

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 the 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 24th, 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 1st. Information from the survey was reviewed and used to update the strategic plan at the February 24th 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 28th 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 1st. 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 30th 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.

Mayor Charney

Town Clerk

**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).

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

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

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

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

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

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

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

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

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

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

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

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.

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

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

From: Lisa Guzzardo <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

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:

- Establish a cap on the number of STRs
- Establish rules that dictate: number of people per bedroom, parking spaces per rental home, etc.
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 - Square footage of rental home
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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

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 grandfatheres 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

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.

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 at 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, 4th 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

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:
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 - 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

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

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

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

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

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.

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

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 on 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

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

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

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.

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

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 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

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

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

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.

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.

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 STRIVE TO MAINTAIN AND ENHANCE PROSPERITY. YOU MUST ACHIEVE A BALANCE AS TOO MUCH OF ONE MAY NOT BE GOOD FOR THE OTHER.

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.

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?

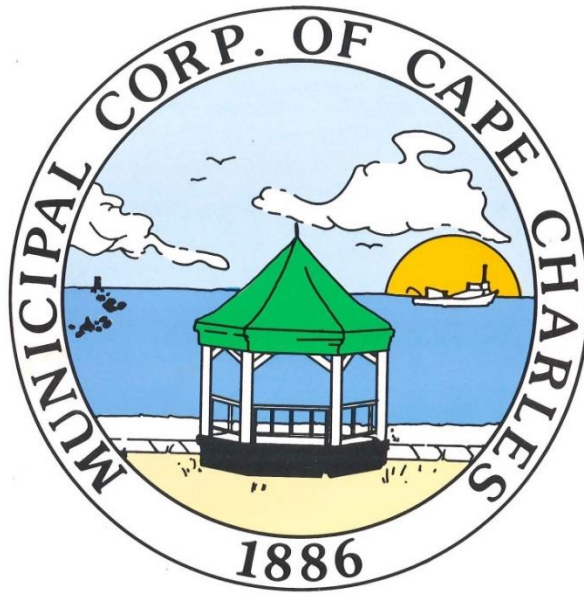
The lights in the next door VRBO's yard are not dark sky compliant and should not have been allowed. They should not be "grandfathered in." This should be true for all the homes in Cape Charles.

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

Sincerely,

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

Annual Reports for the Planning Commission & Boards



Town of Cape Charles Planning Commission

2022 & 2023 Annual Report
(January 2022-December 2022)
&
(January 2023-December 2023)

Bill Stramm
Chairman

Katie Nunez
Director of Planning/Zoning Administrator
& Subdivision Agent

January 31, 2024

Mayor Charney & the Cape Charles Town Council:

On behalf of the Cape Charles Planning Commission, I am pleased to provide you the combined 2022 and 2023 Annual Reports of the Planning Commission.

At the Town Council meeting on December 16, 2021, a contract was awarded to Summit Design and Engineering Services for the Comprehensive Plan & Zoning Updates. This enabled the Planning Commission to fully tackle and advance the Comprehensive Plan Update, a project which was begun as an in-house project in 2019 and forward progression was interrupted due to COVID-19 and staff changes.

All of 2022 was primarily focused on working with our consultant on updating the Comprehensive Plan. The consultant was provided all of the prior work undertaken by the Commission:

- community workshop in July 2019;
- survey issued in 2019 with 211 responses;
- Regional Housing Workshop in January 2020 with over 50 attendees;
- draft chapter revisions prepared by the various members of the Planning Commission

A draft Comprehensive Plan was provided to the Town for review and public input through several public forums. Over 280 comments were received on this draft and all comments were received and discussed with a determination on each how to address in the Comprehensive Plan document through 2 joint work sessions of the Planning Commission and Town Council. This work also included updating the Town Zoning Map to accurately reflect all zoning map amendments approved by the Town Council since the map was last updated and a Future Use Map was also created as part of the Comprehensive Plan.

Following a public hearing on December 6, 2022, the Town Council voted to adopt the Comprehensive Plan at their meeting on December 15, 2022.

The Planning Commission and the staff of the Planning & Zoning Department were instrumental in also working with a consultant in the update and revision of the Town's Historic District Guidelines and accompanying amendments to the Historic District Overlay zoning ordinance, a process which initially began in 2021. After extensive feedback from the internal stakeholders, staff, and a public opinion survey, the Consultant, Commonwealth Preservation Group, released draft guidelines to the Town and community outreach was conducted. Over 110 comments were submitted to the Town and all comments were considered through a joint meeting of the Town Council, Planning Commission and Historic District Review Board. Town Council adopted the new guidelines and accompanying zoning ordinance changes on December 15, 2022 which

also included reaffirming the bounds of the Historic District and creating a map to reflect the exact location of the district.

In calendar year 2023, the Commission has been working diligently on the follow-up work relative to the adoption of the Comprehensive Plan: a review and possible amendments to the zoning ordinance to be consistent with the Comprehensive Plan. The Town also engaged the consultant, Summit Design and Engineering Services, to assist in this process. A thorough review of the entire document has been conducted and changes are being considered throughout the document, including provisions that have been revised at the state or federal level. This work has taken longer than anticipated and we believe this work will be forthcoming in the spring 2024 for public hearing and possible consideration of adoption of the zoning text amendments and accompanying zoning map amendments by the Town Council.

There are funds budgeted in the department's FY2024 budget for consulting services specific for developing guidelines and master plan for the harbor area, including the former railroad property. We look forward to turning our attention to this project once the Town zoning ordinance revisions and updates are concluded. The other large remaining project that is on our horizon is updates to the Accawmacke Plantation (Bay Creek) Planned Unit Development ordinance.

As always, we continue to take up applications as they are filed for conditional use permits and will continue to work towards meeting the goals and objectives contained in the Comprehensive Plan and further elaborated by Town Council into a Strategic Plan for the Town.

Please find a detailed reporting on the last two years, including membership & attendance, staffing of the department, and all public hearing matters relative to zoning text amendments, zoning map amendments and conditional use permits.

We thank the staff for their vigorous work and efforts in moving all of the various applications and development efforts forward and ensuring that the Town is meeting all public hearing notice requirements. It is important to note that the Planning & Zoning staff also support the work, agenda creation, meeting packets with staff reports on each application for the Historic District Review Board, the Wetlands Board, the Harbor Area Review Board, and the Board of Zoning Appeals as well as the Planning Commission. Additionally, their continued work and expansion of the web pages and website for the Planning & Zoning Department and these five boards is greatly appreciated.

2022 Planning Commission Members

NAME	REPRESENTATION	Term of Appointment	NOTES
Bill Stramm, Chair	At Large Member	11/1/2022 – 10/31/2026	
Dennis McCoy, Vice Chair	At Large Member	11/1/2020 - 10/31/2024	
Paul Grossman	Town Counsel Rep.	1/1/2023 – 12/31/2027	
Diane D’Amico	At Large Member	11/1/2020 - 10/31/2024	Resigned in May 2022
Jim Holloway	At Large Member & BZA Representative	11/1/2022 - 10/31/2027	
Michael Strub	At Large Member & HDRB Representative	11/1/2019 - 10/31/2023	
Ken Butta	At Large Member	11/18/2021 – 10/31/2025	Elected to Town Council, effective 1/1/2023
Bill Ashworth	At Large Member	12/2022 – 10/31/2024	To fill Diane D’Amico’s term
Shannon Smith	At Large Member	1/2023 – 10/31/2025	To fill Ken Butta’s term

NOTE: The Planning Commission appoints its members to serve as their designee on the following Town Boards:

Harbor Area Review Board – 2 Appointments

- Diane D’Amico - term of appointment is: 9/4/2019 – 10/31/2024 - she resigned in May 2022. Town Council appointed Bill Ashworth to fill out the remainder of Diane’s term on Planning Commission. The Planning Commission then elected Bill Ashworth to also sit on the Harbor Area Review Board as their representative.
- Ken Butta, term of appointment is: 10/5/2021 – 10/31/2022 – he resigned when he was elected to Town Council. At end of December 2022/January 2023, Shannon Smith was appointed to fill out the remaining time of Ken’s term on Planning Commission. The Planning Commission then elected Shannon Smith to also sit on the Harbor Area Review Board as their representative.
- Bill Ashworth, term of appointment is: 12/2022 – 10/31/2024
- Shannon Smith, term of appointment is: 1/2023 – 10/31/2025

Historic District Review Board – 1 Appointment

- Michael Strub, term of appointment is: 11/1/2019 - 10/31/2023

Additionally, the Northampton County Circuit Court Judge has appointed one member of the Planning Commission to serve on the Board of Zoning Appeals, pursuant to Code of Virginia §15.2-2308 (A) and the current designee is:

Board of Zoning Appeals – 1 Appointment

- Jim Holloway – term of appointment is: 11/1/2022 – 10/31/2027

2023 Planning Commission Members

NAME	REPRESENTATION	Term of Appointment	NOTES
Bill Stramm, Chair	At Large Member	11/1/2022 – 10/31/2026	Re-elected in December 2023 as Chair
Dennis McCoy, Vice Chair	At Large Member	11/1/2020 - 10/31/2024	Served as Vice Chair for all of 2023
Paul Grossman	Town Counsel Rep. Vice Chair	1/1/2023 – 12/31/2027	Elected in December 2023 as Vice-Chair
Michael Strub	At Large Member HRDB Representative	11/1/2019 - 10/31/2023 <i>*term is extended until a new Commissioner is appointed</i>	
Bill Ashworth	At Large Member HARB Representative	12/2022 – 10/31/2024	
Shannon Smith	At Large Member HARB Representative	1/2023 – 10/31/2025	
Jim Holloway	At Large Member BZA Representative	11/1/2022 - 10/31/2027	

NOTE: The Planning Commission appoints its members to serve as their designee on the following Town Boards:

Harbor Area Review Board – 2 Appointments

- Bill Ashworth - term of appointment is: 12/2022 – 10/31/2024
- Shannon Smith - term of appointment is: 1/2023 – 10/31/2025

Historic District Review Board – 1 Appointment

- Michael Strub, term of appointment is: 11/1/2019 - 10/31/2023 - **term is extended until a new Commissioner is appointed.*

2022 Planning and Zoning Staff

Katie Nunez, Interim Planning/Zoning Administrator (hired February 2021 thru June 2022); moved to full-time Planning & Zoning Administrator in July 2022.

Tracy Outten, Planning Technician

2023 Planning and Zoning Staff

Katie Nunez, Director of Planning/Zoning Administrator & Subdivision Agent

Tracy Outten, Planning/Zoning Assistant, Preservation & Zoning Administrator

Robert James, Zoning Compliance Officer, hired January 2023; resigned in November 2023

Alyce Crockett, Planning & Zoning Administrative Assistant (part-time), hired January 2023; resigned in May 2023

Maureen Tamares-Meditz, Planning & Zoning Administrative Assistant (part-time), hired July 2023

Introduction

Section 15.2-2221, of the Code of Virginia, as amended, prescribes the duties of the local planning commission. The duties include a requirement to provide an annual report to the local governing body concerning the operation of the commission and the status of planning in its jurisdiction.

PLANNING COMMISSION MEETINGS 2022

For 2022, Bill Stramm and Dennis McCoy agreed to remain as Chair and Vice-Chair, respectively. Diane D'Amico resigned in February 2022 and the position remained open until the end of December 2022. Ken Butta ran for and was elected to the Town Council so his last meeting was in December 2022 and his replacement was selected in December 2022, to be effective 1/1/2023.

	<u>2022 Attendance Record</u> - Blue Highlighted Dates are Work Session Green Highlighted Dates are Joint Public Hearings with Town Council P = Present A = Absent V= Vacant																
	1/4/2022	1/24/2022	2/01/2022	2/1/2022	3/1/2022	4/5/2022	5/3/2022	6/7/2022	7/5/2022	7/12/2022	8/02/2022	9/06/2022	10/04/2022	10/6/2022	10/27/2022	11/9/2022	12/6/2022
Stramm, Bill	P	P	P	P	P	P	P	A	CANCELLED	P	P	P	P	P	P	P	P
D’Amico, Diane	P	P	P	P	P	P	P	V		V	V	V	V	V	V	V	V
Grossman, Paul	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Holloway, Jim	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
McCoy, Dennis	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P
Strub, Michael	P	P	P	P	P	P	P	P		P	P	P	P	P	P	A	P
Butta, Ken	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P

In 2022, 11 Regular Session Meetings were held with three of those meetings as a Joint Meeting with Town Council. 4 Work Session meeting were held. A substantial amount of meeting time was devoted to working on revisions to several primary guiding documents for the Town: the Comprehensive Plan and the Historic District Guidelines & the associated zoning ordinance authorizing a Historic District (Article VIII)

- The Town engaged Summit Engineering as its consultant to oversee the updates and revisions to the Town's Comprehensive Plan
- The Town engaged Commonwealth Preservation Group as its consultant to oversee a comprehensive rewrite of its Historic District Guidelines and associated zoning ordinance text amendments to the Historic District Overlay Ordinance (Article VIII).

GENERAL DISCUSSIONS 2022

In late summer 2022, Northampton County released a study they commissioned by the Berkeley Group called: “Overcoming Land Use Ordinance Barriers to Housing Development” dated May 27, 2022 which can be found on the Town website at: <https://www.capecharles.org/docview.aspx?docid=30688>. This report reviewed the County as well as all of the incorporated towns’ zoning ordinances relative to housing and provided analysis and recommendations to zoning regulations to expand housing opportunities, especially higher density housing options, such as apartments, multi-family units, workforce housing, etc.

The Planning Commission formed a subcommittee to review this report and determine if we should pursue any zoning text amendments to our ordinance that would help remove barriers to housing development. This sub committee met almost weekly through fall/early winter 2022 and has developed a series of recommendations which have been forwarded to the Town’s consultant, Summit Design, to review as part of their work in doing a full review of the zoning ordinance and compliance with the updated Comprehensive Plan. The Planning Commission will be taking up the subcommittee’s recommendations in 2023 to determine if they agree or disagree and start to assemble the zoning text amendments for public hearing in 2023.

1/24/2022 thru April 2022: Discussion on Accessory Dwelling Units (ADUs) Revisions and whether a conditional use permit should continue to be required or amend the zoning ordinance to include all relevant criteria that must be met in order to obtain a zoning permit approval by right.

7/12/2022: Comp Plan – Existing Conditions Report and Draft Goals, Objectives & Strategies

2/1/2022 MTG:

- Conditional Use Permit (CUP) Public Hearing for an Accessory Dwelling Unit (ADU) at 520 Randolph Avenue. Planning Commission recommended to Town Council approval for a Conditional Use Permit for an Accessory Dwelling Unit at 520 Randolph Avenue on an application filed by Kathleen and Todd Glaser pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following conditions: 1) the applicant applies and obtain Historic District Review Board approval for all exterior improvements, in accordance with the Historic District Overlay and Guidance Documents; 2) the 2 applicant obtains all required permits and approvals from the Building and Planning Departments; and further finds that the Conditional Use Permit (CUP) standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan; and 3) upon the occupancy of the Accessory Structure as a dwelling by the applicant at 520 Randolph Avenue, then the CUP issued by the Town on July 18, 2016 for a Bed and Breakfast, owned and operated by the applicant at 530 Randolph Avenue, will be relinquished by the applicant since the requirements of the CUP will not be met, particularly the residency requirement for Bed and Breakfast establishments. On February

17, 2022, the Town Council voted to approve the Conditional Use Permit application for an accessory dwelling unit at 520 Randolph Avenue as recommended and conditioned by the Planning Commission.

5/3/2022 MTG:

- Conditional Use Permit (CUP) Public Hearing for an Accessory Dwelling Unit (ADU) at 420 Randolph Avenue. Planning Commission recommended to Town Council approve the Conditional Use Permit (CUP 2022-002) for an Accessory Dwelling Unit After-the-Fact at 420 Randolph Avenue on an application filed by Cynthia Emrich and Charles van Dyck, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J). **On May 19, 2022, Town Council approved the Conditional Use Permit for an Accessory Dwelling Unit After-the-Fact at 420 Randolph Avenue on an application filed by Cynthia Emrich and Charles van Dyck pursuant to Zoning Ordinance Section 4.2(J).**

6/3/2022 MTG:

- Conditional Use Permit (CUP) Public Hearing for an Accessory Dwelling Unit (ADU) and Inground Pool at 211 Madison Avenue. *Planning Commission to recommend Town Council approve the Conditional Use Permit (CUP 2022-003) for an Accessory Dwelling Unit and an In-ground Pool at 211 Madison Avenue on an application filed by Michelle and Nathan Davidson pursuant to Cape Charles Zoning Ordinance Section 4.2 (J), and a Conditional Use Permit for an in-ground pool pursuant to Cape Charles Zoning Ordinance Section 3.2 (C) (5).* **On July 21, 2022, Town Council voted to approve the Conditional Use Permit for 211 Madison Avenue for an accessory dwelling unit and an inground pool as recommended by the Planning Commission.**

8/02/2022 MTG:

- Conditional Use Permit (CUP) Public Hearing for an Accessory Dwelling Unit (ADU) at 11 Randolph Avenue. Planning Commission recommended to Town Council approve the Conditional Use Permit (CUP 2022-004) for an Accessory Dwelling Unit at 11 Randolph Avenue on an application filed by Barbara and Bill O'Hare pursuant to Cape Charles Zoning Ordinance Section 4.2 (J). **On August 18, 2022, Town Council voted to approve CUP2022-004 for an accessory dwelling unit at 11 Randolph Avenue on the application filed by Barbara and Bill O'Hare as recommended by the Planning Commission.**

10/4/2022 MTG:

- ZTA 2022-01 - application from the Town of Cape Charles to amend Section 4.2 (J) – Accessory Dwelling Units and Section 2.9 Definitions associated with Accessory Dwelling Units. Planning Commission recommended an amended application. **On October 20,**

2022, Town Council voted to approve the recommendation from the Planning Commission to adopt Zoning Text Amendment 2022-01, as amended.

- ZTA 2022-02 – application from the Town of Cape Charles to remove proffers that were accepted and approved on November 13, 2008 as part of the “Keck Property Rezoning” and recorded in Northampton County Clerk of Courts as Instrument #090002549 and affecting the following parcels:

Tax Map #:	OWNER:	LOCATION
90-19-B	Town of Cape Charles	2443 Old Cape Charles Road
90-19-A	General Builders LLC	Old Cape Charles Road
90-29-3	General Builders LLC	2401 Old Cape Charles Road
90-29-4	General Builders LLC	2403 Old Cape Charles Road
90-29-2	CEM Investments, LLC	2405 Old Cape Charles Road
90-29-1	General Builders LLC	2407 Old Cape Charles Road

Planning Commission recommended approval of ZTA application 2022-03. On October 20, 2022, Town Council voted to approve the recommendation from the Planning Commission to adopt Zoning Text Amendment 2022-03.

12/6/2022 MTG:

- Joint Public Hearing on Comprehensive Plan Revisions and Update which was recommended by the Planning Commission. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission to adopt the Comprehensive Plan revisions and update.
- ZMA 2022-02 – application from the Town of Cape Charles to re-affirm the Historic District Overlay Map and to amend the Zoning Ordinance Section 8.3 including a description of the bounds of the Historic District Overlay Map. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve with amendment clarifying that the western most line of the district stops at Bay Avenue up to the beach but does not include the Town beach property. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission to re-affirm the Historic District Overlay Map and also to amend Cape Charles Zoning Ordinance Section 8.3 to include a written description of the bounds of the Historic District Overlay Map.
- ZTA 2022-02: application from the town of Cape Charles to Amend Section 3.2 (District Regulations - Single Family Residential District R-1) (I – Development Standards) (6) – Delete the following: ~~Vinyl siding will be permitted as long as each individual clapboard is~~

~~no wider than five inches.~~ Section 3.6 (District Regulations – Commercial District C-1) (F – Development/Redevelopment Standards: (1.e) – Delete the following: aluminum ~~or vinyl siding.~~ . A joint public hearing was held on this matter and was recommended by the Planning Commission to approve Zoning Text Amendment 2022-02 re: vinyl siding materials no longer being allowed in the Residential-1 Zoning District & Commercial-1 Zoning District that are also in the Historic Overlay District. **On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission to eliminate vinyl siding as a materials choice for the Residential-1 and Commercial-1 Zoning District.**

- ZTA 2022-03: application from the Town of Cape Charles to amend Section 8.3 (Inventory of Landmarks and Contributing Properties Established) as follows: The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance and fully described under within Section 8.3 as described in ZMA 2022-02 and further contained in Chapter 1 of the Newly Revised Historic District Guidelines as adopted by the Town Council on (Date to be inserted) and this map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). Said listing as prepared in 2019 of all contributing and non-contributing properties will be attached as an Exhibit to the newly revised Historic District Guidelines as identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. **On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission to accept the 2019 Historic District Inventory of Landmarks and Contributing Properties.**
- ZTA 2022-04: application from the Town of Cape Charles to Amend Section 8.4 – Application of the District; Relation to Other Zoning Districts to add to the end of the paragraph the following: Where the overlay district and its Design Guidelines present stricter standard, the stricter standard prevails pursuant to Code of Virginia Section 15.2-2306. A joint public hearing was held on this matter and was recommended by the

Planning Commission to approve as presented. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission establishing that the Overlay District and Design Guidelines are the stricter standard and prevail if in conflict with any other provision of the Cape Charles Zoning Ordinance.

- ZTA 2022-05: to amend Section 8.8 (Historic Board: Terms) by adding the following: The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district; said appointments are at the will of Town Council. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission that the appointments to the Historic District Review Board are at will appointments by Town Council.
- ZTA 2022-06: application from the Town of Cape Charles to Amend Section 8.14 (E) Historic District Review Board; Powers and Duties to insert the month and year (December 15, 2022) of the newly revised Historic District Guidelines, once adopted by Town Council. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission and will reflect in the Cape Charles Zoning Ordinance that the date of adoption for the new Historic District Guidelines is December 15, 2022.
- ZTA 2022-07: application from the Town of Cape Charles to delete Section 8.20 – Design Guidelines: Recommendations for Review Items since guidelines have been included in the newly proposed guideline: (D) ~~Separate guidelines shall be developed for all new infill buildings in Cape Charles’ historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.~~ (E) ~~Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.~~ A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission that the language indicating that guidelines for infill buildings will be developed is to be deleted since the newly adopted guidelines includes this information.
- ZTA 2022-08: application from the Town of Cape Charles to amend Section 8.20 (A) as follows: The Historic District Review Board shall be guided in its decisions by the design

guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board and staff shall ~~may~~ utilize the pre-application review process as defined in Section 8.25.A. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. **On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission and are authorizing the HDRB and staff to utilize a pre-application process but are not mandated to do so and shall be guided in its decisions by the Design Guidelines but must also use discretion and independent judgment to consider the unique characteristics of each request.**

- **ZTA 2022-09:** application from the Town of Cape Charles to amend Section 8.25 (A) as follows: Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are ~~to request and/or to review~~ **the fully proposed application and scope of work with Planning & Zoning staff** ~~an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board~~ prior to submitting a ~~formal~~ **completed** application for a certificate of appropriateness. ~~Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of said review with staff of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/or staff member board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a preapplication meeting or the inclusion of a board representative depending on the nature of project proposed;~~ A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. **On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission to clean up the language in the ordinance concerning application process for Certificates of Appropriateness.**
- **ZTA 2022-10:** application from the Town of Cape Charles to amend Section 8.29 – Certificates of Appropriateness as follows: Any certificate issued pursuant to this article shall expire of its own limitation ~~twelve (12)~~ **six (6)** months from the date of issuance if the work authorized thereby is not commenced by the end of such ~~twelve (12)~~ **six (6)** month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of ~~twelve (12)~~ **six (6)** months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article

shall be excluded from the computation of the ~~twelve (12)~~ six (6) months. A joint public hearing was held on this matter and was recommended by the Planning Commission to approve as presented. On December 15, 2022, Town Council voted to approve the recommendation from the Planning Commission and have amended the ordinance to provide a permit expiration date of six months for Certificates of Appropriateness.

PLANNING COMMISSION MEETINGS 2023

For 2023, Bill Stramm and Dennis McCoy agreed to remain as Chair and Vice-Chair, respectively. Dennis McCoy was absent due to a prolonged illness; resigned in December 2023. Bill Stramm was re-elected Chair and Paul Grossman was elected as Vice-Chair in December 2023.

	<u>2023 Attendance Record</u> Blue Highlighted Dates are Work Session Green Highlighted Dates are Joint Public Hearings with Town Council Orange Highlighted Dates are Joint Work Session with Town Council P = Present A = Absent V= Vacant														
	1/3/2023	1/30/2023	2/7/2023	3/27/2023	4/4/2023	5/2/2023	7/11/2023	8/21/2023	9/7/2023	9/28/2023	10/3/2023	10/24/2023	11/2/2023	11/20/2023	12/5/2023
Stramm, Bill	P	P	P	P	A	P	P	P	CANCELLED	P	P	A	P	P	P
McCoy, Dennis	P	P	P	P	P	P	P	P		A	A	A	A	A	A
Grossman, Paul	P	P	P	P	P	P	P	P		P	P	P	P	A	p
Strub, Michael	A	P	P	P	P	P	P	P		P	P	P	A	P	P
Ashworth, Bill	P	P	P	P	A	P	P	P		P	P	P	P	P	p
Smith, Shannon	P	P	P	P	P	P	P	P		P	A	P	P	A	P
Holloway, Jim	P	A	P	A	A	P	P	P		P	P	P	P	P	p

In 2023, 8 Regular Session Meetings were held; 2 Work sessions; and 4 Joint Work Session with Town Council – 3 of the joint meetings were to review all proposed Zoning Ordinance Amendments and 1 of the joint meetings was to discuss Short-Term Rental Committee Recommendations.

GENERAL DISCUSSIONS 2023

In July 2023, the Planning Commission formed a sign sub-committee to work on developing a draft Sign Ordinance that complied with federal case law on this matter.. This sub-committee met almost weekly through fall/early winter 2023 and has developed a series of recommendations which have been brought to the Planning Commission with the intent of finalizing a draft Sign Ordinance that will be incorporated as part of the zoning text amendments overall for review by Town Council..

1/3/2023 :

- ZTA 2023-01 - amend Article III to create a new zoning district called Bay Crossing Planned Unit Development and to amend any other sections of the Zoning Ordinances deemed appropriate to achieve the purposes described herein. Application from the Town of Cape Charles to amend Section 4.2 (J) – Accessory Dwelling Units and Section 2.9 Definitions associated with Accessory Dwelling Units.
- ZMA 2023-01 to rezone Tax Map #90-19-A from Residential-R3 to the new zoning district called Bay Crossing Planned Unit Development District if so created.

A public hearing was held by the Planning Commission on 1/3/2023 and the Planning Commission recommended approval with 2 amendments to the ZTA relative to striking the income threshold requirements for workforce housing and to add the requirement of 5 acres minimum for creation of a PUD District. **On January 19, 2023, Town Council voted to approve both the Zoning Map Amendment Application and the Zoning Text Amendment Application as amended by Town Council who accepted the Planning Commission 5 acre minimum amendment but did not accept the Planning Commission recommendation re: deleting the income threshold requirement but substituted the following language: “The targeted workforce housing segment income range is up to 150% of the Area Median Income” and to also amend the following: To amend paragraph 3, Conditional Uses, to read: “Subject to the Conditional Use Permit application process, the following conditional uses may be allowed: all uses in the C-1, C-2 and C-3 Districts, conditional uses within the R-3 District, short term rentals including subletting of units (said unit’s square footage will be less than 1,000 square feet and the short term rental is defined as 30 days or less for rent), and any other commercial or professional use which is compatible in nature with the allowed uses and which the Zoning Administrator determines to be compatible with the intent of the district and is concurred with by the Planning Commission.”**

5/2/2023 Meeting:

- Conditional Use Permit (CUP) Public Hearing from Liquor Distillation Society LLC at 1 Fig Street (Tax Map #83A3-1-534) in the Commercial-2 (C-2) Zoning District for 3 single-family units located on the floor above commercial space pursuant to CCZO Section 3.7 (C). Planning Commission recommended to Town Council approval of the CUP2023-001: Conditional Use Permit Application from Liquor Distillation Society LLC at 1 Fig Street (Tax Map #83A3-1-534) for 3 single-family dwelling units above 1st floor Commercial Space based upon the site plan and application submitted and with the condition that the minimum lease term of no less than 30 days be assigned to the 3 residential units at 1 Fig

Street. On May 18, 2023 Town Council voted to approve Conditional Use Permit 2023-001 for three single-family dwelling units above first floor Commercial Space based upon the site plan and application submitted and with the condition that the minimum lease term of no less than 30 days be assigned to the three residential units at 1 Fig Street.

- Conditional Use Permit (CUP) from Cape Marine Services LLC at 6 Mason Avenue (Tax Map #83A3-A-5) in the Harbor Zoning District to operate a paid parking lot on 72,000 square feet (approximately 22.3% of the total lot size of 322,498 square feet), pursuant to CCZO Section 3-9 (E) (7) (f); said request is seeking a one-time seasonal approval until September 5, 2023 with relief from the landscaping requirements contained in CCZO Section 4.5 (J). A public hearing was held by the Planning Commission and recommended to Town Council with conditions on a limited time basis. On May 18, 2023 Town Council voted to approve Conditional Use Permit 2023-002 at 6 Mason Avenue on a one-time seasonal basis until September 5, 2023 as recommended by the Planning Commission to include the following conditions: i) A waiver from the landscape requirements in CCZO Section 4.5 (J) and other paved surface requirements during this seasonal one-time permit timeframe; ii) Sufficient trash receptacles be provided by the property owner and emptied on a regular basis at the expense of the property owner; iii) The entrance and exit to/from the parking lot would be from the center entrance on Mason Avenue directly across from Harbor Avenue only; iv) Approved and permitted signage indicating the hours of operation of 8:00 a.m. to Dusk and Daily Parking Only, No Overnight Parking, and Towing of Cars would be at the Owner's Expense; and v) Allowing for the extended hours on July 4th.

7/11/2023 Meeting:

- Zoning Map Amendment (ZMA) 2023-02 from Nancy T. Rooney to rezone 107 Mason Avenue (Tax Map #83A3-2-1-74 & #83A3-2-1-75A) from Commercial-1 (C-1) Zoning District to Commercial Residential (CR) Zoning. *Planning Commission recommended to Town Council rezone Tax Map Parcels #83A3-2-1-74, 75A, 75B, and 77 from Commercial-1 to Commercial Residential.* On July 20, 2023, Town Council voted to adopt Ordinance 20230720A Amending Cape Charles Zoning for Tax Map Parcels #83A3-2-1-74, 83A3-2-1-75A, 83A3-2-1-75B and 83A3-2-1-77 for Commercial-1 to Commercial-Residential which was supported by the Comprehensive Plan and Future Land Use Map.
- Zoning Map Amendment (ZMA) 2023-02 from RL & B Seaside Investments, LLC to rezone Tax Map #83A3-2-1-75B and #83A3-2-1-77 from Commercial-1 (C-1) Zoning District to Commercial Residential (CR) Zoning. *Planning Commission recommended to Town Council rezone Tax Map Parcels #83A3-2-1-74, 75A, 75B, and 77 from Commercial-1 to Commercial Residential.* On July 20, 2023, Town Council voted to adopt Ordinance 20230720A Amending Cape Charles Zoning for Tax Map Parcels #83A3-2-1-74, 83A3-2-1-75A, 83A3-2-

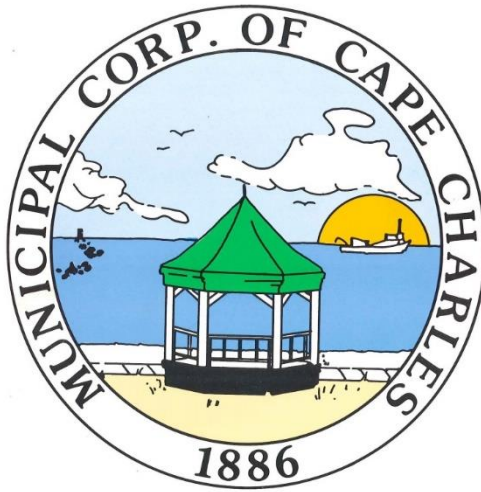
1-75B and 83A3-2-1-77 for Commercial-1 to Commercial-Residential which was supported by the Comprehensive Plan and Future Land Use Map.

10/3/2023 Meeting:

- Zoning Map Amendment (ZMA) 2023-03 application from Cherrystone Investments, LLC to rezone and remove the dual zoning on Tax Map #90-A-1A6 from General Business/Light Industrial (GBI H-1) and Harbor District to only Harbor Zoning District. Following a public hearing, the Planning Commission recommended to Town Council to approve rezoning of this parcel from GBI H-1 & Harbor to only Harbor Zoning with the conditions that plans of development for this parcel to be delivered within six (6) months to the Planning Commission. On November 16, 2023, Town Council voted to approve the zoning map amendment application as requested and rezone Tax Map #90-A-1A6 from General Business/Light Industrial and Harbor zoning to Harbor on the full parcel.

11/20/2023 Meeting:

- Zoning Map Amendment (ZMA) 2023-04 from Municipal Corporation of Cape Charles to rezone Tax Map #83A3-1-644 & 83A3-1-641 (11,301.22 square feet) from Commercial -1 (C-1) to Residential-1 (R-1). The Planning Commission held the public hearing on this matter and moved to recommend to Town Council to approve the application as presented. On January 18, 2024, Town Council voted to approve Zoning Map Amendment 2023-04, as recommended by the Planning Commission.



Town of Cape Charles Board of Zoning Appeals

2023 Annual Report
(January 1, 2023-December 31, 2023)

Bill Murphy
Chairman

Dolores Blackburn
Vice Chairman

2023 Board of Zoning Appeals Members

Bill Murphy, Chairman
Dolores Blackburn, Vice Chairman
Pete Baumann
Jim Holloway
Laura Weigand

2023 Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent
(July 2022 to present)
Tracy Outten, Planning Technician (October 2020 to present)
Robert James, Zoning Compliance Officer (January 2023 – December 2023)

I. Introduction

Section 15.2-2308.C of the Code of Virginia states the following, “The board shall keep a full public record of its proceedings and shall submit a report of its activities to the governing body or bodies at least once each year.”

II. Board and Staff Updates

A. BOARD MEMBERSHIP 2023:

The membership has stayed consistent throughout 2023.

B. STAFF CHANGES 2023:

Staffing for the Department has stabilized since 2022. Katie Nunez was hired in February 2021 as Interim Planning/Zoning Administrator and continued in that role until the death of her husband in April 2022. At that time, Ms. Nunez reached agreement with the Town Manager in July 2022 to come on in a full-time capacity as the Director of Planning & Zoning Administrator & Subdivision Agent.

Tracy Outten has been a continued source of continuity for the department since she served as clerk to the Board for the last four years and her continued role as the full-time Planning Technician, which she has held since October 2020, has ensured that the departmental administrative functions are being addressed timely and professionally.

In spring 2022, the department expanded to include a Part-Time Zoning Compliance Officer to handle the investigation and enforcement of zoning violations. Additionally, this position. With the departure of Ken Butta from this position due to his election to the Town Council, the position was slightly reconfigured to expand the duties to serve as Clerk to the Board of Zoning Appeals. Robert James was hired in January 2023 and resigned in December 2023. At this time, this position is still vacant.

The department staff has been reviewing all department application forms and have been making updates. For the Board of Zoning Appeals, the following forms were updated:

1. Zoning Variance Application – updated December 2022 & further revised May 2023.
2. BZA Appeals of Administrative Zoning Decisions Form – updated July 2022 & further revised March 2023.

C. EDUCATION

Katie Nunez completed the Virginia Commonwealth University Certified Board of Zoning Appeals Program in October 2023. She has also maintained her annual certification as a Virginia Association of Zoning Officials (VAZO).

III. VARIANCES, EXCEPTIONS AND APPEALS

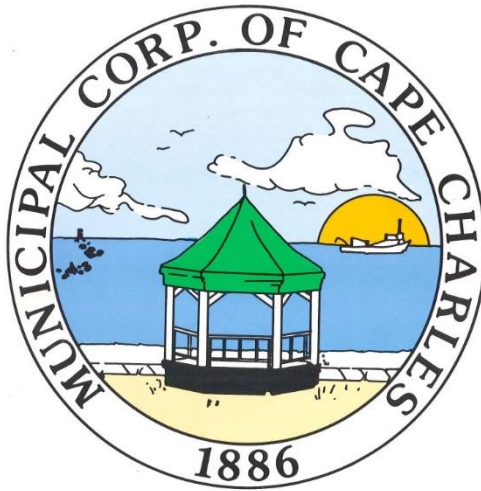
A. 2023

The Board of Zoning Appeals held 4 meetings.

	1/10/2023	4/11/2023	4/11/2023	6/11/2023
Murphy, Bill (Chair)	X	X	X	X
Baumann, Pete	X	X	X	X
Blackburn, Dolores	X			
Holloway, Jim		X	X	
Weigand, Laura		X	X	X

PUBLIC HEARINGS AND DECISIONS OF THE BOARD OF ZONING APPEALS IN 2023				
TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	ZONING ORDINANCE SECTION	BZA DECISION
<u>VARIANCE TO REAR YARD SETBACK</u>	January 10, 2023	112 Churchill Downs Tax Map #90-6-7	Cape Charles Zoning Ordinance Appendix – Accawmacke Plantation Planned Unit Development Ordinance (PUD), Article 4.2 (E) (2) which requires for a Single Family Dwelling for a rear yard setback of 20 feet and the applicant is seeking a variance of 4 ft 4 inches from this setback. Reason for request is to add a 14.6 ft x 12 ft. open porch over an existing terrace at the south end rear of an existing house.	Approved.

PUBLIC HEARINGS AND DECISIONS OF THE BOARD OF ZONING APPEALS IN 2023				
TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	ZONING ORDINANCE SECTION	BZA DECISION
<u>VARIANCE TO ACCESSORY STRUCTURE PARKING REQUIREMENTS</u>	May 9, 2023	413 Jefferson Avenue Tax Map #83A1-1-063	Cape Charles Zoning Ordinance Section 4.5 (B) (3)(a)(5) - Accessory Dwelling requirement of 1 parking space per bedroom, for an accessory dwelling unit - seeking a variance from this requirement.	Approved.
<u>APPEAL OF ZONING ADMINISTRATOR DECISION</u>	April 11, 2023 & June 13, 2023	214 Washington Avenue Tax Map #83A1-1-97	Zoning Administrator denied zoning clearance for a fence to be located one inch from the rear property line because of the existence of an alley, pursuant to CCZO Section 4.2 (G). Appeal filed by property owner.	Approved to overturn decision of Zoning Administrator due to conflict between CCZO and Town Code Section 62.3 which defines public alleys as the acceptance of the platted and dedicated public alleyways as public alleyways and there is no evidence that the alley from Pine Street to Strawberry Street between Washington and Jefferson Avenue has been platted and dedicated as a public alley – this alley is a private alley and not subject to the CCZO.



Town of Cape Charles Historic District Review Board

2022 & 2023 Annual Report

(January 1, 2022 - December 31, 2022)

(January 1, 2023 - December 31, 2023)

Kathy Glasser
Chairwoman

Herbert Thom
Vice Chairman

2022 Historic District Review Board Members

NAME	REPRESENTATION	Term Expiration	NOTES
Herbert Thom	Chairman	1/8/2023	
Edward Wells	Chairman	1/8/2022	He did not want to be re-appointed
Martin Mayer	Vice-Chairman	1/8/2025	
Michael Strub	PC Rep	10/31/2023	
David Howgill	Member	1/8/2027	Filled the vacancy left by Ed Wells
Kathy Glaser	Member	1/8/2026	

2023 Historic Review Board Members

NAME	REPRESENTATION	Term Expiration	NOTES
Herbert Thom	Chairman Vice-Chairman	1/8/2028	Elected As Vice-Chairman 6/20/2023
Martin Mayer	Vice-Chairman Member	1/8/2025	
Michael Strub	PC Rep	10/31/2023	
David Howgill	Member	1/8/2027	Resigned 4/28/2023
Patricia James	Member	1/8/2027	Filled vacancy of David Howgill
Kathy Glaser	Member Chairwoman	1/8/2026	Elected as Chairwoman on 6/20/2023

2022 Staff

Katie Nunez, Interim Zoning Administrator/Town Planner (hired February 2021 thru June 2022);
moved to full-time Planning & Zoning Administrator in July 2022

Tracy Outten, Planning Technician

2023 Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent

Tracy Outten, Planning/Zoning Assistant, Preservation & Zoning Administrator

Robert James, Zoning Compliance Officer (January 2023 – December 2023)

Alyce Crockett, Planning & Zoning Administrative Assistant (part-time), hired January 2023;
resigned in May 2023

Maureen Tamares-Meditz, Planning & Zoning Administrative Assistant (part-time),
hired July 2023

I. Introduction

Section 2.2-3700 of the Code of Virginia states that all public body or bodies shall keep a full public record of its proceedings and the Historic Area Review Board qualifies. As part of that requirement, the Historic Area Review Board will also prepare and submit a report of its activities to the governing body (Town Council) at least once a year.

The “Town Council-prepared” Annual Report is meant to provide a detailed report on the departmental staffing, ongoing education of both staff and Board members, and breakdown of the types of applications and activities occurring in the Historic District.

Additionally, the Town was designated as a Certified Local Government (CLG) Community on March 12, 2007, pursuant to the National Historic Preservation Act of 1960 and further amended in 1980. This designation establishes a partnership between the Town, the National Parks Service and the Virginia Department of Historic Resources (DHR). A requirement of this designation is for the Town to complete an annual survey or report on forms provided by DHR. The intent of this survey is to verify activity level within the Historic District, compliance of Board appointments with the minimum criteria of background/education of said Board members, continuing education compliance for Board members and staff, update on any zoning ordinance revisions or historic district guidance documents and an audit of Historic District Review Board minutes.

The CLG Annual Report was done for the time period of October 1, 2021 thru September 30, 2022 (EXHIBIT A) and October 1, 2022 thru September 30, 2023 (EXHIBIT B).

II. Board and Staff Updates

A. BOARD MEMBERSHIP 2022:

Member Ed Wells chose not to seek re-appointment to the Board when his term expired on January 8, 2022. He was a member since May 16, 2019 and served as Chairman for the 2021 calendar year. His experience and background as a contractor enabled him to assist applicants and board members in the review and final determination of applications for a portion or total house renovation as well as for new “infill” house construction that was consistent with the historic district guidelines. This vacancy was filled by David Howgill, a resident within the Historic District who had personal experience through the historic renovations of his own residence(s) within Cape Charles Historic District and in other historic districts in the United States and in Great Britain.

BOARD MEMBERSHIP 2023:

In late spring 2023, David Howgill resigned due to health issues. Patricia James was appointed to fill out the remaining term of Mr. Howgill’s appointment. She is a resident of the Historic District and is completing renovations to her personal residence at this time.

A. STAFF CHANGES 2021 - 2023:

In July 2020, Allyson Finchum was hired as Town Planner and served until February 2021.

Staffing for the Department has stabilized since 2022. Katie Nunez was hired in February 2021 as Interim Planning/Zoning Administrator and continued in that role until the death of her husband in April 2022. At that time, Ms. Nunez reached agreement with the Town Manager in July 2022 to come on in a full-time capacity as the Director of Planning & Zoning Administrator & Subdivision Agent.

Tracy Outten has been a continued source of continuity for the department since she served as clerk to the Board for the last four years and her continued role as the full-time Planning Technician, which she has held since October 2020, has ensured that the departmental administrative functions are being addressed timely and professionally. Her position was re-tooled to allow her to focus on fully staffing primarily the Historic District Review Board and the numerous applications before this board. At present, Tracy Outten is the Planning & Zoning Assistant, Preservation and Zoning Administrator.

In spring 2022, the department expanded to include a Part-Time Zoning Compliance Officer to handle the investigation and enforcement of zoning violations. With the departure of Ken Butta from this position due to his election to the Town Council, the position was slightly reconfigured to expand the duties to serve as Clerk to the Board of Zoning Appeals. Robert James was hired in January 2023 and resigned in December 2023. At this time, this position is still vacant.

In January 2023, the department expanded to include a Part-Time Planning & Zoning Administrative Assistant to help with the administrative function of the department. Alyce Crockett was hired in January 2023 and resigned in May 2023. Maureen Tamares-Meditz was hired in July 2023. This position was assigned to serve as staff to the Planning Commission, Wetlands Board and Harbor Area Review Board.

The department staff has been reviewing all department application forms and have been making updates. For the Historic District Review Board the following forms were updated:

1. Application for Certificate of Appropriateness – Accessory Structure - revised May 2023.
2. Application for Certificate of Appropriateness - Fence - revised May 2023.
3. Application for Certificate of Appropriateness – Accessory Structure - revised March 2023.
4. Application for Certificate of Appropriateness – New Construction - revised May 2023.
5. Application for Certificate of Appropriateness – Renovation - revised March 2023.
6. Application for Certificate of Appropriateness – Roof Renovation Only - revised July 2023.
7. Application for Certificate of Appropriateness – Relocation - revised October 2023.
8. Tree Removal permit Application – revised – July 2023
9. Application for Zoning Clearance – revised February 2024
10. Historic District review Board Fees – Effective July 1, 2023
11. Owner Affidavit Permission to Represent Form – revised March 2023

B. EDUCATION

A requirement of the CLG designation is that continuing education must occur annually for both the staff and Board members that is relevant to the Historic District Overlay. To that end, the following training, education and seminars were attended as noted:

<u>Name of Class/ Training/ Seminar</u>	<u>Duration of Training</u>	<u>Provider of Training</u>	<u>DATE</u>	<u>Participants</u>
Standards and Guidelines for Design Review: Reviewing the Federal Standards & Guidelines & learn how to apply them to the Real-World Cases. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Michael Strub Herb Thom
Preservation Planning: Planning for the resource, the board, and the community. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Herb Thom Michael Strub
Design Review Exercise: Practice design review with a simplified application and set of design guidelines. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Herb Thom Michael Strub
Alternative Materials: Review of new materials as fewer original materials become unavailable to replace. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Herb Thom Michael Strub
Mid-Century Resources: An overview of why the Mid-Century/Post-War Architecture & social history is significant from urban centers to small towns. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Herb Thom Michael Strub
Envisioning Infill Design: Exploring how to envision new construction between the goals of compatible yet differentiated. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill Herb Thom Michael Strub
Public Education and Outreach: Ways to reach the public. Webinar	1 hour	NAPC – CAMP Training	4/27/2022	Katie Nunez Tracy Outten Kathy Glaser David Howgill

				Herb Thom Michael Strub
How to Get Involved in Historic Preservation, and Tools to Help Save Historic Sites in your Community	1.5 hours	DHR Preservation Academy	3/15/2023	Katie Nunez Tracy Outten
Dispelling Common Historic Preservation. Webinar	1.5 hours	DHR Preservation Academy	3/29/23	Katie Nunez Tracy Outten Herb Thom Michael Strub Kathy Glaser
Planning, Preservation & Change: Preservation – An Effective Tool. Webinar	1.5 hours	NAPC & APA	5/19/2023	Tracy Outten
Historic Rehabilitation Tax Credits for Regular Homeowners, Webinar	1.5 hours	APA – DHR Preservation Academy	5/31/2023	Katie Nunez Tracy Outten David Howgill Herb Thom Kathy Glaser
Best Practices for an Effective Local Preservation Commission. Webinar	1.5 hours	NAPC	6/29/2023	Tracy Outten
NAPC Virtual Summer Short Course – Range of topics	11 hours	NAPC – Virtual Summer Course	8/23/2023 thru 8/24/2023	Tracy Outten
Resilience and Disaster Planning for Historic Districts	8 hours	NAPC – CAMP Training	9/15/2023	Tracy Outten

III. MEETINGS

HISTORIC DISTRICT REVIEW BOARD MEETING 2022

	<u>2022 Attendance Record</u>									
	P = Present			A = Absent			V = Vacant			
	1/18/2022	2/15/2022	3/15/2022	4/19/2022	5/17/2022	6/21/2022	8/16/2022	9/20/2022	10/18/2022	11/15/2022
Herb Thom	P	P	P	P	P	P	P	P	A	A
Martin Mayer	A	P	P	P	P	P	P	P	P	P
Michael Strub	P	P	P	A	P	P	P	P	P	P
David Howgill	A	P	P	P	A	A	P	P	A	P
Kathy Glaser	P	P	P	A	P	P	P	P	P	P

The Planning Commission and the staff of the Planning & Zoning Department as well as the members of the Historic District Review Board were instrumental in working with a consultant in the update and revision of the Town's Historic District Guidelines and accompanying amendments to the Historic District Overlay zoning ordinance, a process which initially began in 2021. After extensive feedback from the internal stakeholders, staff, and a public opinion survey, the Consultant, Commonwealth Preservation Group, released draft guidelines to the Town and community outreach was conducted. Over 110 comments were submitted to the Town and all comments were considered through a joint meeting of the Town Council, Planning Commission and Historic District Review Board. Town Council adopted the new guidelines and accompanying zoning ordinance changes on December 15, 2022 which also included reaffirming the bounds of the Historic District and creating a map to reflect the exact location of the district.

Throughout the year, the HDRB was still reviewing and reaching decisions on individual property applications for some level of renovation or rehabilitation or other improvements to their property as well as application for new single-family residences on the infill lots. The types of applications received and acted upon by the HDRB are broken out below and finally followed by a summary table for the calendar year.

The last table for the calendar year is the listing of applications that could and were reviewed administratively by the Zoning Administrator.

PUBLIC HEARINGS AND DECISIONS HISTORIC DISTRICT AREA REVIEW BOARD 2022			
TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
FENCE INSTALLATION	4/19/2022	221 Tazewell Ave. 509 Monroe Ave.	Approved Approved
	6/21/2022	614 Randolph Ave 10 Randolph Ave.	Approved Approved
	9/20/2022	213 Madison Ave.	Approved
	11/15/2022	535 Monroe Avenue	Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
RENOVATION, MINOR	1/18/2022	211 Mason Ave.	Approved
	2/15/2022	213 Madison Avenue	Approved
	3/15/2022	333 Madison Ave. 520 Randolph Ave. 535A 7 535B Randolph Ave. 227 Mason Ave. 601 & 603 Peach St.	Approved Approved Approved Approved Approved
	4/19/2022	509 Mason Ave. 541 Randolph Ave. 305 Mason Ave. 13 & 15 Nectarine St.	Approved Approved Approved Approved w/conditions
	5/17/2022	303 & 305 Strawberry St. 539 Jefferson Ave.	Approved Approved
	6/21/2022	238 Monroe Ave. 409 Harbor Ave. 233 Mason Ave.	Approved Approved Approved after the fact
	8/16/2022	217 Jefferson Ave. 325-B Mason Ave.	Approved Approved
	9/20/2022	133 Mason Ave.	Approved
	10/18/2022	551 Tazewell Ave.	Approved
	11/15/2022	107 Mason Ave.	Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
MODIFICATION OF APPROVED CERTIFICATE OF APPROPRIATENESS (COA)	1/18/2022	211 Mason Ave.	Approved
	6/21/2022	214 Jefferson Ave. 618 Randolph Ave. 501 Jefferson Ave.	Approved Approved Approved
	11/15/2022	520 Randolph Ave.	Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
RENOVATIONS, ADDITIONS & NEW CONSTRUCTIONS	1/18/2022	520 Strawberry St.	Approved
	2/15/2022	219 Mason Ave.	Approved
	5/17/2022	1 Fig St. 510 Monroe Ave. Lot 125 on Jefferson Ave.	Approved Approved Approved
	6/21/2022	607 Pine St. 220 Washington Ave. 212 Randolph Ave. 210 & 212 Strawberry St.	Approved Approved Approved Approved
	8/16/2022	504 Bay Ave. 633 Randolph Ave. 211 Madison Ave. 1 Fig St.	Approved Approved Approved Approved
	9/20/2022	305 Mason Ave. 203 & 205 Mason Ave.	Approved Rescheduled for 11/2022 meeting
	10/18/2022	204 Washington Ave. 606 Washington Ave. 542 Monroe Ave. 221 Tazewell Ave. 607 Jefferson Ave.	Approved Approved Approved Approved Approved
	11/15/2022	632 Madison Ave. 506 Nectarine St. 615 Tazewell Ave. 424 Randolph Ave. 538 Monroe Ave. 203 & 205 Madison Ave. 627 Jefferson Ave.	Approved Approved Approved Approved Approved Approved Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
<u>OTHER</u>	6/21/2022	425 Mason Ave. (projecting sign)	Approved
		10A Peach St. (projecting sign)	Approved

SUMMARY of HDRB MEETINGS FOR 2022					
MEETING DATE	Fence Installation	Renovation, Minor	Modification to Approved COA	Renovations, Additions & New Construction	Other (projecting signs)
1/18/2022	-	1	1	1	-
2/15/2022	-	1	-	1	-
3/15/2022	-	5	-	-	-
4/19/2022	2	4	-	-	-
5/17/2022	-	2	-	3	-
6/21/2022	2	2	3	4	2
	-	1	-	-	-
8/16/2022	-	2	-	4	-
9/20/2022	1	1	-	1	-
10/18/2022	-	1	-	5	-
11/15/2022	1	1	1	7	-
TOTAL APPROVED	6	20	5	26	2
APPROVED AFTER THE FACT	-	1	-	-	-
DENIED	0	0	0	0	0
HDRB TOTAL APPLICATION	6	21	5	26	4
HDRB OVERALL TOTAL APPLICATION 2022	62 Applications				

ADMINISTRATIVE APPROVAL 2022		
MEETING DATE	PROPERTY ADDRESS	TYPE OF APPLICATION
1/18/2022	610 Randolph 211 Mason Ave.	Roof replacement Shed installed in back of Commercial building
2/15/2022	711 Tazewell	Roof replacement
3/15/2022	309 Tazewell Ave. 509 Randolph Ave. 531 Randolph Ave.	Roof replacement Replace wood in same pattern and style Deck replacement and small extension of said rear deck
4/19/2022	11 Park Row 303 Madison Ave. 704 Monroe Ave. 530 Randolph Ave. 403 Tazewell Ave. 506 Tazewell Ave.	Repair/repour concrete at base of three porch columns and repoint brick in 2 areas of the house Replace roof with same material Replace roof with same material Relocate existing fence Address sign for business Repoint and repoint brick and add gutters
5/17/2022	522 Tazewell Ave.	Substitution of side porch flooring from wood to Azek
6/21/2022	645 Mason Ave. 10 Randolph Ave.	Repair frame and replace door Outdoor bar structure in the backyard
8/16/2022	211 Monroe Ave.	Replace front porch roof and back roof with same material
9/20/2022	419 & 421 Tazewell Ave. 515 Jefferson Ave. 535 Jefferson Ave	Replace back porch roof with same material Roof replacement with same material replace architectural shingle roof same material shed after the fact approval
10/18/2022	238 Tazewell Ave. 216 Washington Ave.	replace roof with same material move 4 existing shed from on the lot
11/15/2022	630 Tazewell Ave.	six-month extension for approved Certificate of Appropriateness
TOTAL APPROVED = 22		

HISTORIC DISTRICT REVIEW BOARD MEETING 2023

	<u>2023 Attendance Record</u> P = Present A = Absent Green = Joint Work Session												
	1/17/202	2/21/202	2/22/202	3/21/202	3/31/202	4/18/202	5/16/202	6/20/202	7/18/202	9/19/202	10/5/202	10/17/20	11/21/2023
Herb Thom	P	P	P	P	P	P	P	P	P	A	P	P	P
Martin Mayer	A	P	P	A	P	A	A	A	P	P	A	P	P
Michael Strub	P	A	A	P	P	P	P	A	P	P	P	P	P
David Howgill	P	P	P	P	P	A	A	P	A	-	-	-	-
Kathy Glaser	A	P	P	A	P	P	P	P	P	P	P	P	P
Patricia James	-	-	-	-	-	-	-	-	-	P	P	P	P

PUBLIC HEARINGS AND DECISIONS HISTORIC DISTRICT AREA REVIEW BOARD 2023			
TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
<u>FENCE INSTALLATI ON</u>	3/21/2023	524 & 526 Peach St 113 Tazewell Ave.	Approved Approved – repair only
	5/16/2023	616 Strawberry St. 501 Randolph Ave.	Approved Approved
	11/21/2023	114 Pine St. (extension to expired COA)	Denied

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
<u>RENOVATION, MINOR</u>	3/21/2023	600 Monroe Ave. 425 Randolph Ave.	Approved Deferred until research on why wood cannot be used as door replacement
	4/18/2023	425 Randolph Ave.	Approved
	6/20/2023	214 Randolph Ave.	Approved
	7/18/2023	10A Peach St. 2 Monroe Ave.	Deferred until representative is able to answer Approved after the fact
	9/19/2023	10A Peach St.	Deferred until a revised design that better fits is submitted
	10/17/2023	551 Tazewell Ave.	Approved
	11/21/2023	10A Peach St.	Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
MODIFICATION OF APPROVED CERTIFICATE OF APPROPRIATENESS (COA)	3/21/2023	624 Jefferson Ave.	Approved
	7/18/2023	542 Jefferson Ave. 646 Tazewell 301 Mason Ave.	Approved Approved Approved after the fact from 6/8/2021
	9/19/2023	301 Mason Ave.	Approved
	10/17/2023	538 Monroe Ave.	Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
RENOVATIONS, ADDITIONS & NEW CONSTRUCTIONS	1/17/2023	214 Randolph Ave. 506 Jefferson Ave. 610 Madison Ave. 624 Jefferson Ave. 215 Tazewell Ave.	Approved Approved Approved Approved Approved
	2/21/2023	615 Strawberry St. Tax Map#83A1-1-171(Madison Ave.) Tax Map#83A1-1-101 (Washington Ave.) 413 Jefferson Ave. Tax Map#83A1-1-25 (600 Washington Ave.)	Approved Approved Approved Application Tabled *property owner changed project. Application no longer valid.
	2/22/2023	Downtown Restroom & Visitor Center Train Car Restoration	Approved Approved
	3/21/2023	223 Jefferson Ave. 212 Randolph Ave.	Approved Approved
	3/31/2023	225 Mason Ave.	Approved
	4/18/2023	5 Mason Ave. 5 Mason Ave. 609 Monroe Ave. 102 Madison Ave. 1 Fig St. 408 Randolph Ave.	Approved after the fact Approved Approved Approved Approved Approved
	5/16/2023	Tax Map #83A1-1-134 Madison Avenue	Approved
	6/20/2023	610 & 612 Peach St. 224 Monroe Ave.	Approved Approved

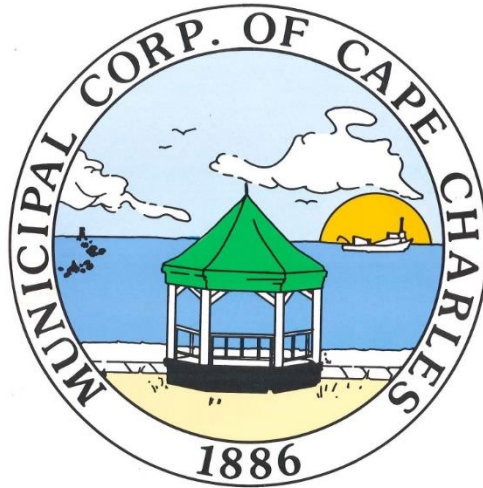
TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
	10/17/2023	500 Monroe Ave. Lots 169D and 172D Plum St. 327 Madison Ave.	Approved Approved Approved
	11/21/2023	607 Randolph Ave. 520 Monroe Ave. 517 & 519 Randolph Ave.	Approved Approved Approved

TYPE OF APPLICATION	MEETING DATE	PROPERTY ADDRESS	HDRB DECISION
REHIRE	3/21/2023	426 & 428 Randolph Ave. (expired COA)	Approved

SUMMARY of HDRB MEETINGS FOR 2023					
MEETING DATE	Fence Installation	Renovation Minor	Modification to Approved COA	Renovations, Additions & New Construction	Other (expired COA)
1/17/2023				5	
2/21/2023				4	
2/21/2023				1	
2/22/2023				2	
3/21/2023	2	1	1	2	1
3/31/2023				1	
4/18/2023		1		5	
4/18/2023				1	
5/16/2023	2			1	
6/20/2023		1		2	
7/18/2023		1	2		
7/18/2023			1		
9/19/2023			1		
10/17/2023		1	1	3	
11/21/2023	1	1		3	
APPROVED	4	5	5	28	1
APPROVED AFTER THE FACT		1	1	1	
DENIED	1				
APPLICATION TABLED				1	
HDRB TOTAL APPLICATION	5	6	6	30	1
HDRB OVERALL TOTAL APPLICATION 2023	48 Applications				

ADMINISTRATIVE APPROVAL 2023		
MEETING DATE	PROPERTY ADDRESS	TYPE OF APPLICATION
1/17/2023	537 Madison Ave. 218 Randolph Ave. 231 Tazewell Ave. 9 Park Row	reroofing reroofing reroofing repair
2/21/2023	None	
2/22/2023	None	
3/21/2023	407 Harbor Ave. 227 Randolph Ave. 114 Fig St. 549 & 551 Monroe Ave. 723 Tazewell Ave.	Porch Repair Installation/Addition Installation/Addition Installation/Addition
3/31/2023	None	
4/18/2023	211 Madison Ave. 501 Randolph Ave. 633 Randolph Ave. 629 Tazewell Ave. 512 Monroe Ave. 535 Monroe Ave. 314 Tazewell Ave.	reroofing reroofing reroofing repair other other other
5/16/2023	223 Jefferson Ave. 7 & 9 Plum S. 629 Tazewell Ave 606 Monroe Ave. 541 Tazewell Ave. 622 Jefferson Ave.	reroofing reroofing repair other other extension
6/20/2023	327 Mason Ave. 541 Monroe Ave. 221 Tazewell Ave. 218 Washington Ave.	reroofing other other other
7/18/2023	535 Monroe Ave. 512 Tazewell Ave. 405 Madison Ave. 400 Pine St. 520 Randolph Ave. 214 Washington Ave.	reroofing reroofing other other other other
9/19/2023	615 Randolph Ave. 522A-C, 524A-C, 526A-C, and 528A-C Washington Ave. 512 Tazewell Ave. 409 Harbor Ave. 505 Monroe Ave. 408 Nectarine St. 610 Pine St.	reroofing reroofing reroofing other other other other

ADMINISTRATIVE APPROVAL 2023		
MEETING DATE	PROPERTY ADDRESS	TYPE OF APPLICATION
10/17/2023	222 Monroe Ave. 133 mason Ave.	reroofing other
11/21/2023	332 Randolph Ave. 541 Randolph Ave. 304 Tazewell Ave. 114 Fig St. 206 Monroe Ave. 213 Monroe Ave.	reroofing reroofing reroofing other other other
TOTAL APPROVED = 47		



Town of Cape Charles Harbor Area Review Board

2021, 2022 & 2023 Annual Report

(January 1, 2021 - December 31, 2021)

(January 1, 2022 - December 31, 2022)

(January 1, 2023 - December 31, 2023)

Stuart Smith
Chairman

Steve Bennett
Vice Chairman

2021 Harbor Area Review Board Members

NAME	REPRESENTATION	Term Expiration	NOTES
Ralph Orzo	Chairman	12/20/2021	Resigned
Steve Bennett	TC rep	6/30/2024	
Diane D' Amico	appointed by Planning Commission	10/31/2024	
Vacant	appointed by Planning Commission		
Vacant	Appointed by Historic District Review Board		
Edward Eichman	member at large	12/20/2021	Resigned 8/2/2021
Stuart Smith	member at large	12/20/2021	

2022 Harbor Area Review Board Members

NAME	REPRESENTATION	Term Expiration	NOTES
Stuart Smith	Chairman	12/20/2026	Elected March 2, 2022
Steve Bennett	TC Rep	12/31/2024	
Diane D' Amico	Vice-Chairwoman elected 3/2/2022; appointed by Planning Commission	10/31/2024	Resigned 05/2022
Bill Ashworth	appointed by Planning Commission	10/31/2024	To fill Diane D'Amico's term
Ken Butta	appointed by Planning Commission	10/31/2025	Elected to Town Council, effective 1/1/2023
Herb Thom	Appointed by Historic District Review Board	1/8/2023	
Rob Harris	member at large	12/20/2026	
Benjamin Lewis	member at large	12/20/2026	

2023 Harbor Area Review Board Members

NAME	REPRESENTATION	Term Expiration	NOTES
Stuart Smith	Chairman	12/20/2026	
Steve Bennett	Vice Chairman/TC Rep	12/31/2024	
Bill Ashworth	appointed by Planning Commission	10/31/2024	
Shannon Smith	appointed by Planning Commission	10/31/2025	To fill Ken Butta's term
Herb Thom	Appointed by Historic District Review Board	1/8/2023	
Rob Harris	member at large	12/20/2026	
Benjamin Lewis	member at large	12/20/2026	

2021 Staff

Allyson Finchum, Town Planner, resigned February 2021
Katie Nunez, Interim Zoning Administrator/Town Planner
Tracy Outten, Planning Technician

2022 Staff

Katie Nunez, Interim Zoning Administrator/Town Planner (hired February 2021 thru June 2022);
moved to full-time Planning & Zoning Administrator in July 2022
Tracy Outten, Planning Technician

2023 Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent
Tracy Outten, Planning/Zoning Assistant, Preservation & Zoning Administrator
Alyce Crockett, Planning & Zoning Administrative Assistant (part-time), hired January 2023;
resigned in May 2023
Maureen Tamares-Meditz, Planning & Zoning Administrative Assistant (part-time),
hired July 2023

I. Introduction

Section 2.2-3700 of the Code of Virginia states that all public body or bodies shall keep a full public record of its proceedings and the Harbor Area Review Board qualifies. As part of that requirement, the Harbor Area Review Board will also prepare and submit a report of its activities to the governing body (Town Council) at least once a year.

This board has met infrequently over the last 5 years. When Ms. Nunez came on board, completing the Annual Reports for each board was the lowest priority item, which is why this report is overdue and a compilation of the years 2021 thru 2023. Her primary focus for the department was addressing the backlog of zoning and building applications, subdivision and site plan applications and reviews. Then, she worked on reviewing and updating governing documents of the department, including Comprehensive Plan, Historic District Guidelines & Zoning Ordinance.

II. Board and Staff Updates

A. BOARD MEMBERSHIP 2021:

The membership had several members resign and not all appointments were made to this board from the representative bodies of the Planning Commission & the Historic District Board. However, with no pending applications to this Board, addressing the membership vacancies was not a priority in 2021.

BOARD MEMBERSHIP 2022:

In March 2022, Stuart Smith was elected Chairman and Diane D'Amico as Vice-Chairwoman. Ms. D'Amico resigned in May 2022. The Planning Commission & the

Historic District Board made the appropriate appointments from their ranks to serve on this board.

BOARD MEMBERSHIP 2023:

The membership has stayed consistent with all the vacant positions filled throughout 2023.

B. STAFF CHANGES 2021 - 2023:

In July 2020, Allyson Finchum was hired as Town Planner and served until February 2021.

Staffing for the Department has stabilized since 2022. Katie Nunez was hired in February 2021 as Interim Planning/Zoning Administrator and continued in that role until the death of her husband in April 2022. At that time, Ms. Nunez reached agreement with the Town Manager in July 2022 to come on in a full-time capacity as the Director of Planning & Zoning Administrator & Subdivision Agent.

Tracy Outten has been a continued source of continuity for the department since she served as clerk to the Board for the last four years and her continued role as the full-time Planning Technician, which she has held since October 2020, has ensured that the departmental administrative functions are being addressed timely and professionally. At present, Tracy Outten is the Planning & Zoning Assistant, Preservation and Zoning Administrator.

In spring 2022, the department expanded to include a Part-Time Zoning Compliance Officer to handle the investigation and enforcement of zoning violations. With the departure of Ken Butta from this position due to his election to the Town Council, the position was slightly reconfigured to expand the duties to serve as Clerk to the Board of Zoning Appeals. Robert James was hired in January 2023 and resigned in December 2023. At this time, this position is still vacant.

In January 2023, the department expanded to include a Part-Time Planning & Zoning Administrative Assistant to help with the administrative function of the department. Alyce Crockett was hired in January 2023 and resigned in May 2023. Maureen Tamares-Meditz was hired in July 2023.

Ms. Nunez has made an adjustment in the assignment of duties within the department so that Ms. Outten fully staffs the Historic District Board (HDRB) with oversight by Ms. Nunez. The part-time Administrative Assistant is staffing the Harbor Area Review Board (HARB), Wetlands and Coastal Dune Board (WCDB), and Planning Commission under the full direction of Ms. Nunez. The part-time Zoning Compliance Officer is staffing the Board of Zoning Appeals (BZA) under the oversight of Ms. Nunez.

The department staff has been reviewing all department application forms and have been making updates. For the Harbor Area Review Board the following forms were updated:

1. Harbor Development Certificate Application - revised March 2023.
2. Harbor Area Review Board Application Fees - effective July 2023.
3. Owner Affidavit for Permission to Represent - revised March 2023

C. EDUCATION

Katie Nunez has maintained her annual certification as a Virginia Association of Zoning Officials (VAZO) and has completed 12 hours of continuing education thru VCU Certified Board of Zoning Appeals Program in October 2023.

III. MEETINGS

HARBOR AREA REVIEW BOARD MEETING 2021

No meeting in 2021

HARBOR AREA REVIEW BOARD MEETING 2022

The Harbor Area Review Board held 2 Regular meetings and 1 Joint Work Session

	03/02/2022	03/22/2022 Joint Work Session	05/27/2022
Stuart Smith (Chair)	P	P	A
Bennett, Steve	P	P	A
Butta, Ken	P	P	P
Harris, Rob	P	P	P
Lewis, Benjamin	A	P	
D'Amico, Dianne (Vice-Chairwoman)	P	P	Resigned
Thom, Herb	P	P	P

3/2/2022 MEETING:

- No applications to be reviewed.
- Organization of the Board and review of Governing Documents for HARB.

3/22/2022 MEETING:

- The purpose of the joint work session was to discuss the harbor area focusing on the zoning district, the overlay district, and examining the land use designations from a Future Land Use Map perspective and the current Zoning Map. Guidance provided during this work session would be provided to the consultant working on the comprehensive plan update. After much discussion, a general consensus was reached as follows: i) A harbor overlay district was necessary; ii) A map from the Harbor Area Designs Standard document (page 4 of the agenda packet) was reviewed. A portion of the area designated as the Mason Avenue Transition Zone (shaded in orange) would be removed from this overlay and included in the historic overlay district. This area would run along the south side of Mason Avenue and be the same standard depth as the lots on the north side of Mason Avenue. This area would run from the “hump” on the east end to the area shaded in purple to the west. All other areas (shaded in salmon and purple) would remain in the harbor overlay district, with the purple shaded area extending to the east property line of the

concrete plant property; iii) Consideration should be given to creating a new architectural review board to replace both the historic district review board and the harbor area review board, with design guidelines that would have unique sections for each overlay; iv) the comprehensive plan consultant could use the guidance in the existing plan as a starting point with the exception that reference to the Harbor Conceptual Master Plan should be omitted as this plan is now obsolete. Mayor Dize stated that we had to remember that Cape Charles had a working harbor and was a Harbor of Refuge. He went on to express his concern of the railroad property being sold in the future for development and individuals moving to Cape Charles and complaining about the watermen and their equipment in the harbor, leasing boat slips which could increase the cost to the watermen, and complaining about the noise, etc., similar to the complaints received about the concrete plant.

5/27/2022MEETING:

- Application for a Harbor Development Certificate of Appropriateness to build a 14' wide Pergola from Town of Cape Charles Tax Map # 83A3-A-10. *HARB recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted. On June 16, 2022, Town Council voted to approve the Harbor Development Certificate for the placement of the gazebo at the Town harbor as discussed.*

HARBOR AREA REVIEW BOARD MEETINGS 2023

The Harbor Area Review Board held 5 meetings.

	2/22/2023	3/28/2023	4/10/2023	9/27/2023	11/15/2023
Stuart Smith (Chair)	A	A	A	P	P
Bennett, Steve (Vice-Chair)	P	P	P		A
Ashworth, Bill	A	P	P	P	P
Harris, Rob	P	P	P	P	P
Lewis, Benjamin	P	A	A	P	P
Smith, Shannon	P	A	A	P	P
Thom, Herb	P	P	P	A	P

2/22/2023 MEETING:

- Application for a Harbor Development Certificate and Certificate of Appropriateness for the Downtown Restroom & Visitors Center. *HARB recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted. On March 16, 2023, Town Council voted to approve the Harbor Development Certificate as presented for the Visitors Center and Downtown Restroom as recommended by the Harbor Area Review Board*

- Application for a Harbor Development Certificate and Certificate of Appropriateness for Train Car Restoration and Associated site work . *HARB recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted. On March 16, 2023, Town Council voted to approve the Harbor Development Certificate as presented for the Rail Car Restoration Work as recommended by the Harbor Area Review Board.*
- Application for a Harbor Development Certificate for a new Municipal Building B. *HARB recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted. On March 16, 2023, Town Council voted to approve the Harbor Development Certificate as presented for the Municipal Building as recommended by the Harbor Area Review Board.*
- Status Report on Rosenwald School Building Project. *Ms. Nunez discussed the plans for the project and expressed the need to schedule a meeting during the last week in March to discuss the Rosenwald School property. It was agreed to schedule the meeting for March 28, 2023, at 5:00 at the Civic Center.*

3/28/2023 MEETING:

- Application Harbor Development Certificate for Rosenwald School Building Project 1500 Old Cape Charles Road, Cape Charles, Va. *HARB recommends that Town Council favorably consider approval for the issuance of a Harbor Development Certificate based upon the application submitted with the condition that the final landscaping, lighting, signage and exterior public art/historic displays plans are still required to be submitted to the Town for final review and approval. On April 20, 2023 Town Council voted to approve the Harbor Development Certificate as presented for the Rosenwald School Project with the condition from the Harbor Area Review Board.*

4/10/2023 MEETING:

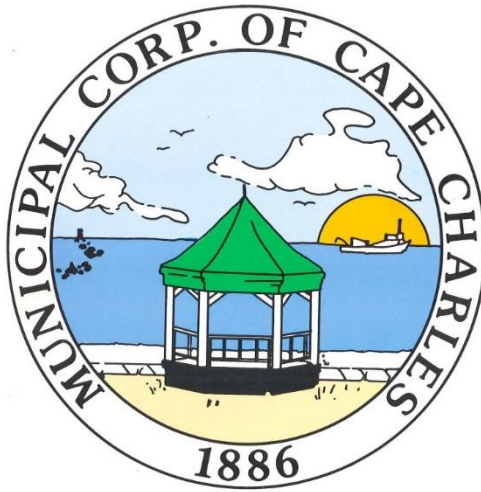
- Application for a Harbor Development Certificate from Cape Marine Services LLC to lease 40 ft. x 16 ft (640 square feet) in the northeast corner fronting Mason Avenue at 6 Mason Avenue to Posh, Inc. dba Moke America Virginia Beach for a Bicycle, Moped and Street Legal Golf Cart Sales and Rentals Retail Service Establishment, pursuant to Cape Charles Zoning Ordinance Section 3.9 (D) (7) (b). *HARB voted to recommend approval to the Town Council through April 30, 2024, and to waive the second review meeting and to recommend that the tenant attend and speak to the Town Council to discuss whether there would be a tent covering the leased space (40' x 16') and concrete pad and how it would affect the view shed to the Harbor. On April 20, 2023, at the Town Council meeting, a motion was made by Vice Mayor Bennett, seconded by Councilman Grossman, to approve a one year Harbor Development Certificate through April 30, 2024 as recommended by the Harbor Area Review Board for the northeast corner of 6 Mason Avenue (Tax Map #83A3-A-5A) for Posh, Inc. dba Moke America Virginia Beach to operate a bicycle, moped, and street-legal golf cart sales and rentals retail service establishment. The motion failed by majority vote with Vice Mayor Bennett, Councilmen Butta and Follmer, and Councilwoman Holloway opposed.*

9/27/2023 MEETING:

- Discussion re: Site Plan for Land Disturbance from Cape Marine Services, LLC at 1100 & 1021 Bayshore Road (Tax Map #83A3-A-17 and 83A3-A-20). *HARB voted to authorize Zoning Administrator to allow a land disturbance permit to be issued on this parcel based upon the plan they submitted, and some ancillary planting based upon the agreed upon plan between the Zoning Administrator and the property owner. Anything new they wish to implement will come to the Board for approval. Please note a Harbor Certificate of Appropriateness was approved on March 19, 2013 for these two parcels for a Project called "South Port Yacht Center" and this work being requested is part of this Harbor project.*

11/15/2023 MEETING:

- Consideration and Adoption of Remote Meeting Participation Policy. *The Remote Participation Policy was adopted in November 15, 2023.*



Town of Cape Charles Wetlands and Coastal Dune Board

2021, 2022 & 2023 Annual Report

(January 1, 2021 - December 31, 2021)

(January 1, 2022 - December 31, 2022)

(January 1, 2023 - December 31, 2023)

John Schoeneck
Chairman

William "Bill" Robertson
Vice Chairman

2021 Wetlands and Coastal Dune Board Members

NAME	REPRESENTATION	Term of Appointment	NOTES
Anne Hayward Walker	Chairwoman	11/13/2016 – 11/12/2021	
Ross Dunton	Vice Chairman	11/13/2020 – 11/12/2025	
Bob Roche	Member at large	11/13-2017 – 11/12/2022	
Joe Fehrer	Member at large	11/13/2018 – 11/12/2023	
Bill Prickett	Member at large	11/13/2016 – 11/12/2021	

2022 Wetlands and Coastal Dune Board Members

NAME	REPRESENTATION	Term of Appointment	NOTES
Anne Hayward Walker	Chairwoman	11/13/2021- 11/12/2026	Resigned in October 2022
Ross Dunton	Vice-Chairman	11/13/2020 – 11/12/2025	
Bob Roche	Member at large	11/13-2017 – 11/12/2022	
Joe Fehrer	Member at large	11/13/2018 – 11/12/2023	Resigned in November 2022
Bill Prickett	Member at large	11/13/2021- 11/12/2026	

2023 Wetlands and Coastal Dune Board Members

NAME	REPRESENTATION	Term of Appointment	NOTES
John Schoeneck	Chairman	11/13/2021 - 11/12/2026	Elected as Chairman in June 2023
Ross Dunton	Vice-Chairman	11/13/2020 – 11/12/2025	Resigned in January 24, 2023
Bill Prickett	Member at large	11/13/2021- 11/12/2026	Resigned in January 13, 2023
Bob Roche	Member at large	11/13/2022 - 11/12/2027	Resigned in July 24, 2023
William “Bill” Robertson	Vice-Chairman	11/13/2019 - 11/12/2024	Elected as Vice-Chairman in June 2023
Patricia James	Member at large	11/13/2020 - 11/12/2025	Resigned on August 31, 2023 due to being appointed to HDRB
Mike Hudson	Member at large	11/13/2022 - 11/12/2027	
Elizabeth “ Liz” Pruitt	Member at large	11/13/2023 – 11/12/2028	To fill Russ Dunton’s term
Vacant	Member at large		

2021 Staff

Allyson Finchum, Town Planner, resigned February 2021
Katie Nunez, Interim Zoning Administrator/Town Planner
Tracy Outten, Planning Technician

2022 Staff

Katie Nunez, Interim Zoning Administrator/Town Planner (hired February 2021 thru June 2022);
moved to full-time Planning & Zoning Administrator in July 2022
Tracy Outten, Planning Technician

2023 Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent
Tracy Outten, Planning/Zoning Assistant, Preservation & Zoning Administrator
Alyce Crockett, Planning & Zoning Administrative Assistant (part-time), hired January 2023;
resigned in May 2023
Maureen Tamares-Meditz, Planning & Zoning Administrative Assistant (part-time),
hired July 202

I. Introduction

Section 28.2-1304 of the Code of Virginia states the following, “The board shall keep a full public record of its proceedings and shall submit report of its activities to the governing body or bodies at least once each year and shall forward a copy of each report to the Virginia Marine Resources Commission”.

This board has met infrequently over the last 5 years. When Ms. Nunez came on board, completing the Annual Reports for each board was the lowest priority item, which is why this report is overdue and a compilation of the years 2021 thru 2023. Her primary focus for the department was addressing the backlog of zoning and building applications, subdivision and site plan applications and reviews. Then, she worked on reviewing and updating governing documents of the department, including Comprehensive Plan, Historic District Guidelines & Zoning Ordinance.

II. Board and Staff Updates

A. Board Membership 2021: The membership has stayed consistent in 2021.

Board Membership 2022: Chairwoman Anne Hayward Walker resigned in October 2022 and member Joe Fehrre in November 2022.

Board Membership 2023: Ross Dunton and Bill Prickett resigned in January 2023. Bob Roche resigned in July 2023. Patricia James resigned in August 2023 to move to the Historic District Review Board. John Schoeneck was elected Chairman and

William “Bill” Roberston as Vice-Chairman in June 2023. Michael “Mike” Hudson joined the board in September 2023, filling in for Bob Roche

B. Staff Changes 2021 - 2023:

In July 2020, Allyson Finchum was hired as Town Planner and served until February 2021.

Staffing for the Department has stabilized since 2022. Katie Nunez was hired in February 2021 as Interim Planning/Zoning Administrator and continued in that role until the death of her husband in April 2022. At that time, Ms. Nunez reached agreement with the Town Manager in July 2022 to come on in a full-time capacity as the Director of Planning & Zoning Administrator & Subdivision Agent.

Tracy Outten has been a continued source of continuity for the department since she served as clerk to the Board for the last four years and her continued role as the full-time Planning Technician, which she has held since October 2020, has ensured that the departmental administrative functions are being addressed timely and professionally. At present, Tracy Outten is the Planning & Zoning Assistant, Preservation and Zoning Administrator.

In spring 2022, the department expanded to include a Part-Time Zoning Compliance Officer to handle the investigation and enforcement of zoning violations. With the departure of Ken Butta from this position due to his election to the Town Council, the position was slightly reconfigured to expand the duties to serve as Clerk to the Board of Zoning Appeals. Robert James was hired in January 2023 and resigned in December 2023. At this time, this position is still vacant.

Ms. Nunez has made an adjustment in the assignment of duties within the department so that Ms. Outten fully staffs the Historic District Board (HDRB) with oversight by Ms. Nunez. The part-time Administrative Assistant is staffing the Harbor Area Review Board (HARB), Wetlands and Coastal Dune Board (WCDB), and Planning Commission under the full direction of Ms. Nunez. The part-time Zoning Compliance Officer is staffing the Board of Zoning Appeals (BZA) under the oversight of Ms. Nunez.

In January 2023, the department expanded to include a Part-Time Planning & Zoning Administrative Assistant to help with the administrative function of the department. Alyce Crockett was hired in January 2023 and resigned in May 2023. Maureen Tamares-Meditz was hired in July 2023.

The department staff has been reviewing all department application forms and have been making updates. For the Wetlands and Coastal Dune Board the following forms were updated:

1. Wetlands and Coastal Dune Board Application - revised March 2023
2. Minor Water Quality Impact Assessment Application - revised 08/2023
3. Application for Zoning Clearance – revised 03/2023
4. Wetlands and Coastal Dune Board Application Fees - effective July 2023.
5. Owner Affidavit for Permission to Represent - revised March 2023

C. Education

Katie Nunez has maintained her annual certification as a Virginia Association of Zoning Officials (VAZO) and has completed 12 hours of continuing education thru VCU Certified Board of Zoning Appeals Program in October 2023.

III. MEETINGS

WETLANDS AND COASTAL DUNE BOARD MEETING 2021

	09/08/2021
Anne Hayward Walker	P
Ross Dunton	P
Bob Roche	P
Joe Fehrer	P
Bill Prickett	A

09/08/2021 MEETING:

- VMRC JPA #2021-1510 - application from Robert M. Smith, Property Owner on behalf of Bay Creek Resorts – end of Palmers Landing Cul-de-Sac (Tax Map #90-30-CA3) – for the proposed installation of a 30 feet by 40 feet gangplank and 4 modular 120 feet by 80 feet by 8 feet ramp/floating dock with a T-Section of 2 modular 120 feet by 80 feet by 8 feet with attached kayak sluice way as a community kayak launch and return; pursuant to Cape Charles Zoning Ordinance Section 74.31 this portion of the project was under the jurisdiction of the Wetlands and Coastal Dune Board. **The Wetlands and Coastal Dune Board voted to approve the agenda as amended to reflect the withdrawal of the application numbered VMRC JPA 2021-1510 and Agenda Item 4.A**

WETLANDS AND COASTAL DUNE BOARD MEETING 2022

	05/26/2022
Anne Hayward Walker	P
Ross Dunton	P
Bob Roche	A
Joe Fehrer	A
Bill Prickett	P

05/26/2022 Meeting

- VMRC JPA #2022-0642 - application from Kathy M. Hughes to construct a beach access walkway at 608 Carousel. The portion of the project that is within the Wetlands and Coastal Dune Board's jurisdiction, pursuant to Cape Charles Zoning Ordinance Appendix C, Section 3.1, is the proposed construction of a 4' x 180'

beach access walkway over and across the dune adjacent to lot 132 in Bayside Village, Bay Creek. The Wetlands and Coastal Dune Board voted to approve the Wetlands and Coastal Dune Permit at 608 Carousel Place (Tax Map #90-16-132) on an application filed Kathy M. Hughes, to construct a 4' x 180' beach access walkway over and across dunes as stated in the Joint Permit Application #2022-0642 with the added conditions as follows: (1) the elevations need to be measured from the highest level point and (2) the permit expires in one year.

- VMRC JPA # 2022-0717 – application from Brent W. Geissinger to construct a pier with a floating kayak launch on lot 29 in Plantation Pointe, Bay Creek – VMRC #2022-0717 The portion of the project that is within the Wetlands and Coastal Dune Board's jurisdiction, pursuant to Cape Charles Zoning Ordinance Section 7.7 (A), is the proposed construction of a 10' x 20' observation deck that will be connected to a 50' x 5' pier. A floating kayak launch platform via EZ dock 8' x 5' aluminum gangway will also be connected to the pier located at Tax Map # 90-9-29 in Plantation Pointe, Bay Creek. The Wetlands and Coastal Dune Board voted to approve the Wetlands and Coastal Dune Permit at 107 Creekside Lane (Tax Map #90-9-29) on an application filed Brent W. Geissinger, to construct a 5' x 50' pier with a 10' x 20' observation deck this will include an 8' x 5' aluminum gangway that will connect a floating kayak launch platform to the pier as stated in the Joint Permit Application #2022-0717 with the added conditions that the permit expires in one year.

WETLANDS AND COASTAL DUNE BOARD MEETINGS 2023

	06/21/2023	09/20/2023
John Schoeneck	P	P
William "Bill" Robertson	P	P
Mike Hudson	-	P
Elizabeth "Liz" Pruitt	P	A
Patricia James	P	Resigned on August 31, 2023 due to being appointed to HDRB
Bob Roche	A	Resigned 7/24/2023

06/21/2023 MEETING:

- JPA #23-0904 - 101 Sunset Blvd to 187 Sunset Blvd. - Application from Bay Creek at Cape Charles Community Association Inc. for sand nourishment on the beach and in the inter-tidal area behind the existing breakwaters located at the Marina Bay Subdivision and for a 50-foot sill extension to an existing back-bay sill landward of lots 83A1-11-1, 2, & 3 – VMRC #2023-0904. The Wetlands and Coastal Dune Board voted to approve the Wetlands and Coastal Dune Permit located at the Marina Bay Subdivision on an application filed by Bay Creek at Cape Charles Community Association Inc., (1) to place approximately 12,336 cubic yards of sand nourishment material on the beach from 101 to 107 Sunset Boulevard (Tax Map #83A1-11-73 to #83A3- 11-30) and in the inter-tidal area behind the existing breakwaters; and (2) for an extension to an existing back-bay sill

landward of lots Tax Map #83A1-11-1, #83A1-11-2, & #83A1-11-3 as stated in the Joint Permit Application #2023-0904 with the added conditions that the applicant provide the following: (1) As Soon As Possible: larger current Topographic Maps; (2) Upon Completion: a Topographic Contour Map of the sand nourishment on the beach and in the inter-tidal area behind the existing breakwaters located at the Marina Bay Subdivision and the 50-foot sill extension to an existing back-bay sill landward of lots Tax Map #83A1-11-1, #83A1-11-2, & #83A1-11-3; and (3) the permit expires in three years.

09/20/2023 MEETING:

- JPA #23-1490 - Wetlands Application from David and Pam Hainsworth to construct riprap revetment, a breakwater, groin wall, a private open-pile pier, and a covered boathouse at lots 83A1-3-A, B1, and C at the corners of Bay Avenue and Washington Avenue – VMRC #2023-1490. The Wetlands and Coastal Dune Board voted to approve the Wetlands and Coastal Dune Permit application from David and Pam Hainsworth to construct riprap revetment to include wetlands mitigation equal to the amount that will be confirmed by VIMS regarding the replacement of wetlands mitigation that must occur; breakwater; open-pile pier having no impact to coastal dune location; covered boathouse allowed as right by use with a permit expiration of 3 years at lots 83A1-3-A, B1, and C at the corners of bay Avenue and Washington Avenue - VMRC#2023-1490.

January 2024 Treasurer's Report

Page 1 – Cash Position

- The decrease in our total cash position over December can be attributed to debt service payments totaling \$139,000 as well as payments made to contractors on breakwater/bulkhead repairs at the harbor.
- Facility fee reserve cash balance at 1-31-24 is \$3,478,996.

Page 3 – Capital Projects

- Our second progress payment in the amount of \$69,059 was paid to Conrad Brothers for the Multi-use Trail project phase III, i.e., South Peach Street. Total payments made to date: \$210,220. Total contract amount: \$759,567.
- A progress payment of \$146,925 was made to Marine Contracting for harbor breakwater and bulkhead repairs. Total payments to date: \$309,829. Total contract amount: \$601,200.

Page 4 – Tax Collection Rate

- As of January 31, total property tax collections year-to-date were \$1,646,828, representing 95% of 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 has more than doubled.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
January 31, 2024

<u>Cash on Hand</u>	<u>12/31/2023</u>	<u>1/31/2024</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$381,684	\$406,089	\$24,406
Atlantic Union Bank Money Market Account	\$2,237,749	\$1,835,498	-\$402,251
LGIP Account 1 - Unrestricted	\$111,680	\$112,203	\$523
LGIP Account 2 - Unrestricted	\$324,411	\$326,074	\$1,663
Virginia Investment Pool Liquidity Unassigned	\$2,333,319	\$2,344,281	\$10,963
Virginia Investment Pool 1-3 Year Unassigned	\$1,041,054	\$1,044,741	\$3,688
Total Cash On Hand	\$6,429,896	\$6,068,887	-\$361,009

<u>Restricted and Reserved Cash Balances</u>	<u>12/31/2023</u>	<u>1/31/2024</u>	<u>Increase/ (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	\$14,004	\$14,081	\$77
US Bank - Reserved per VRA Interest Free Loan Requirements	\$264,943	\$266,035	\$1,091
ComputerShare 2010 Debt Service pass through account #300	\$3,182	\$3,196	\$14
ComputerShare 2010 Debt Service pass through account #308	\$1,123	\$1,128	\$5
Atlantic Union Money Market # ARPA CRF #5847	\$43,443	\$75,115	\$31,672
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$3,409,911	\$3,478,996	\$69,085
Total Cash Held in Reserve	\$3,778,731	\$3,880,675	\$101,944
Total Cash - All Accounts	\$10,208,628	\$9,949,563	-\$259,065

DEBT SERVICE

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

\$4,867,974

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

January 31, 2024

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY24</u>
GENERAL Fund						
REVENUE	\$225,382	\$3,298,798	\$4,018,722	\$719,924	\$5,719,837	70.26%
EXPENDITURES	\$282,879	\$2,425,978	\$2,228,475	-\$197,503	\$5,719,837	38.96%
NET	(\$57,497)	\$872,820	\$1,790,247	\$917,427	\$0	
GENERAL Capital Fund						
REVENUE	\$113,035	\$428,515	\$166,582	-\$261,933	\$2,446,213	6.81%
EXPENDITURES	\$72,184	\$217,010	\$340,856	\$123,846	\$2,446,213	13.93%
NET	\$40,851	\$211,505	(\$174,274)	(\$385,779)	\$0	
GENERAL Debt Service Fund						
REVENUE	\$16,363	\$222,440	\$120,924	-\$101,516	\$255,223	47.38%
EXPENDITURES	\$16,363	\$222,440	\$120,924	-\$101,516	\$255,223	47.38%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities Fund						
REVENUE	\$0	\$576,253	\$63,991	-\$512,262	\$296,350	21.59%
EXPENDITURES	\$0	\$61,460	\$66,098	\$4,638	\$296,350	22.30%
NET	\$0	\$514,793	(\$2,107)	(\$516,900)	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

January 31, 2024

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY24
PUBLIC UTILITIES Fund						
REVENUE - Operating	\$188,187	\$1,212,710	\$1,307,023	\$94,313	\$2,051,988	63.70%
EXPENDITURES - Operating	\$22,950	\$830,749	\$722,681	-\$108,068	\$1,982,118	36.46%
NET	\$165,237	\$381,961	\$584,343	\$202,382	\$69,869	
REVENUE - CAPITAL GRANTS, LOANS, FUND BALANCE	\$0	\$0	\$0	\$0	\$2,036,728	
REVENUE - FACILITY FEES	\$74,200	\$379,014	\$286,200	-\$92,814	\$466,400	61.36%
EXPENDED - FACIL FEES, CAPITAL PROJECTS,DEBT SVC	\$211,480	\$728,025	\$949,586	\$221,561	\$2,572,997	36.91%
TOWN CONTRIB. & PENDING GRANTS	(\$137,280)	(\$349,011)	(\$663,386)	(\$314,375)	(\$69,869)	
HARBOR Fund						
REVENUE - Operating	\$14,715	\$585,003	\$548,954	-\$36,049	\$1,008,625	54.43%
EXPENDITURES - Operating	\$20,017	\$504,489	\$495,163	-\$9,326	\$1,082,312	45.75%
NET	(\$5,302)	\$80,514	\$53,790	(\$26,724)	(\$73,687)	
REVENUE - GRANTS & LOANS	\$110,957	\$0	\$110,957	\$110,957	\$228,687	48.52%
TRANSFERRED FM GEN FUND FOR DEBT SERVICE OR HARBOR FUND BALANCE	\$728	\$103,499	\$32,948	-\$70,551	\$450,115	7.32%
EXPENDED - Capital Projects, Debt Svc	\$155,880	\$103,499	\$373,014	\$269,515	\$605,115	61.64%
TOWN CONTRIB. & PENDING GRANTS	(\$44,195)	\$0	(\$229,109)	(\$229,109)	\$73,687	
SANITATION Fund						
REVENUE	\$27,828	\$164,058	\$194,231	\$30,173	\$314,265	61.80%
EXPENDITURES	\$50,722	\$312,215	\$167,332	-\$144,883	\$314,265	53.25%
NET	(\$22,894)	(\$148,157)	\$26,899	\$175,056	\$0	

FY 24 Capital Improvement Project Tracking Report

As of:
1/31/2024

	<u>FY24 Status or Start Date</u>	<u>Percent of Completion</u>	<u>FY24 Budgeted</u>	<u>QTR 1 Expended</u>	<u>QTR 2 Expended</u>	<u>QTR 3 Expended</u>	<u>QTR 4 Expended</u>	<u>FY24 YTD Expended</u>	<u>(Over)/Under Budget</u>
General Capital Fund									
Multi-Use Trails, Phase 3 Construction	<u>In Process</u>	24.2%	\$ 929,922	\$ 4,150	\$ 148,788	\$ 72,184		\$ 225,122	\$ 704,800
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
subtotal	\$ -		\$ 2,092,063	\$ 75,297	\$ 188,155	\$ 72,184	\$ -	\$ 335,636	\$ 1,756,427
Utility Fund - Water									
Keck Well Connection	<u>In Process</u>	2%	\$ 1,150,000	\$ 15,243	\$ 3,811			\$ 19,054	\$ 1,130,946
Utility Fund - Wastewater									
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)
subtotal	\$ -		\$ 1,629,500	\$ 15,243	\$ 470,432	\$ 14,820	\$ -	\$ 500,495	\$ 1,129,005
Harbor Fund									
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>	176%	\$ 180,000		\$ 162,904	\$ 154,425		\$ 317,329	\$ (137,329)
subtotal	\$ -		\$ 499,000	\$ 18,050	\$ 167,592	\$ 154,425	\$ -	\$ 340,066	\$ 158,934
TOTAL	\$ -		\$ 4,220,563	\$ 108,590	\$ 826,179	\$ 241,429	\$ -	\$ 1,176,197	\$ 3,044,366

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
January 31, 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	
Total Real Estate Value (taxable)	798,212,613	
Total Budgeted Real Tax Revenue	1,605,700	
Total Tax Billed	1,724,622	
Total Adjustments	(1,674)	
Total Collected YTD (percent of billed)	<u>1,646,828</u>	95%
Amount Due per Accounts Receivable	76,119	

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

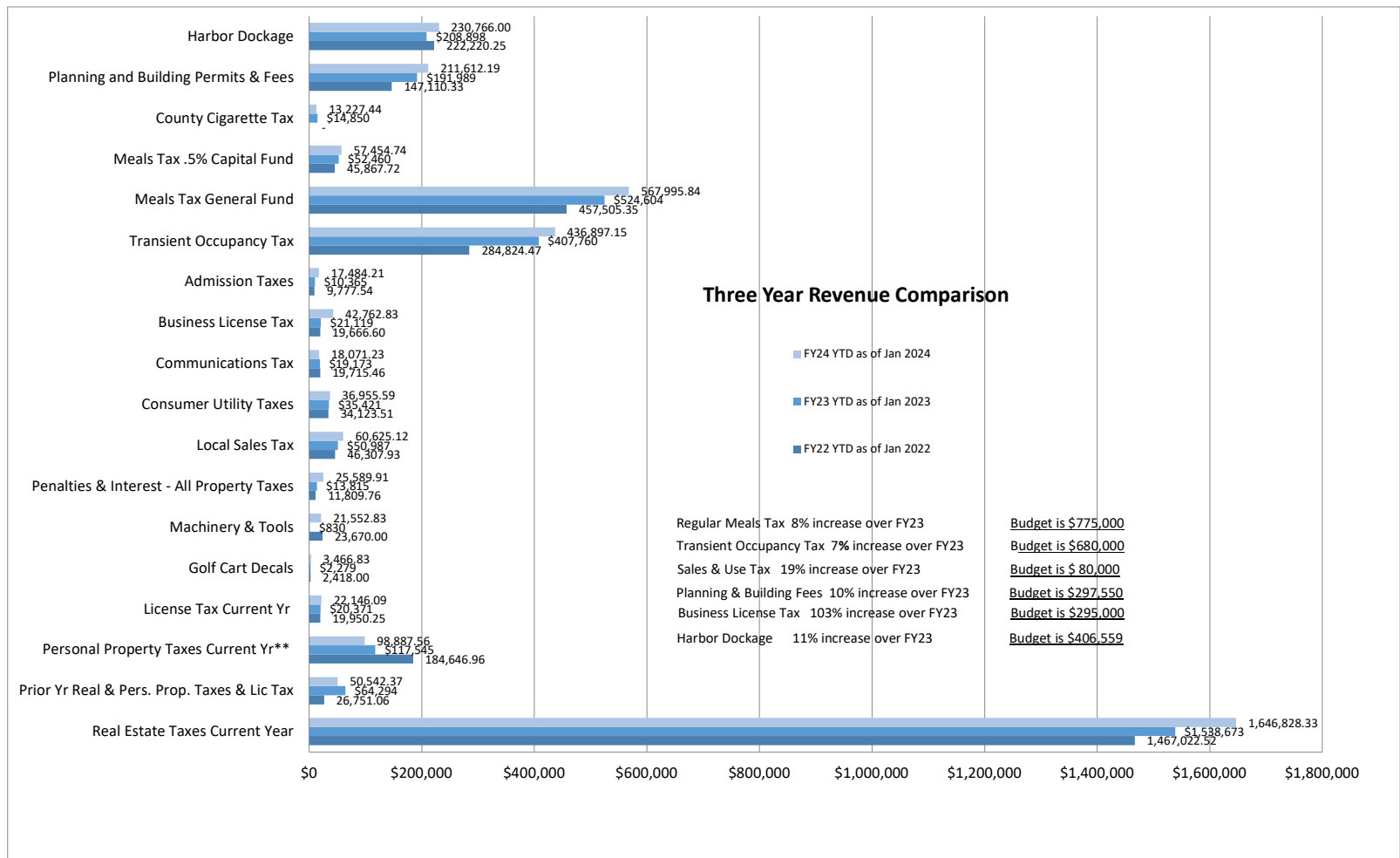
Total Personal Property Value	21,720,600	
2023 Reduction Due to Proration	(362,825)	
Personal Property Billable Valuation	21,357,775	
2023 PPTRA Valuation Amount	(9,687,117)	
2022 Supplemental Assessments billed in July 23	4,930,700	
2022 Supplemental PPTRA & Exonerations	(2,078,492)	
Personal Property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

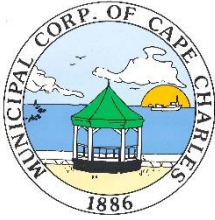
Total Taxable Assessment Value 2023 & 2022	24,209,983
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Total Personal Property & License Tax Budgeted	117,800	
Total 2023 Tax Billed less PPTRA	178,532	
2023 Supplemental Tax Billing	-	
Total Adjustments & Additional Exonerations	6,771	
Total Collected YTD (percent of billed)	<u>142,586</u>	77%
Amount Due per Accounts Receivable	29,175	

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

Total Budgeted	93,050	
Total Collected (percent of budget)	<u>76,132</u>	82%
Amount Due Per Budget	16,918	





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.

Mayor Adam Charney

Town Clerk

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

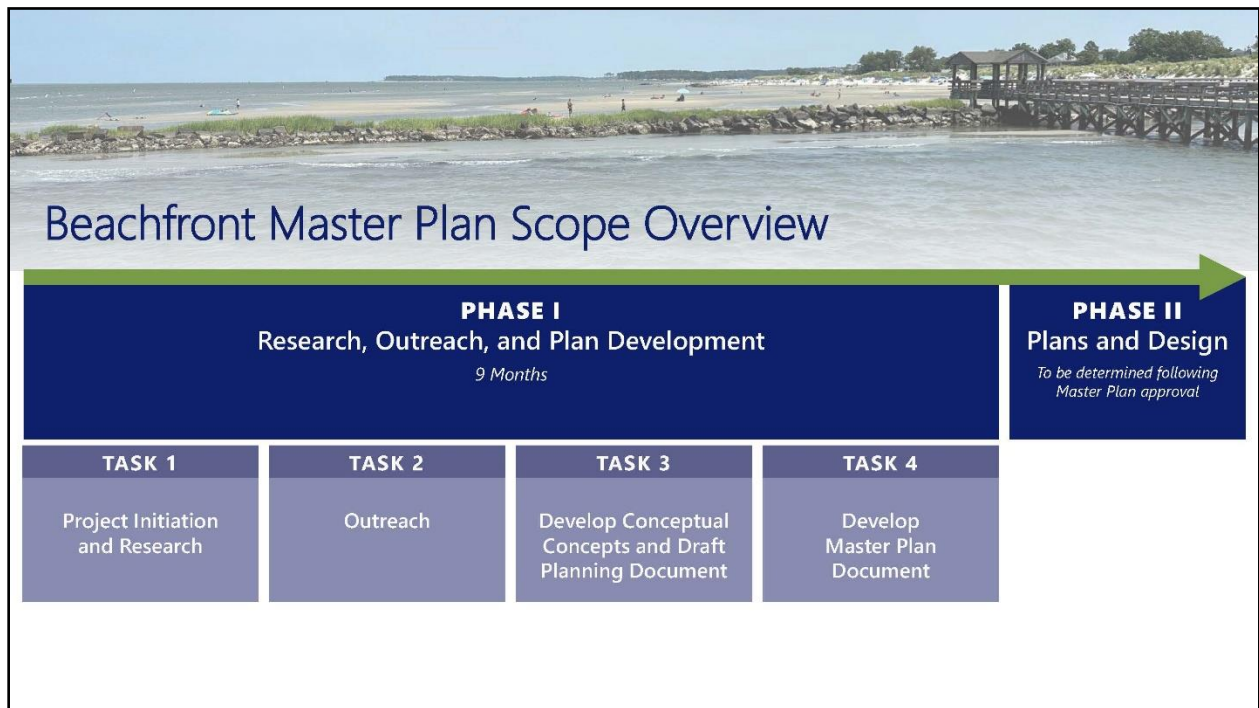
Gerry Taylor, Main Street

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



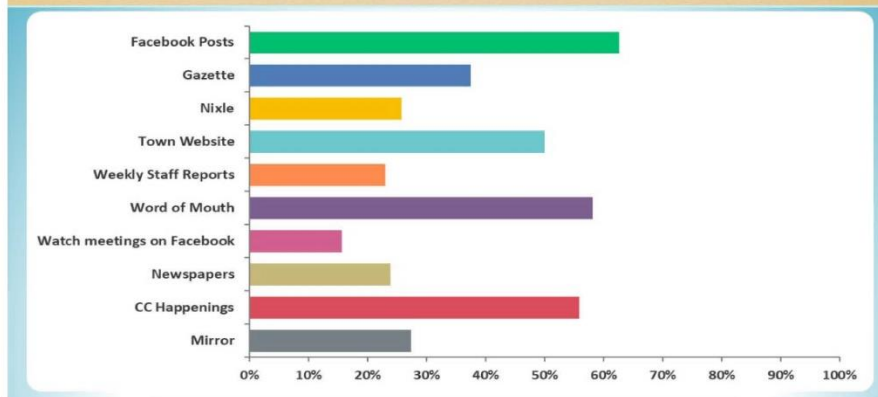
Task 2 – Outreach - Public Survey

- 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

Q&A



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.

An electronic version of the survey is also available by QR Code or on the Town's website 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? _____