|                                                       |                   |
|-------------------------------------------------------|-------------------|
| <b>Total Taxable Assessment Value 2023 &amp; 2022</b> | <b>24,209,983</b> |
|-------------------------------------------------------|-------------------|

|                                                |                |     |
|------------------------------------------------|----------------|-----|
| Total Personal Property & License Tax Budgeted | 113,787        |     |
| Total 2023 Tax Billed less PPTRA               | 178,532        |     |
| 2023 Supplemental Tax Billing                  | -              |     |
| Total Adjustments & Additional Exonerations    | 6,805          |     |
| Total Collected YTD (percent of billed)        | <u>143,411</u> | 77% |
| <b>Amount Due per Accounts Receivable</b>      | <b>28,316</b>  |     |

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

|                                     |               |     |
|-------------------------------------|---------------|-----|
| Total Budgeted                      | 93,050        |     |
| Total Collected (percent of budget) | <u>79,748</u> | 86% |
| <b>Amount Due Per Budget</b>        | <b>13,302</b> |     |



|                                                                                                                          |                                                                                                                       |                                                 |                                                        |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------|
|  <p><b>TOWN OF<br/>CAPE CHARLES</b></p> | <b>AGENDA TITLE:</b> Virginia America 250 Resolution                                                                  |                                                 | <b>AGENDA DATE</b><br>April 18, 2024                   |
|                                                                                                                          | <b>SUBJECT/PROPOSAL/REQUEST:</b> Consideration of Resolution 20240418A supporting the Virginia America 250 Commission |                                                 | <b>ITEM NUMBER:</b><br>8A                              |
|                                                                                                                          | <b>ATTACHMENTS:</b> Resolution 20240418A – Relating to the Support of the Virginia America 250 Commission Recitals    |                                                 | <b>FOR COUNCIL:</b><br>Action ( X )<br>Information ( ) |
|                                                                                                                          | <b>STAFF CONTACT (s):</b><br>Libby Hume, Town Clerk                                                                   | <b>REVIEWED BY:</b><br>John Hozey, Town Manager |                                                        |

### **BACKGROUND:**

The Virginia American Revolution 250 Commission (VA250) was established by the General Assembly in 2020 to commemorate the 250<sup>th</sup> anniversary of the American Revolution, the Revolutionary War, and the independence of the United States in the Commonwealth of Virginia; one of the former colonies and future states, where much of this history took place. VA250 is working with Virginia's localities asking them to form committees to plan local and regionally-focused events for the semiquicentennial. VA250 offers many resources for its local partners including grant funding opportunities.

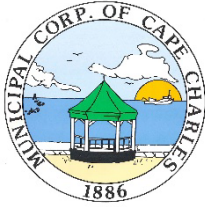
The VA250 Marketing Leverage Program is a partnership between the VA250 Commission and the Virginia Tourism Corporation and is designed to support, promote, and market programming, events, and interpretive signage related to quests for freedom against the backdrop of America's 250<sup>th</sup> commemoration.

### **ITEM SPECIFICS:**

Cape Charles Main Street has agreed to head up a local VA250 committee. Executive Director Karen Zamorski has been working on this initiative and a number of activities have been discussed. Ms. Zamorski requested the Town's assistance by adoption of a resolution supporting the VA250. Adoption of the resolution would enable grant opportunities as described above. Cape Charles Memorial Library Manager Sharon Silvey has also requested the Town's support.

### **RECOMMENDATION:**

Staff recommends Town Council adoption of Resolution 20240418A Relating to the Support of the Virginia America 250 Commission Recitals by roll call vote.



## **RESOLUTION 20240418A**

### **RELATING TO THE SUPPORT OF THE VIRGINIA AMERICA 250 COMMISSION RECITALS:**

**WHEREAS**, the Cape Charles Town Council is dedicated to maintaining our small town character while supporting economic development and tourism in the Town of Cape Charles; and

**WHEREAS**, the Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250<sup>th</sup> anniversary of Virginia's participation in American independence; and

**WHEREAS**, VA250 has requested that each locality form a committee to aid in planning for the commemoration period; and

**WHEREAS**, the Town of Cape Charles, in coordination with Cape Charles Main Street, has formed a local VA250 committee; and

**WHEREAS**, the committee will plan and coordinate programs occurring within the locality and communicate regularly with VA250; and

**WHEREAS**, the Town Council wishes to undertake this endeavor with VA250 to promote and commemorate this important historic milestone.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Town of Cape Charles, Virginia that:

1. The Town Council hereby desires to support the Virginia America 250 Commission and their efforts to commemorate the 250<sup>th</sup> anniversary of Virginia's participation in American independence.
2. The Town of Cape Charles, in coordination with Cape Charles Main Street, has formed a local VA250 committee to aid in the planning for the commemoration period.

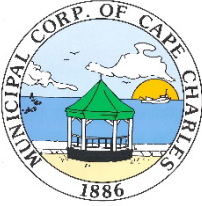
\*\*\*\*\*

Adopted by the Town Council of Cape Charles on April 18, 2024.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

|                                                                                                                      |                                                                                                                |                                                 |                                                      |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------|------------------------------------------------------|
| <br><b>TOWN OF<br/>CAPE CHARLES</b> | <b>AGENDA TITLE:</b> Sale of Library Properties                                                                |                                                 | <b>AGENDA DATE:</b><br>April 18, 2024                |
|                                                                                                                      | <b>SUBJECT/PROPOSAL/REQUEST:</b> Adopt ordinance authorizing sale of the library properties for redevelopment. |                                                 | <b>ITEM NUMBER:</b><br>8B                            |
|                                                                                                                      | <b>ATTACHMENTS:</b> Proposed ordinance.                                                                        |                                                 | <b>FOR COUNCIL:</b><br>Action (X)<br>Information ( ) |
|                                                                                                                      | <b>STAFF CONTACT:</b><br>Bob Panek, Project Manager                                                            | <b>REVIEWED BY:</b><br>John Hozey, Town Manager |                                                      |

### **BACKGROUND:**

The Town issued a Request for Proposals for the sale and redevelopment of tax parcels 83A3-1-643A, 643B and 642B, collectively the library properties, which would include build-out of the third floor and front mezzanine and retention of the first floor and rear mezzanine as the Cape Charles Memorial Library. Of the four proposals received, the proposal from Gammino Realty and Development, LLC (GRD), dba City & Guilds, LLC was judged the most beneficial. At the regular meeting of September 21, 2023 the Town Council approved proceeding with that proposal.

### **DISCUSSION:**

Town staff and GRD have worked to refine the proposal to encompass: establishment of a condominium consisting of one residential and one library unit, rehabilitation of the building exterior, build-out of the third floor and front mezzanine for residential use, renovation of the library space, related site work, and purchase of the library unit by the Town. The redevelopment entity will be Cape Charles Ventures IV. The library properties would be sold for \$600,000, the purchase price of the library condominium unit would be \$450,000, and the library space renovation price would be \$230,000. Other details to be included in the Purchase and Sales Agreement (PSA) are included in the attachment.

The proposed ordinance, attached, would authorize the finalization of the PSA and sale of the library properties. Execution of the PSA, closing on the sale of the library properties and buy-back of the library condominium unit is estimated to occur in June. Renovation of the library space is planned to occur simultaneously with build-out of the third floor and front mezzanine but could commence independently under an interim agreement if the latter was significantly delayed.

Code of Virginia, Sec. 15.2-1800 authorizes localities to sell, at public or private sale, its real property. The Code also requires that a public hearing be held prior to such disposal of real property. The public hearing was held this evening.

Sec. 15.2-2100 requires such sale of public places to be made pursuant to an ordinance passed by a recorded affirmative vote of three-fourths of all the members elected to Council. The proposed ordinance, attached, would authorize the sale of the property to Cape Charles Ventures IV.

### **RECOMMENDATION:**

Staff recommends a roll call vote on the proposed ordinance.

**DRAFT**

**ORDINANCE 20240418**

**SALE AND REDEVELOPMENT OF LIBRARY PROPERTIES**

**WHEREAS**, the Town of Cape Charles issued a Request for Proposals for the sale and redevelopment of tax parcels 83A3-1-643A, 643B and 642B, collectively the library properties, which would include build-out of the third floor and front mezzanine and retention of the first floor and rear mezzanine as the Cape Charles Memorial Library; and

**WHEREAS**, of the four proposals received the proposal from Gammino Realty and Development, LLC (GRD), dba City & Guilds, LLC was judged the most beneficial, and at the regular meeting of September 21, 2023 the Town Council approved proceeding with that proposal; and

**WHEREAS**, Town staff and GRD have worked to refine the proposal to encompass: establishment of a condominium consisting of one residential and one library unit, rehabilitation of the building exterior, build-out of the third floor and front mezzanine for residential use, renovation of the library space, related site work, and purchase of the library unit by the Town; and

**WHEREAS**, the terms and scope of the sale and redevelopment are further specified in Attachment A; and

**WHEREAS**, the designated redevelopment entity will be Cape Charles Ventures IV; and

**WHEREAS**, a public hearing was held on April 18, 2024 as required by the Code of Virginia, Section 15.2-1800; and

**WHEREAS**, in reaching the decision to sell the library properties on the terms set forth in the attachment, the Town Council of Cape Charles has considered a number of factors, including among others the condition of the existing structure, the ongoing maintenance costs, the significant cost of rehabilitation, the investment to be made in rehabilitating and improving the property, the new use of the third floor and front mezzanine, and the future tax revenue that will be generated when the property is transferred to a private entity; now

**THEREFORE BE IT ORDAINED** by the Town Council of Cape Charles this 18<sup>th</sup> day of April 2024 that:

1. The Town Manager be authorized to finalize a purchase and sales agreement, including an interim agreement for renovation of the library space, and to execute such documents and take such actions as are necessary or proper to complete the sale and redevelopment of the library properties substantially in accordance with the foregoing terms.

2. The Mayor be authorized to execute the deed of sale of the library properties to Cape Charles Ventures IV substantially in accordance with the terms of the purchase and sales contract.

\*\*\*\*\*

Adopted by the Town Council of Cape Charles on April 18, 2024

By: \_\_\_\_\_  
Mayor Adam Charney

ATTEST:

\_\_\_\_\_  
Town Clerk

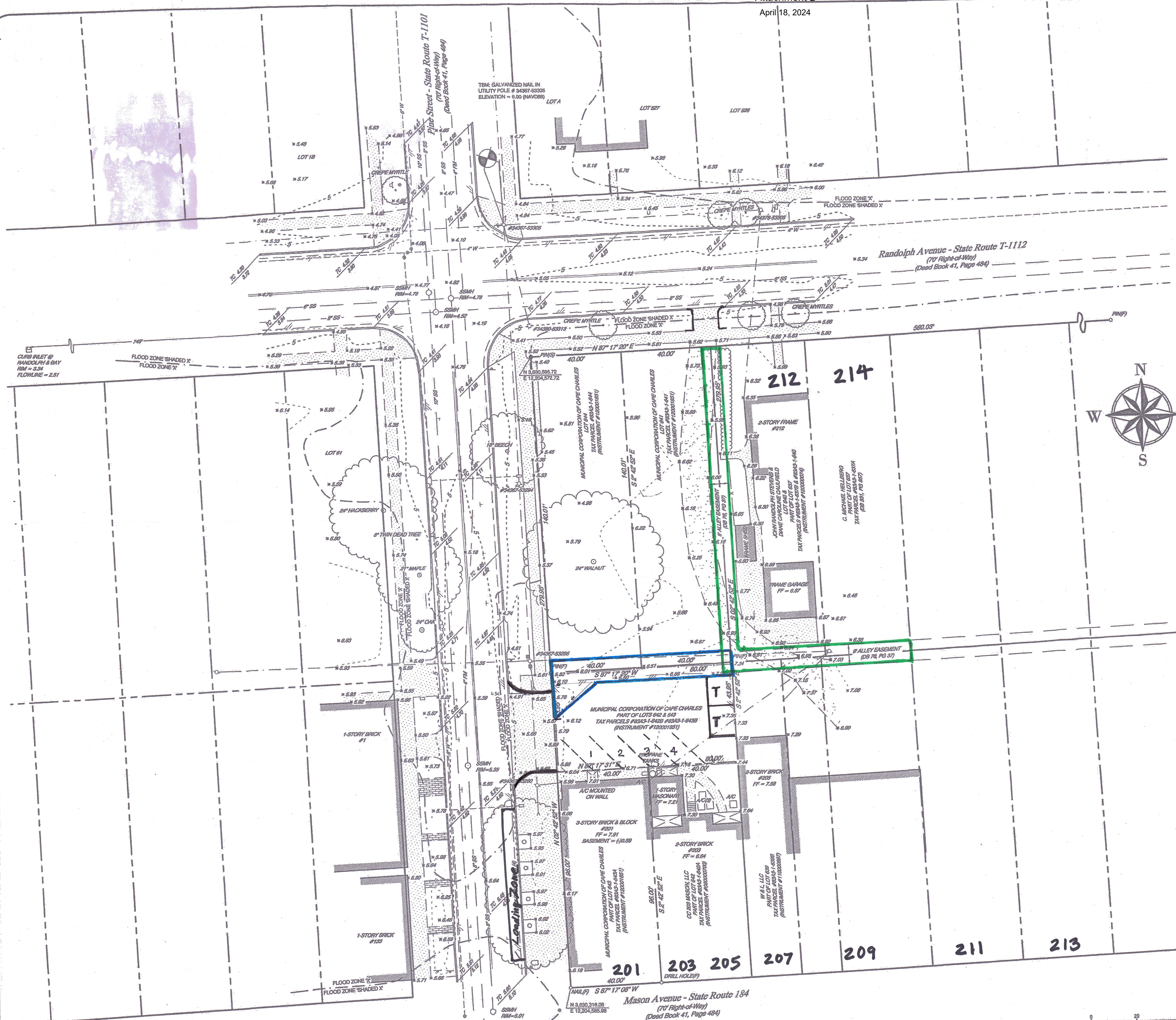


**ATTACHMENT A**  
**April 18, 2024**

**Terms for Sale and Redevelopment of Library Properties**

1. Parties.
  - a. Seller – Municipal Corporation of Cape Charles
  - b. Purchaser – Cape Charles Ventures IV
2. Properties. Tax parcels 83A3-1-643A, 643B and 642B. Seller to establish access easement at rear of 643B and 642B for two parcels on Randolph Avenue and parcels east of library properties, per Attachment B, prior to closing.
3. Purpose. Build-out of the third floor and front mezzanine as residential and retention of the first floor and rear mezzanine as the Cape Charles Memorial Library.
4. Form of Ownership. A condominium consisting of one residential and one library unit. Condominium documents to be developed by purchaser in coordination with seller.
5. Scope of Redevelopment Work.
  - a. Rehabilitation of the building exterior – Sealing and painting of rear wall, replacement of steel cooling unit support structure, replacement of mezzanine roof.
  - b. Build-out of the third floor and front mezzanine for residential use to purchaser's specifications.
  - c. Renovation of the library space per HBA plans and specifications dated 10-27-2023 provided by seller. Total price of \$230,000 to be paid by seller.
  - d. Parking spaces and trash management area on rear paved lots. Trash management to be sufficient to accommodate: residential condo unit, library condo unit, two residential and two commercial units at 203/205 Mason Avenue, and Kelly's Gingernut Pub (excluding cardboard recycling and used cooking oil), subject to the external entities entering into a trash management agreement with the new condominium association.
  - e. All work to be performed in conformance with Town zoning and building regulations.
6. Completion Date.
  - a. Renovation of Library Space – 4 months after closing or execution of an interim agreement or issuance of building permit, whichever is later.
  - b. Redevelopment – One year after closing.
7. Library Properties Sale Price. \$600,000.
8. Library Unit Purchase Price. \$450,000.





CHESAPEAKE BAY

CAPE CHARLES HARBOR

VICINITY MAP  
1" = 200'

LEGEND

- MANHOLE
- ⊕ UTILITY POLE
- WATER VALVE
- ⊞ SIGN
- ⊞ WATER METER
- ☆ LIGHT POLE
- MAILBOX
- ⊞ TELEPHONE PEDESTAL
- EDGE OF PAVEMENT
- CONCRETE
- BRICK

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.

FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM F.E.M.A. FLOOD MAPS. SHORELINE SURVEYORS IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREON. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.

THIS PROPERTY APPEARS TO FALL IN:  
FLOOD ZONES: 'X' & SHADED 'X'  
COMMUNITY NO.: 510106  
PANEL: 0295F DATED: MARCH 2, 2015

FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.

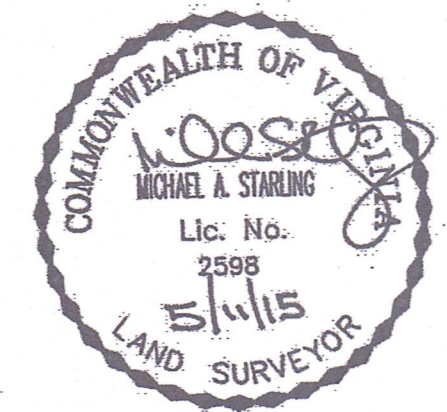
THE NORTH MERIDIAN OF THIS PLAT IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83.

ELEVATIONS SHOWN HEREON ARE BASED ON USGS DISK 'Z 313'  
ELEVATION = 11.32 (NAVD83)

UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON CAPE CHARLES AS-BUILT DRAWINGS DATED SEPTEMBER, 1990, REVISED DECEMBER 21, 1990.

IT IS BELIEVED THAT THERE IS A 1.5' CONCRETE GUTTER PAN ALONG ALL ROADS, THE EDGE OF WHICH HAS BEEN PAVED OVER.

THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF MICHAEL A. STARLING FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION; THE ORIGINAL DATA WAS OBTAINED ON APRIL 24-27, 2015; AND THIS PLAT MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.

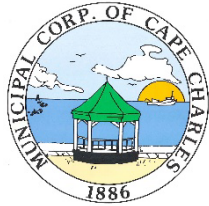


TOPOGRAPHIC SURVEY  
OF  
**Lots 641 - 644**  
**"Map of the Town of Cape Charles"**  
(DEED BOOK 41, PAGE 463)  
TAX PARCELS #63A3-1-641, #63A3-1-642A, #63A3-1-642B, #63A3-1-643A, #63A3-1-643B & #63A3-1-644  
TOWN OF CAPE CHARLES  
NORTHAMPTON COUNTY, VIRGINIA  
FOR  
**Land Studio, PC**  
APRIL 30, 2015

Shoreline Surveyors  
23314 Courthouse Avenue - P.O. Box 735  
Accomac, Virginia 23418  
PHONE (757) 789-3960 FAX (757) 789-3962

SCALE: 1" = 20'  
DRAWN: WAS  
FIELD BOOK: 32, PAGES 68 & 69  
JOB #15045  
SHEET 1 OF 1





**TOWN OF  
CAPE CHARLES**

**AGENDA TITLE:** FY24 Budget Amendment - Debt Payoff

**AGENDA DATE**  
April 18, 2024

**SUBJECT/PROPOSAL/REQUEST:** Approval of budget amendment for payoff of debt due to sale of utilities

**ITEM NUMBER:**  
8C

**ATTACHMENTS:** Budget Amendment Summary, Debt Summary, Bond Counsel Debt Review

**FOR COUNCIL:**  
Action ( X )  
Information ( )

**STAFF CONTACT (s):**  
John Hozey, Town Manager

**REVIEWED BY:**  
John Hozey, Town Manager

**BACKGROUND:**

The Town has four debt instruments dating back to 2010, with a current liability of \$4,723,482.29. Most of this debt was incurred to finance construction of the wastewater treatment plant (WWTP). However, additional infrastructure in the harbor and in the general fund has also been comingled among some of these instruments over the years. Currently only one issue is solely for the WWTP, the other three are comingled.

**ITEM SPECIFICS:**

The Town is preparing to sell its public water and wastewater utilities to a private company. As part of our due diligence for closing the transaction, the Town hired Bond Counsel to review our existing debt documents to facilitate the transfer. As a result, the Town has been advised that we are required to payoff the WWTP issue at closing. The other issues would need to have any portion of debt associated with the utility system paid off within 90 days of closing; see attached letter from our Bond Counsel.

It is possible to pay off only the utility portion of the remaining debt, but it would be expensive and time-consuming to separate out these liabilities. Note that there is no prohibition or penalty for paying off everything (utility system and other infrastructure) early. It therefore makes sense to payoff all our debt at one time. This relieves current debt service payments in future budgets and provides the Town with readily available debt capacity if ever needed.

While the total value of the debt in question is currently \$4,723,482.29; this is not a payoff amount, and interest may accrue before the closing and/or associated payoffs take place. Therefore, to ensure that adequate funds are appropriated, this budget amendment seeks to appropriate up to \$5,000,000 for this purpose.

**RECOMMENDATION:**

Staff recommends approval of a FY24 budget amendment in an amount up to \$5,000,000 for the purpose of eliminating the current Town debt consistent with the attached budget summary.

## FY24 Budget Amendment

April 18, 2024

|                                                          | Budget | Projected     | Change               |
|----------------------------------------------------------|--------|---------------|----------------------|
| <b>General Fund Revenue</b>                              |        |               |                      |
| 100-3950-9000 Sale Proceeds for Debt Payoff General Fund | \$ -   | \$ 557,161.00 | \$ 557,161.00        |
| <b>General Fund Revenue Total</b>                        |        |               | <b>\$ 557,161.00</b> |
| <b>General Fund Expenses</b>                             |        |               |                      |
| 100-4121-9000 Debt Payoff General Fund                   | \$ -   | \$ 557,161.00 | \$ 557,161.00        |
| <b>General Fund Expenses Total</b>                       |        |               | <b>\$ 557,161.00</b> |
| <b>General Fund Revenue Less Expenses</b>                |        |               | <b>\$ -</b>          |

|                                                          |      |                 |                        |
|----------------------------------------------------------|------|-----------------|------------------------|
| <b>Utility Fund Revenue</b>                              |      |                 |                        |
| 501-3950-9000 Sale Proceeds for Debt Payoff Utility Fund | \$ - | \$ 3,935,425.00 | \$ 3,935,425.00        |
| <b>Utility Fund Revenue Total</b>                        |      |                 | <b>\$ 3,935,425.00</b> |
| <b>Utility Fund Expenses</b>                             |      |                 |                        |
| 501-4500-9000 Debt Payoff Utility Fund                   | \$ - | \$ 3,935,425.00 | \$ 3,935,425.00        |
| <b>Utility Fund Expenses Total</b>                       |      |                 | <b>\$ 3,935,425.00</b> |
| <b>Utility Fund Revenue Less Expenses</b>                |      |                 | <b>\$ -</b>            |

|                                                         |      |               |                      |
|---------------------------------------------------------|------|---------------|----------------------|
| <b>Harbor Fund Revenue</b>                              |      |               |                      |
| 510-3950-9000 Sale Proceeds for Debt Payoff Harbor Fund | \$ - | \$ 507,414.00 | \$ 507,414.00        |
| <b>Harbor Fund Revenue Total</b>                        |      |               | <b>\$ 507,414.00</b> |
| <b>Harbor Fund Expenses</b>                             |      |               |                      |
| 510-4713-9000 Debt Payoff Harbor Fund                   | \$ - | \$ 507,414.00 | \$ 507,414.00        |
| <b>Harbor Fund Expenses Total</b>                       |      |               | <b>\$ 507,414.00</b> |
| <b>Harbor Fund Revenue Less Expenses</b>                |      |               | <b>\$ -</b>          |

TOCC Debt Status  
April 18, 2024

| Debt Instrument - Common Name                                                           | Debt Caption                                      | Holder                                                                              | Prepayment Language                                                                                                                                                                                                                         | Document and Section Reference   | Outstanding Balance    |
|-----------------------------------------------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------|
| 2016A Pinnacle Public Finance                                                           | General Obligation Refunding Bond, Series 2016A   | Pinnacle Public Finance, Inc.                                                       | Town has the right to prepay the Bond prior to August 1, 2020. On and after August 1, 2020, the Town has the right to prepay the Bond in whole but not in part.                                                                             | BPA Section 2.4;                 | \$ 307,000.00          |
| 2016B Pinnacle Public Finance                                                           | General Obligation Refunding Bond, Series 2016B   | Pinnacle Public Finance, Inc.                                                       | Town has the right to prepay the Bond prior to February 1, 2024. On and after February 1, 2024, the Town has the right to prepay the Bond in whole but not in part.                                                                         | BPA Section 2.4;                 | \$ 1,371,000.00        |
| 2010C/E General Obligation and Revenue Bond                                             | General Obligation and Revenue Bond, Series 2010C | Virginia Resources Authority                                                        | The Bonds may be prepaid at the option of the Town in whole or in part after ten (10) days' written notice to the Authority.                                                                                                                | Financing Agreement Section 7.1; | \$ 2,049,970.37        |
| 2010A General Obligation Bonds (sometimes referenced the 2010 General Obligation Bonds) | General Obligation Bonds, Series 2010A            | Industrial Development Authority of the County of Stafford and the City of Staunton | The Bonds may be prepaid in whole or in part in accordance with optional redemption provisions in the Indenture. A review of the VML/VaCo Indenture indicates that the Bonds are prepayable at a price of 100% on or after February 1, 2021 | Loan Agreement Section 5.06      | \$ 995,511.92          |
| <b>Total</b>                                                                            |                                                   |                                                                                     |                                                                                                                                                                                                                                             |                                  | <b>\$ 4,723,482.29</b> |

April 4, 2024

Town of Cape Charles, Virginia  
Cape Charles, Virginia  
Attention: John Hozey, Town Manager

Re: Sale of Water and Sewer System and Implications for Existing Debt

Ladies and Gentlemen:

At your request, we have reviewed the documents (the "Reviewed Documents") related to the outstanding debt of the Town of Cape Charles, Virginia (the "Town") that are described in Schedule 1 to this letter (the Series 2010A Bond, the Series 2010C Bond, the Series 2016A Bond, and the Series 2016B Bond, and collectively, the Reviewed Bonds). We have undertaken this review because we have been informed that the Town intends to sell its water and sewer system (the "System") to a private operator. We were requested to determine whether the Reviewed Documents restricted the sale of the System, whether Reviewed Bonds can be prepaid (and if so what penalty, if any is there for an early prepayment) and whether there were any other concerns related to the sale of the System from a bond counsel perspective.

Based on our review of the Reviewed Documents and conversations with Mr. Hozey, we recommend that the Series 2010C Bond (held by Virginia Resources Authority) be paid off at the closing of the sale of the System and that all or portions of the Series 2010A Bond, the Series 2016A Bond, and the Series 2016B Bond be paid off within 90 days of the closing of the sale of the System.

The reasons for the above recommendations are summarized below.

**1. Only the Series 2010C Bond contains a contractual prohibition on the System being owned by or sold to an entity other than the Town.**

The Reviewed Documents contain, among other things, certain requirements that the Town agreed to comply with during the term of the applicable bond. A failure to comply with a requirement could result in a default by the Town of its obligations under the applicable bond. The Reviewed Documents related to the Series 2010C Bond contained a specific prohibition (Section 8.1 and Section 8.7 of the Series 2010C Agreement) that says that the Town and no other party will own the System and that the Town will not sell the System. However, if the

Series 2010C Bond is paid off at the closing of the sale of the System, that requirement goes away. Under Section 7.1 of the Series 2010C Agreement, the Series 2010C Bond can be prepaid without penalty. For those reasons we recommend paying off the Series 2010C Bond at the closing of the sale of the System.

**2. Each of the Series 2010A Bond, the Series 2016A Bond, and the Series 2016B Bond contain requirements that the Town preserve the tax-status on those bonds, and to do so will require that the Town prepay at least a portion of those bonds.**

The sale of the System to a private company would adversely affect the tax status on each of those bonds, and the Town has agreed to preserve that status (Section 2.02(l) of the Series 2010A Agreement and Section 3.1(f) of each of the Series 2016A Agreement and the Series 2016B Agreement). Unlike the Series 2010C Bond described above, the proceeds of the Series 2010A Bond, the Series 2016A Bond and the Series 2016B Bond were not used exclusively for assets of the System. The proceeds of those bonds, we understand, were used for a variety of capital projects of the Town. Accordingly, any adverse impact that is caused by the sale of the System to a private party would be related to the portion of those bonds that were used to acquire assets of the System. Unlike the requirement described in #1, the tax code does not require that these bonds be paid off at closing. However, at least the portion of those bonds allocable to assets of the System must be retired within 90 days of the sale of the System.

**3. The Town is permitted to prepay the Series 2010A Bond in part and without penalty.**

Under Section 5.06 of the Series 2010A Agreement, the Town is permitted to pay off a portion of the Series 2010A Bond without penalty.

**4. The Town is permitted to prepay the Series 2016A Bond and the Series 2016B Bond without penalty, but the Town must pay those bonds off in full, unless the lender agrees otherwise.**

Under Section 2.4 of the Series 2016A Agreement and the Series 2016B Agreement, the Town may, without penalty, prepay the Series 2016A Bond or the Series 2016B Bond, as applicable, in whole only and not in part. Those bonds could be paid off in part with the consent of the lender, but the lender is under no obligation to grant that consent.

**5. While other remedial actions may be available to the Town under the tax code, they will require a significant investment of Town staff time and require outside bond counsel advice.**

The tax code allows other types of remedial actions in addition to paying off bonds, and we are not aware of any reason why the Town is not able to take advantage of those remedial actions. However, those remedial actions (particularly with the Series 2010A Bond) would require a significant investment of time by staff of the Town as well as an outside bond counsel because the remedial action would need to be structured to comply with the requirements of the tax code. For example, the tax status on the Series 2010A Bond is dependent on the proceeds of that bond being used for "qualified economic development purposes" and on projects that comply with

Davis-Bacon (prevailing wage) requirements and any remedial action take for those bonds will need to continue to comply with those requirements.

We appreciate the opportunity to assist the Town on this important transaction, and we would be happy to speak with you further at your convenience.

Regards,

*T.W. Bruno*

187660599\_1



## **Schedule 1**

### **Reviewed Documents**

Bond Purchase Agreement dated as of September 1, 2016 (the "Series 2016A Agreement"), between the Town and Pinnacle Public Finance, Inc. ("Pinnacle").

Bond Purchase Agreement dated as of September 1, 2016 (the "Series 2016B Agreement"), between the Town and Pinnacle.

Financing Agreement dated as of November 1, 2010 (the "Series 2010C Agreement"), between the Town and the Virginia Resources Authority ("VRA"), as Administrator of the Virginia Water Facilities Revolving Fund (the "Fund").

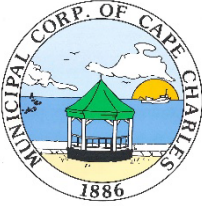
Loan Agreement dated as of March 1, 2010 (the "Series 2010A Agreement"), between the Town and the Industrial Development Authority of the County of Stafford and the City of Staunton (the "Stafford/Staunton IDA").

Town of Cape Charles, General Obligation Bonds, Series 2010A (the "Series 2010A Bond"), payable to the Stafford/Staunton IDA.

Town of Cape Charles, General Obligation and Revenue Bond, Series 2010C (the "Series 2010C Bond"), payable to VRA as Administrator of the Fund.

Town of Cape Charles, Virginia, General Obligation Refunding Bond, Series 2016A (the "Series 2016A Bond"), payable to Pinnacle.

Town of Cape Charles, Virginia, General Obligation Refunding Bond, Series 2016B (the "Series 2016B Bond"), payable to Pinnacle.

|                                                                                                                            |                                                                                                  |                                                 |                                                        |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------------|
| <br><b>TOWN OF</b><br><b>CAPE CHARLES</b> | <b>AGENDA TITLE:</b> Cape Charles Day Resolution                                                 |                                                 | <b>AGENDA DATE</b><br>April 18, 2024                   |
|                                                                                                                            | <b>SUBJECT/PROPOSAL/REQUEST:</b> Approval of 20240418B – Designating the annual Cape Charles Day |                                                 | <b>ITEM NUMBER:</b><br>8D                              |
|                                                                                                                            | <b>ATTACHMENTS:</b> Resolution 20240418B – Designating the annual Cape Charles Day               |                                                 | <b>FOR COUNCIL:</b><br>Action ( X )<br>Information ( ) |
|                                                                                                                            | <b>STAFF CONTACT (s):</b><br>John Hozey, Town Manager                                            | <b>REVIEWED BY:</b><br>John Hozey, Town Manager |                                                        |

### **BACKGROUND:**

On August 16, 2018, at the then Mayor Dize's request, the Town Council approved a resolution designating the first Saturday in March of each year as Cape Charles Day, in honor of the Town's founding which occurred on March 1, 1886 (our birthday).

### **ITEM SPECIFICS:**

The Town has hosted a public event on the first Saturday of March since 2019. This event has evolved over the years, and it is currently combined with a community clean-up day. The Town organizes a volunteer effort to help pick up trash and prune back public spaces during the morning. We then hold a picnic in Central Park to recognize the Town's birthday and the community effort to help beautify our Town. This is also one of two planned events for residents to meet and mingle informally with Town Council members, the Mayor, and staff (the other event being the annual ice cream social in the Fall).

At issue most every year is the weather on the first Saturday of March. Early March is typically still quite cool and very windy. This makes for a less than ideal environment to spend the day outdoors. So, every year there is talk of moving the date further into the Spring to have a better chance of nicer weather. However, the more this event is delayed, the less nexus it has to the Town's actual birthday, and it would delay the clean-up/pruning that is needed before the tourist season begins.

This year, rain on the first Saturday of March caused us to delay the event by two weeks. But honestly, those two weeks did not make much of a difference in the potential weather conditions. Following this year's event, Councilman Grossman requested a resolution be brought back to Council so that the matter of formally delaying this event could be discussed.

Staff is largely agnostic about the timing of this event. The weather anytime in March runs the risk of being cool and windy. And if the event is pushed off until April or May, it really can't be considered a town birthday celebration anymore, nor would it enable us to spruce things up before the season gets underway. Yet, better weather might bring out a better crowd.

Therefore, the attached resolution is being brought forward as requested, but with the timing of the event left blank so that the Council can determine how they'd like to proceed.

### **RECOMMENDATION:**

Staff recommends that the Town Council determine when they'd like Cape Charles Day to occur, and if other than already established, complete the attached resolution as desired and adopt.

**RESOLUTION 20240418B**

**DESIGNATING \_\_\_\_\_  
AS CAPE CHARLES DAY TO BE CELEBRATED ANNUALLY TO  
COMMEMORATE THE TOWN'S INCORPORATION ON MARCH 1, 1886**

**WHEREAS**, the Town of Cape Charles was incorporated as the Municipal Corporation of Cape Charles on March 1, 1886; and

**WHEREAS**, in 2018 Mayor Dize suggested designation of the first Saturday of March of each year as Cape Charles Day to be celebrated with civic activities; and

**WHEREAS**, the Town Council approved such a resolution on August 16, 2018 and

**WHEREAS**, recent experience in early March has not provided ideal weather for civic activities, and so new timing for this event is desired.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Town of Cape Charles, Virginia that the \_\_\_\_\_ be designated as Cape Charles Day to be celebrated annually.

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Adopted by the Town Council of Cape Charles on April 18, 2024.

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk