

TOWN COUNCIL

Public Hearing, Regular Meeting & Executive Session

February 20, 2020
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing
 - A. Conditional Use Permit Application – 333 Madison Avenue
 - B. Conditional Use Permit Application – 636 Carousel Place
4. Close Public Hearing
5. Recognition of Visitors / Presentations / Recognitions
 - *A. Consumer Rating System Plaque Presentation – Zane Hadzick
6. Public Comments (3 minutes per speaker)
7. *Consent Agenda
 - A. Approval of Agenda Format
 - B. Approval of Minutes
 - C. Approval of December 31, 2019 Financial Report
 - D. Monthly Department Reports
8. Unfinished Business
 - *A. Virginia Port Authority Aide to Local Ports Grant Opportunity
 - *B. Inner Harbor Parking Lot Turnaround Contract Award
 - *C. Inner Harbor Sidewalk Contract Award
 - *D. Harbor Management Company Request for Proposals
9. New Business
 - *A. Appointment of Planning Commission Representative to Historic District Review Board
 - *B. Appointment of Interim Zoning Administrator
 - *C. Wayfinding Committee Findings
 - *D. Main Street Support Letter
10. Mayor & Council Comments (5 minutes per speaker)
11. Announcements
 - February 22, 2020 – Town Council Retreat, 11:00 a.m.
 - February 29, 2020 – Town Council Public Input Workshop re: Parking of Certain Vehicles on the Town's Streets, 11:00 a.m.
 - March 5, 2020 – Town Council Special Meeting
 - March 7, 2020 – 2nd Annual Cape Charles Day, 9:00 a.m. – 2:00 p.m.
 - March 19, 2020 – Town Council Regular Meeting
12. Recess to Closed Session

Code of Virginia § 2.2-3711-A, Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Potential Purchase or Sale of Real Property
13. Return to Open Session

Certification to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote.
14. Adjournment

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional use permit to allow an accessory dwelling unit at 333 Madison Avenue – Set Public Hearing		AGENDA DATE: January 16, 2020
	SUBJECT/PROPOSAL/REQUEST: Conditional use permit to allow an accessory dwelling unit at 333 Madison Avenue		ITEM NUMBER: 8E
	ATTACHMENTS: (1) Application and Documents; (2) Location Map		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Zach Ponds, Town Planner	REVIEWED BY: Mayor William “Smitty” Dize	

ITEM SPECIFICS:

The applicant would like to construct an accessory dwelling unit on the currently vacant lot, with the dwelling unit located on the second floor and a garage located on the first floor. The applicant has stated they would use the accessory dwelling unit as a guest house. There will be a home constructed on the lot at the same time as the accessory dwelling unit. A Certificate of Appropriateness was approved for the proposed project at the October 15 Historic District Review Board meeting.

The Planning Commission recommended approval of the request at their January 7 regular meeting.

STAFF ANALYSIS:

Accessory Dwelling Unit Regulations:

One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

A. Physical characteristics.

1. Accessory dwellings shall be located in an accessory building.
2. Accessory dwellings shall not have a floor area exceeding 45 percent of the floor area of the main building.
3. Accessory dwellings shall have one kitchen and one bathroom.
4. Accessory buildings containing an accessory dwelling shall maintain the exterior appearance of an accessory building and shall not have the appearance of a single-family dwelling.

B. Occupancy characteristics.

1. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Article IV, Section 4.3.F.
2. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.

C. Other requirements.

1. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
2. The lot on which an accessory dwelling is located shall have the required minimum lot area for

- the district in which it is located.
3. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1 C. 6. (Table of Parking Standards) using both on and off-street parking areas. An accessory dwelling unit must have one off-street parking space per dwelling unit bedroom.
 4. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic District Overlay.

The proposed project meets all of these provisions.

Section 4.3 of the zoning ordinance states “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town. In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

The proposed project meets all of these provisions.

Section III-A.5.1.2 of the Comprehensive Plan discusses the overall policies for Cape Charles neighborhoods, specifically promoting compatible infill development and renovation within established neighborhoods. The Comprehensive Plan states to “promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options.”

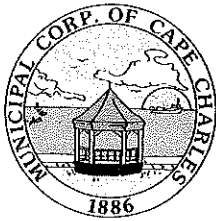
The proposed project meets the Comprehensive Plan goal of promoting accessory dwelling units within established neighborhoods.

Section 4.2.J.C.3 of the zoning ordinance states “parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6 (Table of Parking Standards) using both on and off-street parking areas.” Section 4.5.1.C.6 requires a minimum of one space per accessory dwelling unit bedroom.

The proposed project meets the requirements of the zoning ordinance. There will be two parking spaces located in the garage, along with additional off-street parking on the concrete driveway.

RECOMMENDATION:

Staff recommends Town Council set a public hearing date for February 20, 2020 for the proposed project.



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☐ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: _____
Property Address: 333 MADISON AVE
Brief Description of Project: GARAGE W/APT (SINGLE FAMILY HOME)
Zoning District: _____ Current Use: Ø Proposed Use: GARAGE W/APT

OWNER INFORMATION

Name and Company: EDMUND J & AMY L SABO
Mailing Address: 11912 STONEHEDGE DR FREDERICKSBURG 22407
Phone Number: E: 540 905 2237 Email: E: edmund.sabo@gmail.com
A: 540 220 0216 A: a.l.w.sabo@gmail.com

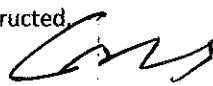
APPLICANT INFORMATION

☒ check here if applicant is owner

Name: _____
Mailing Address: _____
Phone Number: _____ Email: _____

CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Applicant:  Date: 10.29.19



Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

333 Madison Ave Conditional Use Permit

Overview:

The garage at 333 Madison Ave will have a small studio apartment on the second floor. The second floor is approximately 340 sq ft and will be used as guest space for family and friends. The first floor of the building will be used as a garage. The property is on a corner lot, with parking available on both Madison Ave and Peach Street. The garage also has a concrete pad connecting the driveway cut and the garage.

Materials:

Two car garage 20x24 (480 sq. ft) with 341 sq. ft second floor
2 bays with raised paneled doors
12/12 gable roof
30-year shingles to match home
Siding to match home
18' shed dormer facing south
Windows and doors to match home
Exterior stairs on West side
 P/T materials
 4x4 landing

SURVEYORS CERTIFICATION

I, MARSHALL B. PARKS, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.



OWNERS CONSENT AND DEDICATION.

THE PROPERTY LINE VACATION & CREATION OF PARCEL A AS SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER. ALL STATEMENTS AFFIXED TO THIS PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

EDMUND J. SABO, II - EDMUND J. SABO, II AND AMY L. SABO FAMILY TRUST DATE

COUNTY OF _____ STATE OF _____ TO WIT:

I, _____ A NOTARY PUBLIC IN, AND FOR

THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT EDMUND J. SABO, II WHOSE NAME IS SIGNED TO THE FOREGOING WRITING, BEARING DATE ON THE _____ DAY OF _____, 20____ HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY COUNTY AND STATE AFORESAID, GIVEN UNDER MY HAND THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

AMY L. SABO - EDMUND J. SABO, II AND AMY L. SABO FAMILY TRUST DATE

COUNTY OF _____ STATE OF _____ TO WIT:

I, _____ A NOTARY PUBLIC IN, AND FOR

THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT AMY L. SABO WHOSE NAME IS SIGNED TO THE FOREGOING WRITING, BEARING DATE ON THE _____ DAY OF _____, 20____ HAS ACKNOWLEDGED THE SAME BEFORE ME IN MY COUNTY AND STATE AFORESAID, GIVEN UNDER MY HAND THIS _____ DAY OF _____, 20____.

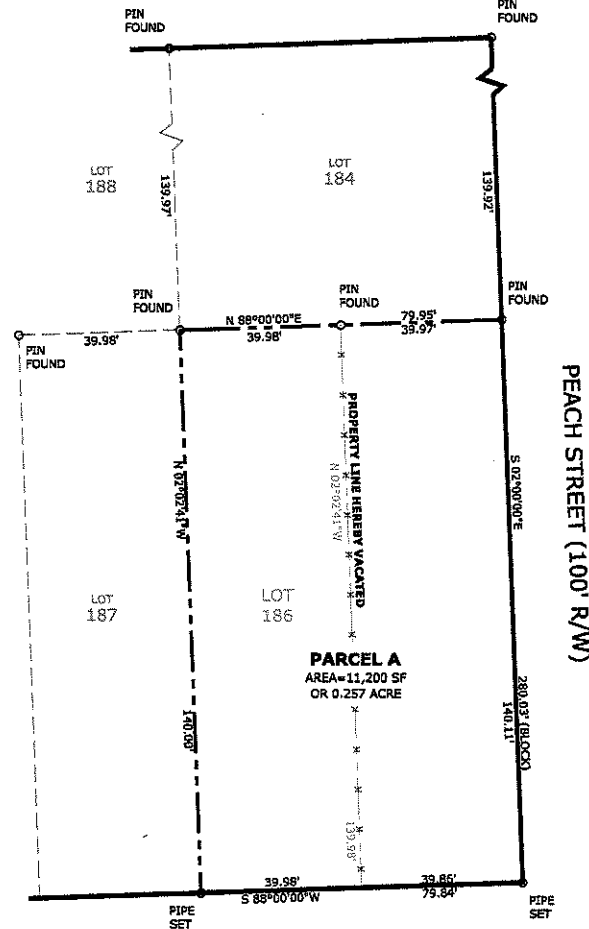
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

APPROVALS

_____, DATE: _____
TOWN OF CAPE CHARLES

JEFFERSON AVENUE (70' R/W)

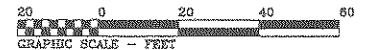
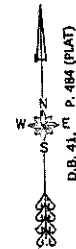


MADISON AVENUE (70' R/W)

PLAT OF SURVEY
SHOWING
PROPERTY LINE VACATION
BETWEEN LOTS 183 & 186
MAP OF THE TOWN OF
CAPE CHARLES
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
APRIL 15, 2019

GENERAL NOTES:

- OWNERS: EDMUND J. SABO, II AND AMY L. SABO FAMILY TRUST
- TAX PARCEL: 83A1-1-183 & 83A1-1-186
- SOURCE OF TITLE: INST. 150000818
- A SURVEY WAS PERFORMED ON THIS PROPERTY IN APRIL 2019 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 5111C0295F, DATED 03-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAP AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAPS. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.
- PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)
- THIS PROPERTY IS ZONED R-1. (BSL-BUILDING SETBACK LINES) FRONT SETBACK IS 30' (OR EQUAL TO ADDITION) SIDE SETBACKS ARE 5' REAR SETBACKS ARE 25' ACCESSORY ARE 5'



**ACCOMACK-NORTHAMPTON
SURVEYING & MAPPING PLLC**

36308 Lankford Highway, Belle Haven, Virginia 23308
Mail Address: 11403 Haron Drive, Machipongo, Virginia 23405
Phone: (757) 709-4192

DRAWN BY: 2995	SCALE: 1" = 20'
CHKD BY: JBL	BACK TRAV. BY: MBP
FIELD BOOK:	JOB NUMBER: 915

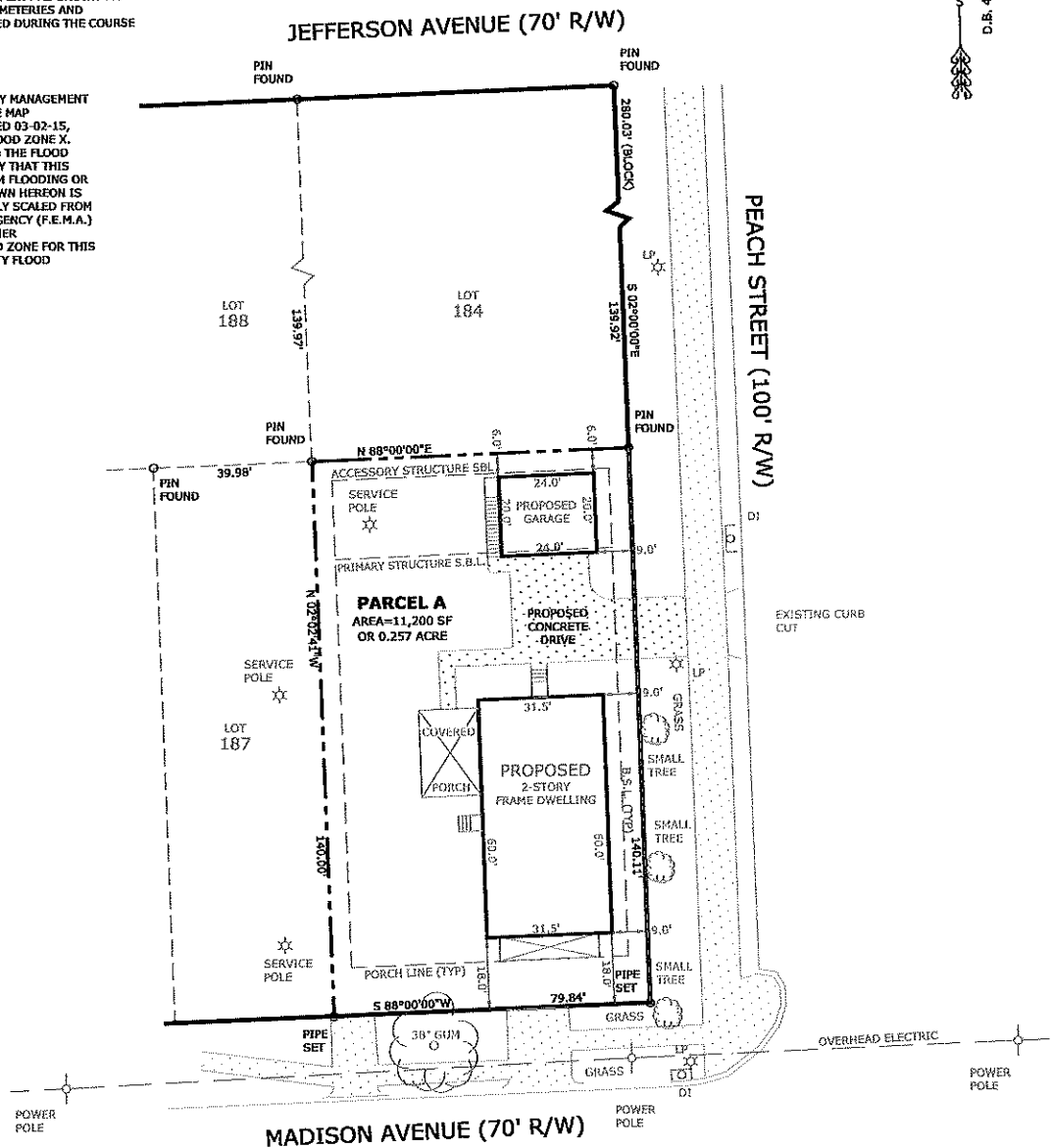
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6. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C0295F, DATED 03-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAP AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAPS. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.

7. PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)

8. THIS PROPERTY IS ZONED R-1.
(BSL-BUILDING SETBACK LINES)
FRONT SETBACK IS 30'
(OR EQUAL TO ADJOINER)
SIDE SETBACKS ARE 5'
REAR SETBACKS ARE 25'
ACCESSORY ARE 5'



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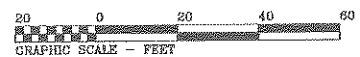


APPROVALS

TOWN OF CAPE CHARLES

DATE: _____

SITE PLAN
SHOWING PROPOSED IMPROVEMENTS TO
PARCEL A
MAP OF THE TOWN OF
CAPE CHARLES
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
APRIL 20, 2019
REVISED: SEPTEMBER 20, 2019



ACCOMACK-NORTHAMPTON SURVEYING & MAPPING PLLC

38308 Lankford Highway, Belle Haven, Virginia 23306
Mail Address: 11403 Heron Drive, Machipongo, Virginia 23405
Phone: (757) 709-4192

DRAWN BY: 2995	SCALE: 1" = 20'
CHKD BY: JBL	BACK TRAV. BY: MBP
FIELD BOOK	JOB NUMBER: 915

LOT 188

LOT 184

139.97'

S 02°00'00"E
139.92'

PIN FOUND

PIN FOUND

N 88°00'00"E

39.98'

PIN FOUND

ACCESSORY STRUCTURE SBL

SERVICE POLE

24.0'
20.0'
24.0'

PROPOSED GARAGE

PRIMARY STRUCTURE S.B.L.

PARCEL A

AREA=11,200 SF
OR 0.257 ACRE

PROPOSED
CONCRETE
DRIVE

SERVICE POLE

LOT 187

N 02°02'41"W

140.00'

COVERED
PORCH

PROPOSED
2-STORY
FRAME DWELLING

B.S.L. (TYP) 140.11'

GRASS
SMALL TREE

SMALL TREE

SMALL TREE

SERVICE POLE

PORCH LINE (TYP)

31.5'

60.0'

18.0'

PIPE SET

S 88°00'00"W

79.84'

PIPE SET

38" GUM

GRASS

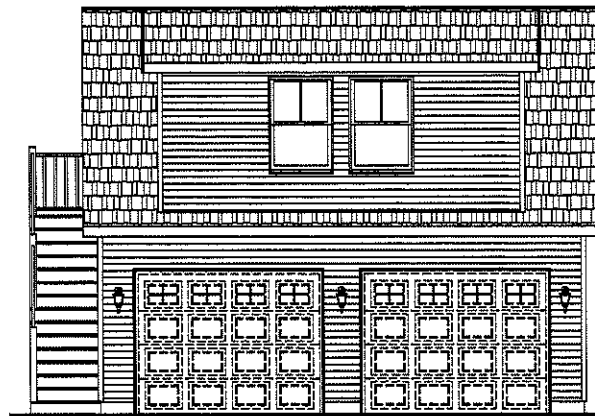
GRASS

LP

DI

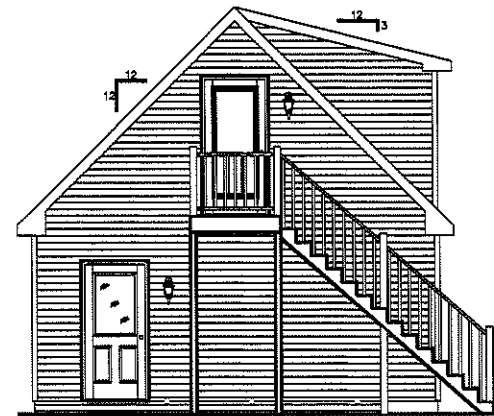
POWER POLE

AVENUE (70' R/W)



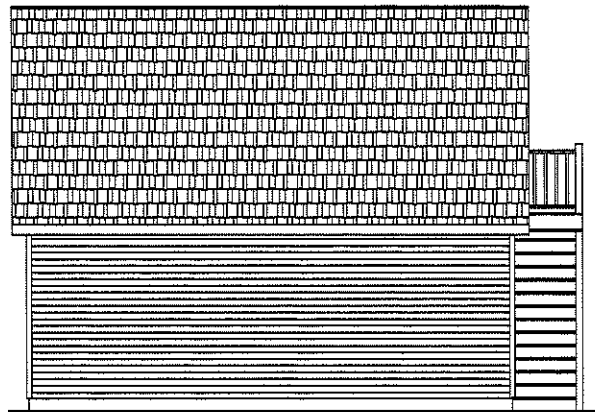
FRONT ELEVATION

ACCESS TO GRADE NOT PROVIDED BY ICON



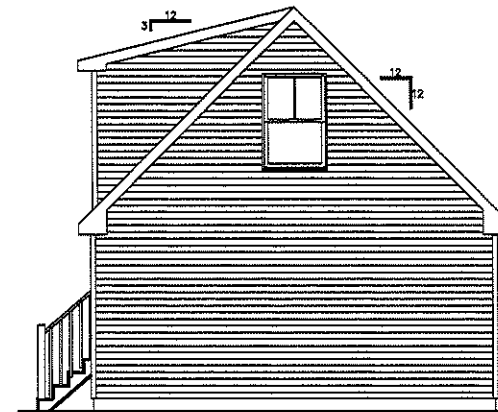
LEFT ELEVATION

ACCESS TO GRADE NOT PROVIDED BY ICON



REAR ELEVATION

ACCESS TO GRADE NOT PROVIDED BY ICON



RIGHT ELEVATION

ACCESS TO GRADE NOT PROVIDED BY ICON

MAINSTREET DOUBLE 4" SIDING

GARAGE IS TO BE ON-SITE BY OTHERS AND IS TO BE USED AS A REFERENCE ONLY

jea

SCALE: 1/8" = 1'-0"

0#8781

CROSS SECTION / DETAIL 3

PAGE 3

SE3

PROJECT NAME: VILLAGE BUILDERS ON THE BAY

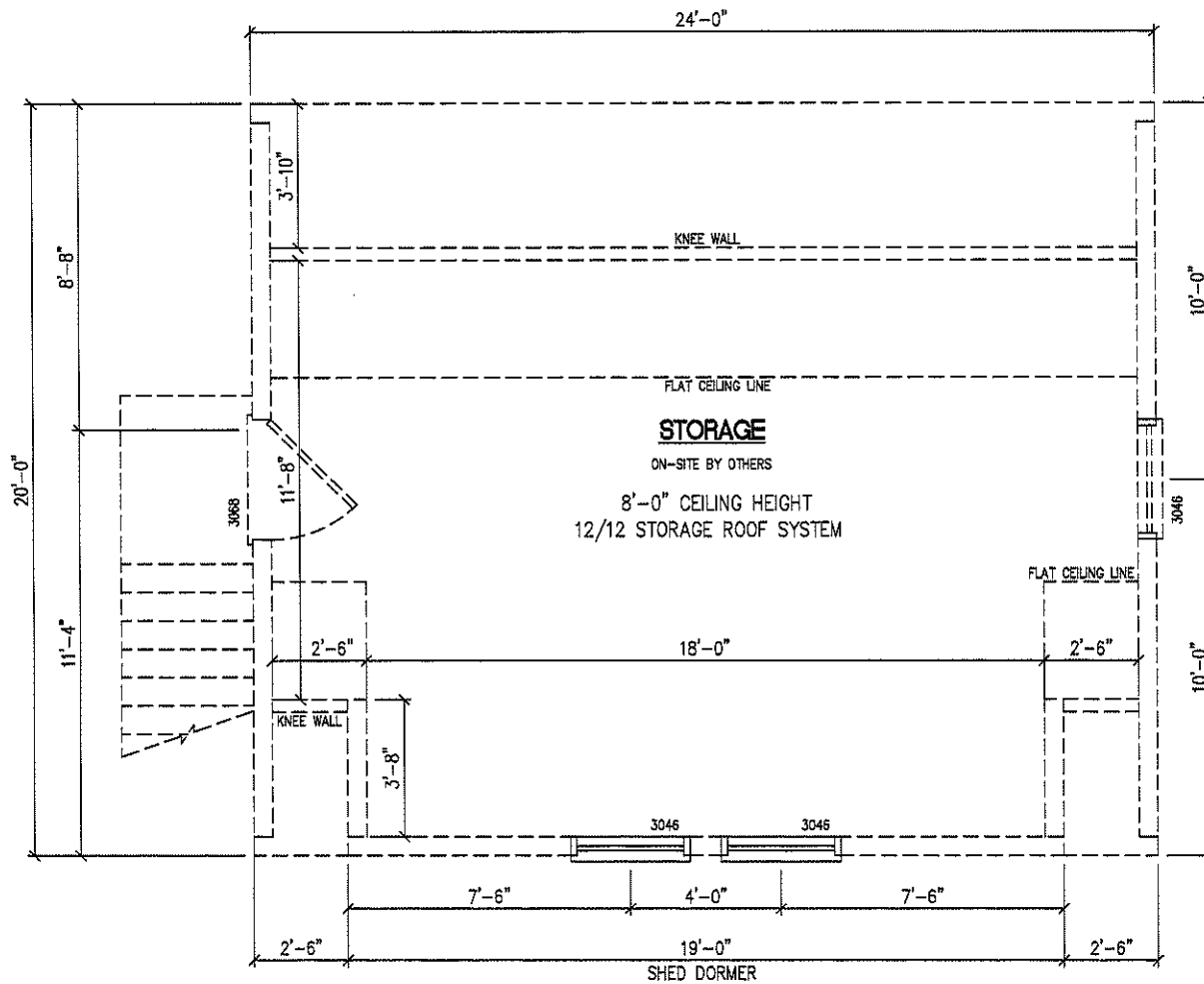
PROJECT ADDRESS: 23310 VILLAGE BAY DRIVE, CAPE CHARLES, VA 23310
 CLIENT: VILLAGE BUILDERS ON THE BAY
 ARCHITECT: JEA
 DATE: 8/21/19
 SCALE: 1/8" = 1'-0"

DATE	REVISION	BY
8/21/19	PRELIM	JSS

ICON
 LEGACY
 CUSTOM MODULAR HOMES

246 SAND HILL ROAD
 SELINS GROVE, PA 17870
 PHONE: (570) 374-3280
 FAX: (570) 374-1122
 WWW.ICONLEGACY.COM


246 SAND HILL ROAD
SELINGSGROVE, PA 17870
PHONE: (570) 374-3280
FAX: (570) 374-1122
WWW.ICONLEGACY.COM



NOT PROVIDED BY
ICON LEGACY CUSTOM
MODULAR HOMES, LLC (ICON)

FOUNDATION (WALL, FOOTING, LALLY COLUMNS,
ANCHOR BOLTS, SILL PLATE) PERMS AND GRASS/PAVE
VENTILATION
HEATING SYSTEM
INSURING MACHINE & DRYER
WARRANTY STOPS & BAILING AND/OR HANDRAIL
DRAFT FLOOR COVERING AREAS
REFRIGERATOR, RANGE & DISHWASHER
PORCH ROOF, HOUSE, POSTS, BAILING FLOOR & SILL
COUNTY, WALL OVER A MEMORABLE
COUNTERTOPS, BATHROOMS AND KITCHEN SINKS
PUZZLE FANS
SHOWERS AND TUBS IN BATH #2
DOOR DOOR
INTERIOR FLOOR IF PROPOSED 2ND FLOOR
CEILING SHOWER
OUTSIDE SHOWER

GARAGE IS TO BE ON-SITE BY OTHERS AND IS TO BE USED AS A REFERENCE ONLY

ICON LEGACY
MODULAR HOMES, LLC

DATE: 01/08/19

0#8379

FILE #

SE4

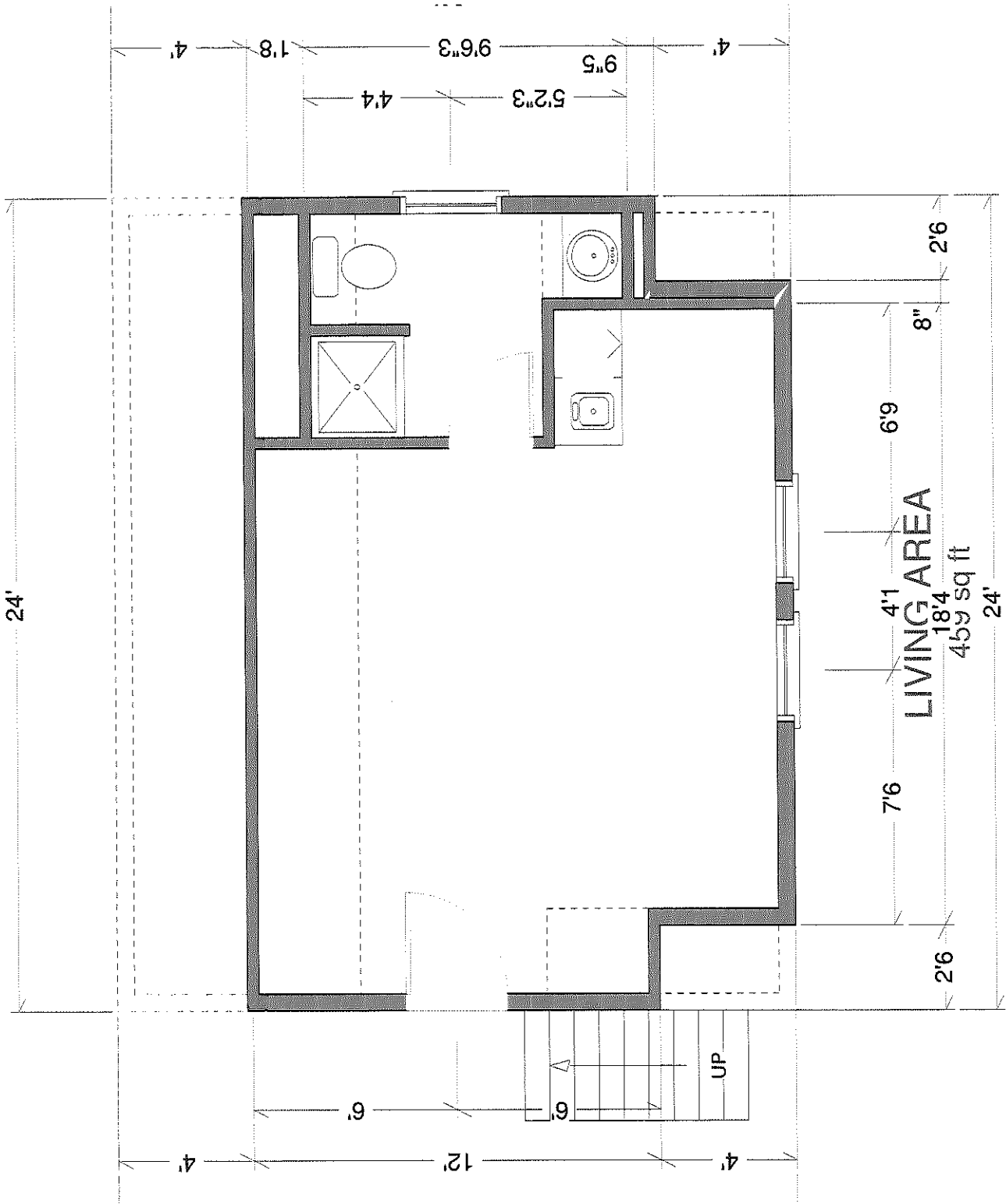
DATE	REVISION	BY
3/12/19	PRELIM	DRP
4/5/19	REV. PRELIM	DRP

PROJECT NAME	ADDRESS	CITY	STATE	ZIP	ORDER NO	FILE NAME
VILLAGE BUILDERS ON THE BAY	CAPE CHARLES	NORTHAMPTON	VA	23310	8379	0#8379

246 SAND HILL ROAD
SELINGSGROVE, PA 17870
PHONE: (570) 374-3280
FAX: (570) 374-1122
WWW.ICONLEGACY.COM



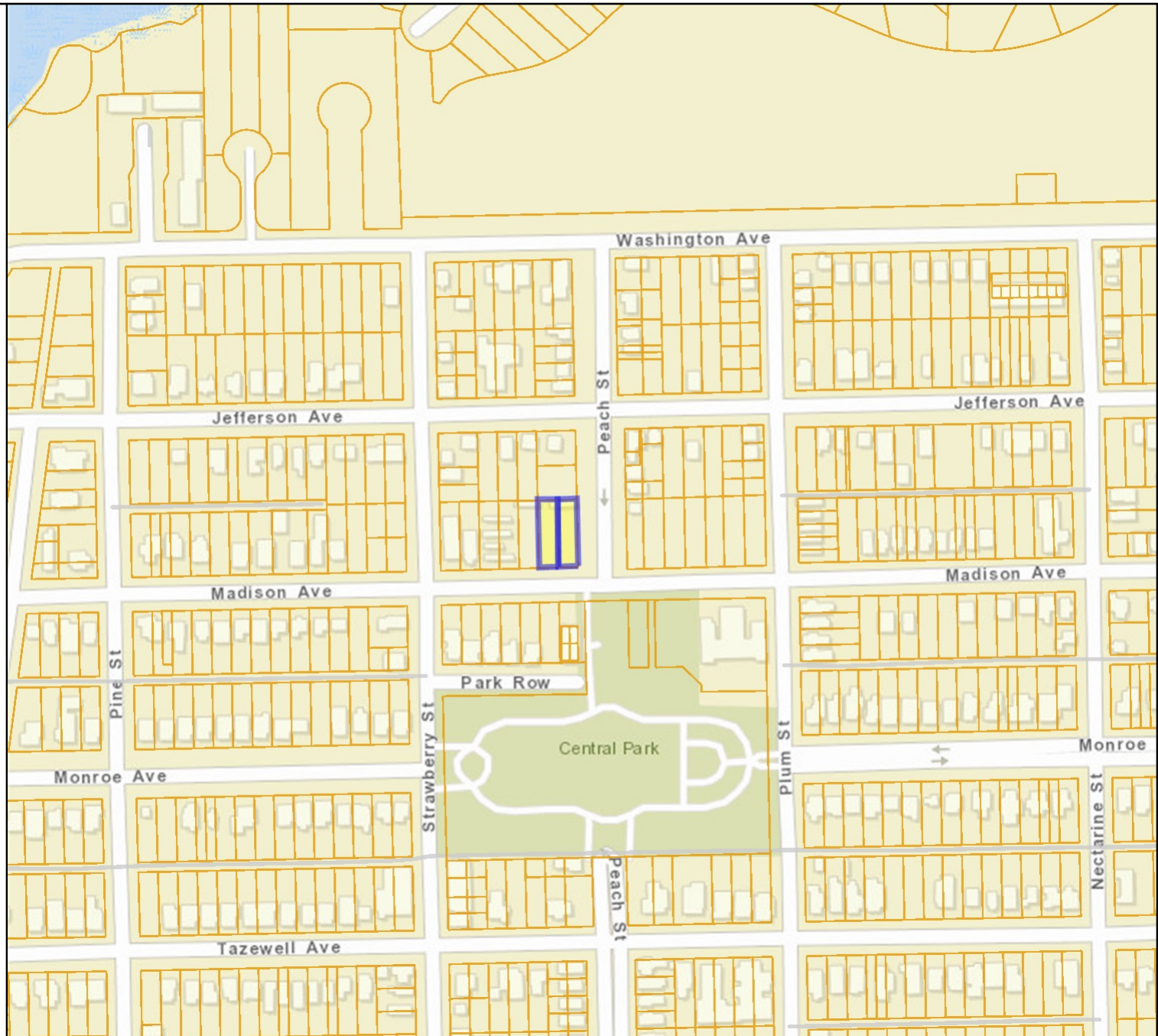
333 MADISON AVE
PROPOSED SECOND FLOOR
GARAGE



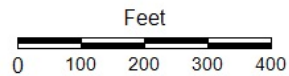
Northampton County, Virginia

Legend

- Parcels
- Driveways



Map Printed from Northampton
<http://northampton.mapsdirect.net/>



Title: 333 Madison Ave

Date: 11/25/2019

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional use permit to allow an accessory dwelling unit at 636 Carousel Place – Set Public Hearing		AGENDA DATE: January 16, 2020
	SUBJECT/PROPOSAL/REQUEST: Conditional use permit to allow an accessory dwelling unit at 636 Carousel Place		ITEM NUMBER: 8F
	ATTACHMENTS: (1) Application and Documents; (2) Location Map		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Zach Ponds, Town Planner	REVIEWED BY: Mayor William “Smitty” Dize	

ITEM SPECIFICS:

The applicant would like to construct an accessory dwelling unit on a lot that currently has a new single-family detached home under construction, with the dwelling unit located on the second floor and a garage located on the first floor of the accessory structure. The applicant has stated they would use the accessory dwelling unit as a guest house. There will be a home constructed on the lot at the same time as the accessory dwelling unit.

The Planning Commission recommended approval of the request at their January 7 regular meeting.

STAFF ANALYSIS:

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One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

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4. Accessory buildings containing an accessory dwelling shall maintain the exterior appearance of an accessory building and shall not have the appearance of a single-family dwelling.

B. Occupancy characteristics.

1. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Article IV, Section 4.3.F.
2. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.

C. Other requirements.

1. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
2. The lot on which an accessory dwelling is located shall have the required minimum lot area for

- the district in which it is located.
3. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1 C. 6. (Table of Parking Standards) using both on and off-street parking areas. An accessory dwelling unit must have one off-street parking space per dwelling unit bedroom.
 4. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic District Overlay.

The proposed project meets all of these provisions.

Section 4.3 of the zoning ordinance states “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town. In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

The proposed project meets all of these provisions.

Section III-A.5.1.2 of the Comprehensive Plan discusses the overall policies for Cape Charles neighborhoods, specifically promoting compatible infill development and renovation within established neighborhoods. The Comprehensive Plan states to “promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options.”

The proposed project meets the Comprehensive Plan goal of promoting accessory dwelling units within established neighborhoods.

Section 4.2.J.C.3 of the zoning ordinance states “parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6 (Table of Parking Standards) using both on and off-street parking areas.” Section 4.5.1.C.6 requires a minimum of one space per accessory dwelling unit bedroom.

The proposed project meets the requirements of the zoning ordinance. There will be two parking spaces located in the garage, along with additional off-street parking on the concrete driveway.

RECOMMENDATION:

Staff recommends Town Council set a public hearing date for February 20, 2020 for the proposed project.

2/19/2020

Town Council,

The Ackawmacke Plantation Planned Unit Development document states for conditional uses in the Village District (Article 8.C.2) “any other residential or special commercial use which is compatible in nature with allowed uses which the Zoning Administrator determines to be compatible with the intent and purpose of the district.” It is my recommendation that an accessory dwelling unit is compatible with the intent and purpose of the village district, which is “to allow for a mix of compatible uses, architecture and landscape in a village setting which promotes a sustainable neighborhood” (Article 8.A).

Please include this as part of my report for the application for a conditional use permit at 636 Carousel Place.

Zach Ponds
Town Planner/Zoning Administrator



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☐ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☐ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☐ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☐ Payment of Fees (single-family detached residential \$600; all other \$800)

DR. + MRS. Robert Brown 638 Carousel Pl
Dave + Karla Beaudoin 634 Carousel Pl

PROJECT INFORMATION

Name of Project: Bay Creek LOT # 118
Property Address: 636 Carousel Place Bayside Village
Brief Description of Project: Single family Residential w detached garage + ROG
Zoning District: _____ Current Use: _____ Proposed Use: _____
* ROG with kitchenette for only family use & will not be RENTABLE!

OWNER INFORMATION

Name and Company: SIMPSON BUILDERS Inc (Howard + Mary-Dee Simpson)
Mailing Address: PO Box 14550
Phone Number: 757-640-1124 Email: howard@simpsonbuildersinc.com
757-718-0486

APPLICANT INFORMATION

☒ check here if applicant is owner

Name: same as above
Mailing Address: _____
Phone Number: _____ Email: _____

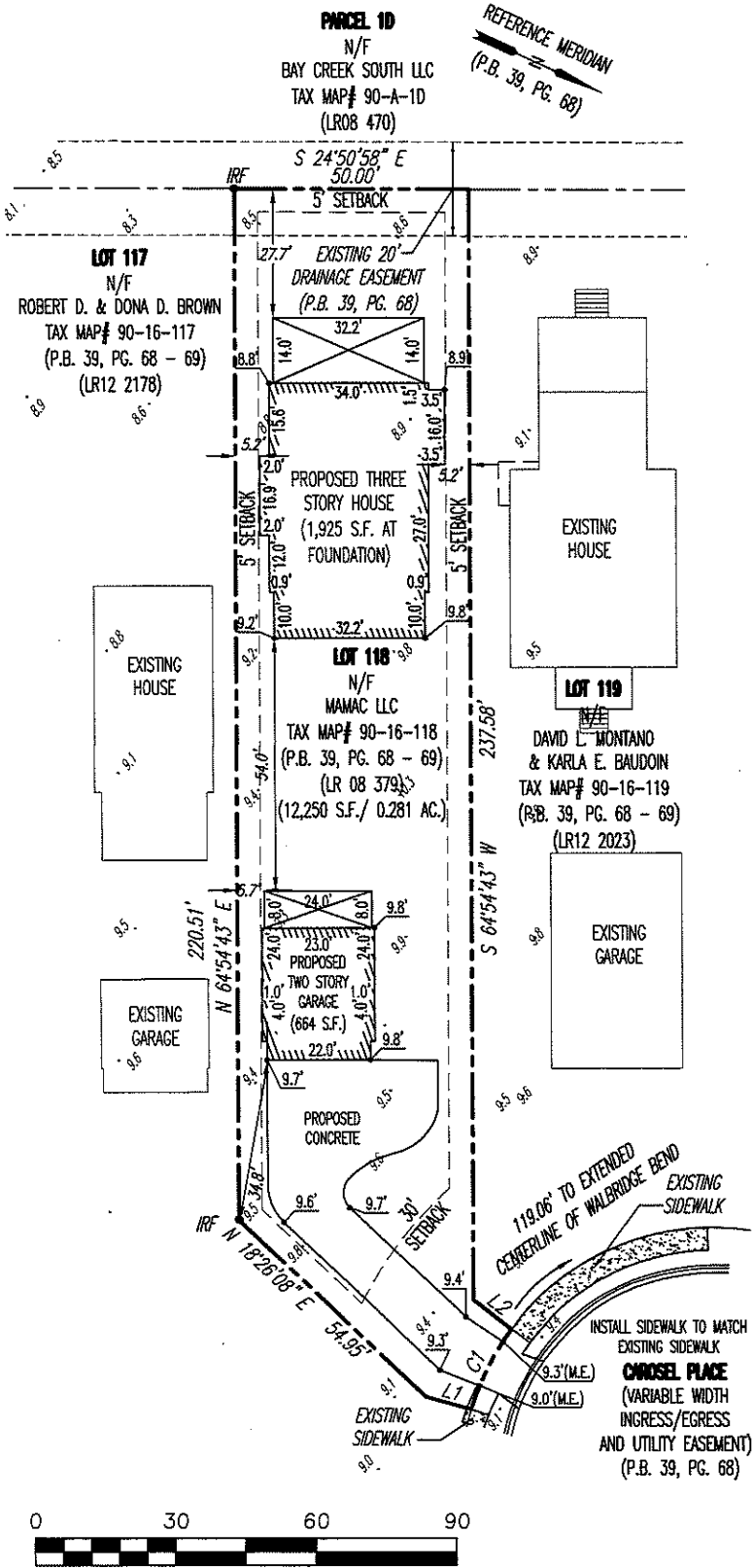
CERTIFICATION OF APPLICANT

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Signature of Applicant: Mary-Dee Simpson Date: 11/14/19

NO.	RADIUS	ARC LENGTH	CH. LENGTH	CH. BEARING	DELTA
C1	53.50'	19.43'	19.32'	N 88°47'52" W	20°48'19"

NO.	BEARING	DISTANCE
L1	N 09°12'01" W	10.00'
L2	S 11°36'18" W	10.00'



636 CAROUSEL PLACE

MAS-LD
MidAtlantic Surveying and Land Design
5305 Cleveland Street, Suite 102
Virginia Beach, VA 23462
757-557-0888
WWW.MAS-LD.COM
ADMIN@MAS-LD.COM

PROJECT # 17069.0 DRAWN BY: ANM/OSL

1. A TITLE REPORT HAS NOT BEEN FURNISHED TO THIS FIRM.
2. THE MERIDIAN SOURCE FOR THIS SURVEY IS BASED ON THE VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983/1993 (HARN) AS SHOWN ON THE REFERENCES OBTAINED.
3. THIS FIRM MADE NO ATTEMPT TO LOCATE UNDERGROUND UTILITIES.
4. THE PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD ZONES X AS SCALED FROM FEMA - NFIP COMMUNITY PANEL 51131C0410F DATED MARCH 2, 2015. FLOOD DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE. FLOOD ZONE DATA SHOWN HEREON SHOULD NOT BE CONSTRUED AS A DETERMINATION OF FLOOD INSURANCE REQUIREMENTS ON ANY PROPERTIES SHOWN HEREON OR ON ADJACENT PROPERTIES.

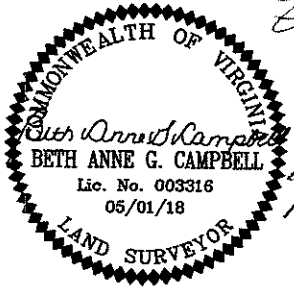
PROPERTY AND SURVEY INFORMATION

TAX ID: 90-16-118
ZONING: PUD
SET BACKS:
FRONT ~~30~~ 25'
SIDE 5'
REAR 5'
OWNER: MAMAC LLC
REFERENCES: P.B. 39, PG. 68
DATE OF FIELD SURVEY: 07-01-17
FINISHED FLOOR = 13.0'
FINISHED FLOOR GARAGE = 10.0'

APPROVED

LEGEND AND ABBREVIATIONS

IRF = IRON ROD FOUND
CONC. = CONCRETE
P.B. = PLAT BOOK
L.S.A. = LANDSCAPED AREA
PG. = PAGE
S.F. = SQUARE FEET
AC. = ACRES
WV = WATER VALVE

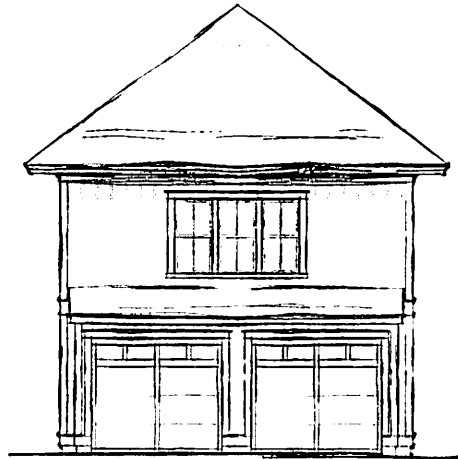


Handwritten signatures and dates:
ZONING ADMINISTRATOR
8/17/18
M. King
8/17/18

SITE PLAN OF
OF
LOT 118 "VILLAGE M"
ALSO KNOWN AS
BAYSIDE VILLAGE
(MAP BOOK 39, PAGE 68)
FOR
SIMPSON BUILDERS
CAPE CHARLES, VIRGINIA
MAY 1, 2018
1" = 30'

Bay Creek

Lot 118



**SOMMER
DESIGN
STUDIOS**

ARCHITECTURE AND INTERIOR DESIGN

1001 Westwood Blvd. Suite 100, Virginia Beach, VA 23462

434.337.8127

It is the responsibility of the architect to prepare the following before beginning any construction:

1. Contractor or builder must verify all dimensions prior to any construction.
2. Contractor or builder must verify each of final building permits and submittals to the city where the project is to be constructed.
3. Contractor or builder must verify the existing local building department of the city or the jurisdiction. Local building department of the city or the jurisdiction may have other rules and regulations having authority to enforce the construction documents.

If one of the above conditions are not to be met, Sommer Design Studios, L.L.C. must be notified for the necessary documents to ensure compliance prior to any additional construction of the construction project.

Changes or alterations are to be made in the project as it is in effect the original design of the project as shown in the construction documents. A clear copy of the original design documents must be provided to the architect before any construction begins.

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DESIGN BY:

UAS

CHECKED BY:

6/13/18

FOR CONSTRUCTION

DATE:

MATERIAL LEGEND	
SECTION / DETAIL	ELEVATION
RIGID INSULATION	STEEL
BATT INSULATION	CONCRETE
PLYWOOD	BRICK
TILE	GLASS
EARTH	C.M.U.
WOOD FRAMING	MORTAR / STUCCO
FINISH WOOD	GRAVEL
	WOOD BLOCKING
	SCREEN
	BRICK
	GLASS
	STUCCO
	STONE
	SHAKE SHINGLES
	ARCH. SHINGLES

INDEX TO DRAWINGS	
A1.01	FOUNDATION, FLOOR, AND ROOF PLANS
A2.01	EXTERIOR ELEVATIONS
A3.01	BUILDING SECTIONS & DETAILS
R1.01	ELECTRICAL PLANS

NOTES	

SQUARE FOOTAGE	
CONDITIONED SPACE	UNCONDITIONED SPACE
GUEST APARTMENT 576 SF	GARAGE 664 SF
576 SF	PORCH 184 SF
	DECK 122 SF
	970 SF
TOTAL SQUARE FOOTAGE UNDER ROOF	
1,240 SQFT	

SYMBOL KEY			
detail no. direction of view page no. ELEVATION CALLOUT	detail no. page no. DETAIL CALLOUT	detail no. page no. INTERIOR ELEVATION CALLOUT	DINING ROOM LABEL CORRESPONDS TO ROOM NO. ON FRESH SCHEDULE
detail no. page no. direction of view SECTION CALLOUT	NORTH ARROW	ELEVATION CALLOUT	MATCH LINE

BUILDING CODE SUMMARY	
PROPOSED USE: RESIDENTIAL	CONTACT PERSON: JESSIE M. SOMMER 810-881-8091
CODE ENFORCEMENT JURISDICTION: CITY OF CAPE CHARLES	
BUILDING DATA: NON-RESIDENTIAL CONSTRUCTION	VIRGINIA RESIDENTIAL CODE 2013
BUILDING CODE: 3 STORIES	
NUMBER OF STORIES: 3 STORIES	
I CERTIFY THAT THE DESIGN PLANS AND SPECIFICATIONS FOR THIS CONSTRUCTION ARE IN COMPLIANCE WITH THE CRITERIA ESTABLISHED BY THE INTERNATIONAL RESIDENTIAL CODE 2013.	I UNDERSTAND THAT ANY CHANGES IN DESIGN OR SPECIFICATIONS MUST BE SUBMITTED IN WRITING BY ME TO THE BUILDING DEPARTMENT.

Bay Creek
Lot 118

Page:
Clarification
Virginia

A0.00
COVER SHEET

FOUNDATION NOTES:

1. ALL CONSTRUCTION INFORMATION SHOWN FOR REFERENCE PURPOSES ONLY. GENERAL CONTRACTOR SHALL HAVE A LOCAL LICENSED STRUCTURAL ENGINEER (P.E.) REVIEW THE SITE CONDITIONS AND DESIGN ALL STRUCTURAL ELEMENTS SUCH AS FOOTINGS, REINFORCEMENT, FOUNDATION WALLS, PIERES AND SLAB.

2. GENERAL CONTRACTOR SHALL INSPECT SITE AND EXCAVATED CONDITIONS PRIOR TO STARTING ANY CONSTRUCTION. GENERAL CONTRACTOR SHALL NOTIFY THE OWNER ON P.E. OF ANY NON-TYPICAL CONDITIONS REGARDING SOILS, CROCODING WATER, OR ANY OTHER ISSUE WHICH MAY REQUIRE ADDITIONAL OR SPECIAL ENGINEERING DESIGN.

3. GENERAL CONTRACTOR IS TO REVIEW THE PLANS, ELEVATIONS AND DETAILS FOR CORRELATION OF FRESH FLOOR GRADE AND FRESH GRADE. GENERAL CONTRACTOR SHALL ADVISE THE OWNER OF ANY DISCREPANCIES REGARDING INFORMATION TO THE DESIGN INTENT INDICATED ON PLANS, SECTIONS OR EXTERIOR ELEVATIONS, I.E., NUMBER OF STEPS FROM FRESH GRADE TO THE FIRST FLOOR, NUMBER OF STEPS BETWEEN THE GARAGE FLOOR TO THE FIRST FLOOR OF THE HOUSE.

4. INSTALL ALUMINUM SHEET METAL TERMITE SHIELDS CONTINUOUS BETWEEN ANY WOOD SURFACES THAT ARE EXPOSED TO CONCRETE SURFACES.

5. ALL CONCRETE WORK SHALL CONFORM TO ACI 308. ALL DETAILING, FABRICATION, ACCESSORIES AND PLACEMENT OF REINFORCEMENT SHALL CONFORM TO THE ACI MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE STRUCTURES. ANCHOR BOLT FOR SLAB PLATE ATTACHMENT TO CONFORM TO ASTM A307.

6. CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS.

7. ALL CONSTRUCTION ON FILL SOILS SHALL BE DESIGNED BY A P.E.

8. PROVIDE 12" MINIMUM COVER OVER FOOTING UNLESS LOCAL PERMITS WARRANT A GREATER DEPTH. FOOTINGS WILL BE BELOW THE LOCAL FROST LINE.

9. INSTALL "TIGRO" 15 MIL VAPOR BARRIER BELOW ALL FLOOR SLABS (WWW.STOCONCRETEUS.COM)

FRAMING NOTES:

1. ALL WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION, PUBLISHED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION (NFPA).

2. ALL STRUCTURAL INFORMATION SHOWN ARE FOR REFERENCE PURPOSES ONLY. ALL STRUCTURAL DESIGN SHALL BE DESIGNED TO THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE (IBC) AND/OR LOCAL BUILDING CODES.

3. THE GENERAL CONTRACTOR SHALL HAVE A LOCAL PROFESSIONAL ENGINEER (P.E.) REVIEW THE STRUCTURAL DESIGN AND SITE CONDITIONS, AND DESIGN ALL FRAMING ELEMENTS SUCH AS JOISTS, BEAMS, CORNERS, HEADINGS, COLLARS AND PARTS. CONSTRUCTION SHALL NOT BEGIN WITHOUT SAID REVIEW OF A P.E.

4. THE CONTRACTOR SHALL REVIEW THE PLANS, ELEVATIONS AND DETAILS, AND ADVISE THE OWNER OF ANY DISCREPANCIES REGARDING INFORMATION TO THE DESIGN INTENT INDICATED ON PLANS, SECTIONS OR EXTERIOR ELEVATIONS.

5. IF DIMENSIONED LUMBER OR TRUSSES WILL BE USED, THEY WILL BE DESIGNED AND APPROVED BY A P.E., AND MANUFACTURED BY A TYPED MEMBER.

6. INSTALL SOLID BRACING, OR EQUAL, AT ALL OUTSIDE CORNERS.

7. PROVIDE DOUBLE JOISTS UNDER ALL NON-LOAD BEARING PARTITIONS, PARALLEL TO THE SPAN OF THE FLOOR JOISTS.

8. SHEATH ALL EXTERIOR WALLS WITH A MINIMUM 1/2" STRUCTURAL GRADE OR PLYWOOD ON MINIMUM 1/2" OSB.

9. PROVIDE DIAGONAL OR SOLID BRACING AT 8' O.C. MAXIMUM IN ALL FLOOR JOISTS, AND SOLID BRACING BETWEEN FLOOR JOISTS UNDER WALLS THAT ARE PERPENDICULAR TO THE FLOOR JOISTS.

10. STRUCTURAL LUMBER SHALL BE SOUTHERN PINE #2 OR EQUAL, UNLESS OTHERWISE NOTED.

11. INSTALL A CONTINUOUS ALUMINUM TERMITE SHIELD BETWEEN ANY WOOD AND CONCRETE SURFACES.

12. ALL STRUCTURAL WOOD USED IN THE CONSTRUCTION OF STEPS, PORCHES AND DECKS, SHALL BE PRESERVE TREATED OR EQUAL.

13. ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESERVE TREATED.

14. INSTALL HURRICANE CONNECTIONS AS REQUIRED BY LOCAL CONDITIONS AND BUILDING CODES.

15. ALL KNEE WALL CONSTRUCTION TO BE DIAGONALLY BRACED AT 8' O.C. MAXIMUM.

16. STUD WALL SUPPORTING TWO FLOORS, CEILING AND ROOF LOADS SHALL BE 2 X 6 AT 16" O.C.; ALL OTHER WALLS TO BE 2 X 4 AT 16" O.C. UNLESS OTHERWISE NOTED. STUD WALLS UP TO 8' TALL TO BE BLOCKED SOLID AT MID-HEIGHT. TALLER WALLS TO BE BLOCKED SOLID AT THREE POINTS.

17. BALCONY FRAME ALL TWO-STORY WALLS WHERE LATERAL FRAMING DOES NOT PROVIDE MID-HEIGHT BRACING. IF TWO-STORY WALLS HAVE EXCESSIVE OPENINGS, USE VERTICAL STEEL PLATE-PLATES AND/OR 2 X 2 FRAMING.

18. ALL HEADERS AND BEAMS TO BE SUPPORTED BY SITS EQUAL TO THE WIDTH OF THE BEAM OR SOLID COLUMNS AS SHOWN ON THE PLANS. SUPPORT IS TO BE CONTINUOUS TO THE FOUNDATION OR OTHER SUPPORT BELOW.

19. ROCKET DOORS SHALL BE FULL SIZE BOLLDOOR DOORS HANG ON HEAVY TRACK CENTERED IN A 2X6 WALL FRAMED BY THREE-STRAND LUMBER.

20. TYPICAL HEADER TO BE (2) 2X12 W/ 1/2" PLYWOOD GLEED 3 NAILS, U.N.O.

ROOF NOTES:

1. TYPICAL ROOFING SYSTEM SHALL BE AS FOLLOWS: ASPHALT ROOF SHINGLES, ROOFING FELT / SELF ADHERED ROOFING UNDERLAYMENT OVER ROOF SHEATHING.

2. ROOFING FELT SHALL BE UL RATED 30 LB ASPHALT SATURATED ORGANIC FELT.

3. TYPICAL SELF ADHERED ROOFING UNDERLAYMENT SHALL BE W/ A GRACE FOR AND WATER RESISTANT. INSTALL AT FOLLOWING LOCATIONS: 1) ALONG EAVES EXTENDING A MINIMUM OF 36" HORIZONTALLY UP ROOF BEYOND THE INSULATED WALL LINE. 2) 36" SHEET WIDTH ALONG VERTICAL WALLS. 3) 36" SHEET WIDTH AT WALLS. 4) 36" SHEET WIDTH AT ROOF WALL INTERSECTIONS. 5) ALL AROUND CHIMNEYS, BRICKLINTS AND OTHER ROOF PENETRATIONS. 6) COMPLETELY AT ALL ROOF LINES DRAIN 4:12 PITCH. 7) 36" SHEET AT ROOF PITCH TRANSITIONS. 8) OTHER AREAS AS REQUIRED BY CODE.

4. INSTALL CONTINUOUS W/ R. GRACE "TATAM" SELF ADHERED ROOFING UNDERLAYMENT UNDER FLAT BOLDED BEAMED COPPER WHERE METAL PANS ARE INDICATED. IF FIELD DRAINING IS REQUIRED, PLACE 3 LAYERS ROOFING FELT UNDER BEAM LOCATIONS TO PROTECT UNDERLAYMENT.

5. INSTALL PRE-FINISHED METAL Drip FLASHING ALONG ALL EAVES AND RAKS EXPOSED TO HAVE MINIMUM 6" FLANGE ONTO ROOF SURFACE.

6. INSTALL PRE-FINISHED METAL VALLEY FLASHING WITH 1" V-CRIMP, 12" MINIMUM UP EACH SIDE OF VALLEY.

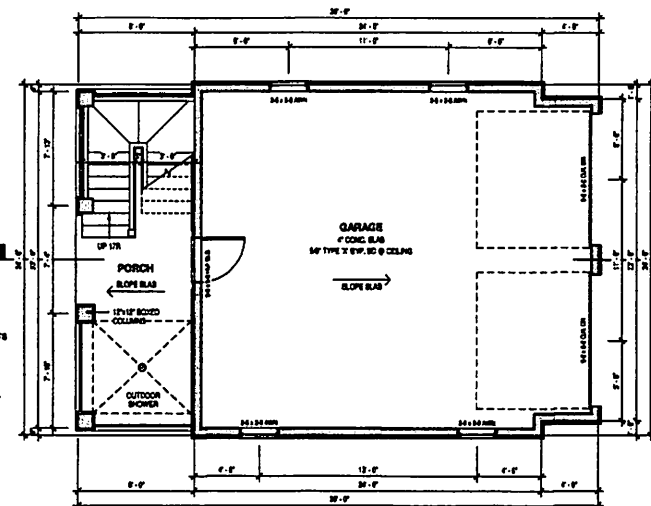
7. INSTALL PRE-FINISHED METAL FLASHING AT ROOF PITCH TRANSITIONS.

8. INSTALL PRE-FINISHED METAL STEP FLASHING ALONG ROOF / WALL INTERSECTIONS AND ALONG ROOF / CHIMNEY INTERSECTIONS.

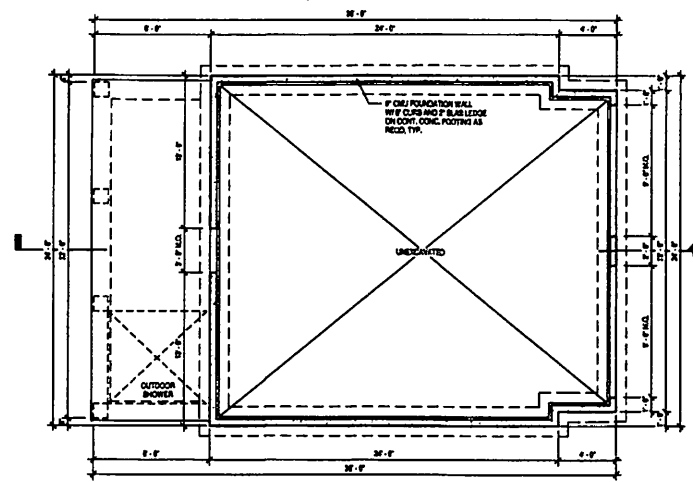
9. CONFORM WITH "SMASH" ARCHITECTURAL SHEET METAL MANUAL, 5TH EDITION, 1993 WITH ADDENDUM NO. 1, OCTOBER 21, 1997 FOR ALL METAL ROOFING, FLASHING AND ROOF PENETRATION SYSTEMS.

10. ROOF VENTS TO BE LOW PROFILE, PLASTIC TYPE, SHINGLE OVER VENT SYSTEM (COR-A-VENT V-028 SERIES OR EQUAL). INSTALL CONTINUOUSLY ALONG RIDGES.

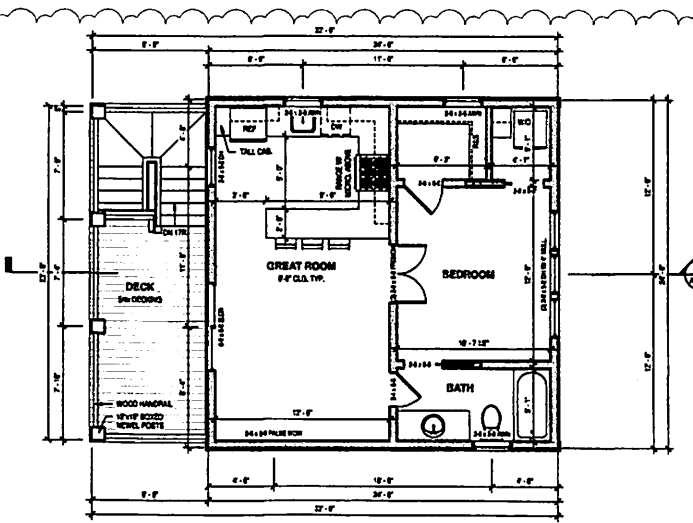
11. INSTALL ROOF TO WALL VENTS (COR-A-VENT ROOF-3 WALL VENT OR EQUAL) WHERE INDICATED ON DRAWINGS.



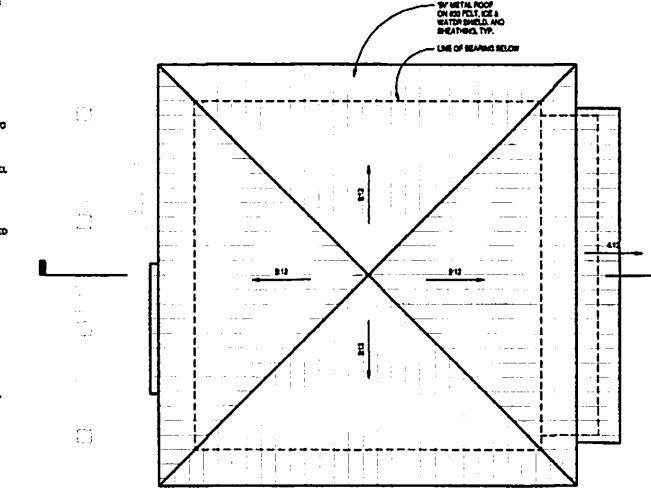
1. FIRST FLOOR PLAN
1/4" = 1'-0"



2. FOUNDATION PLAN
1/4" = 1'-0"



3. SECOND FLOOR PLAN
1/4" = 1'-0"



4. ROOF PLAN
1/4" = 1'-0"

Bay Creek
Lot 118

10750 Woodloch Road, Suite 100, Fairfax, VA 22031

(703) 261-1234

www.sommerdesignstudios.com

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SOMMER DESIGN STUDIOS

ARCHITECTS AND INTERIORS

1001 N. 1st St., Suite 100
Tampa, FL 33602
813.251.1001

It is the responsibility of the architect to provide the following notes regarding any construction.

1. Contractor or builder must verify all dimensions prior to construction.
2. Contractor or builder must verify all building codes and regulations in the area where the project is to be constructed.
3. Contractor or builder must verify the existing load bearing capacity of the roof and of the foundation and shall verify the structural integrity of the existing structure prior to construction.

If any of the above conditions are not to be met, the architect shall be notified in writing prior to the construction of the project. The architect shall be responsible for the structural integrity of the project and shall be responsible for the structural integrity of the project and shall be responsible for the structural integrity of the project.

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DRAWN BY:

6/13/18

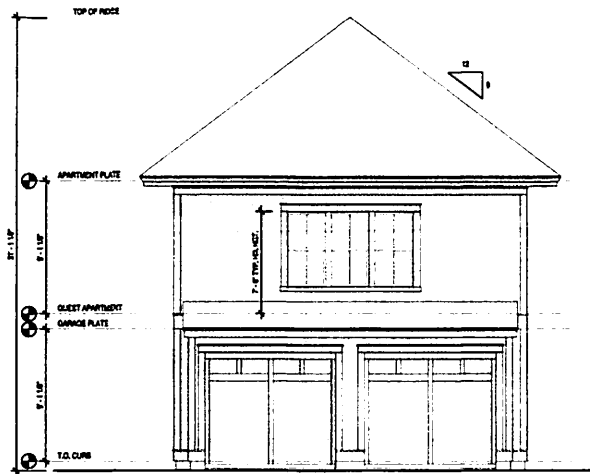
CHECKED BY:

6/13/18

FOR CONSTRUCTION

6/13/18

REVISIONS:



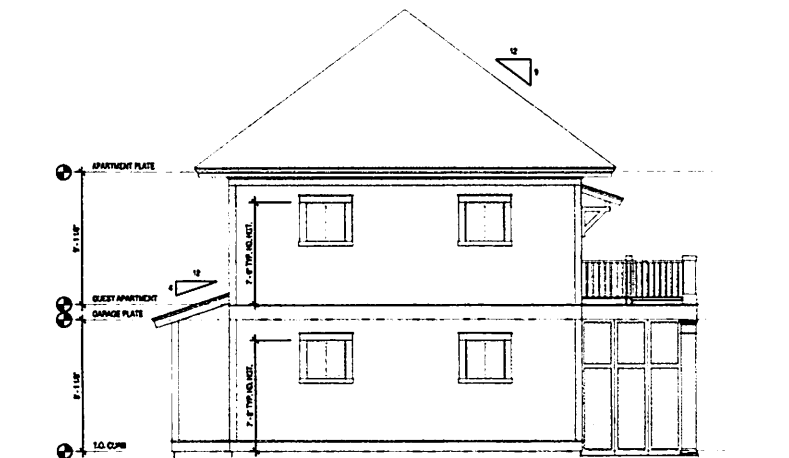
A FRONT ELEVATION
1/4" = 1'-0"



B LEFT ELEVATION
1/4" = 1'-0"



C REAR ELEVATION
1/4" = 1'-0"



D RIGHT ELEVATION
1/4" = 1'-0"

Bay Creek

Lot 118

Lape, Charlotte,
Virginia

A2.01

EXTERIOR ELEVATIONS

SOMMER DESIGN STUDIOS

ARCHITECTURAL AND PLOT PLAN MARKING

10/27/2017 10:00 AM 11/15/2017 10:00 AM

It is the responsibility of the architect to indicate the following before beginning any construction:

1. Contractor or builder must verify all dimensions prior to any construction.
2. Contractor or builder must verify all dimensions prior to any construction.
3. Contractor or builder must verify all dimensions prior to any construction.
4. Contractor or builder must verify all dimensions prior to any construction.

If any of the above conditions are not to be met, the architect shall be notified for the necessary corrections to ensure compliance prior to any additional construction on the non-compliance area.

No change or deviation is to be made or any portion as an effect the structural integrity of the project as shown in the construction documents without prior written approval from Sommer Design Studios, L.L.C.

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DRAWN BY:

EAD

CHECKED BY:

6/13/18

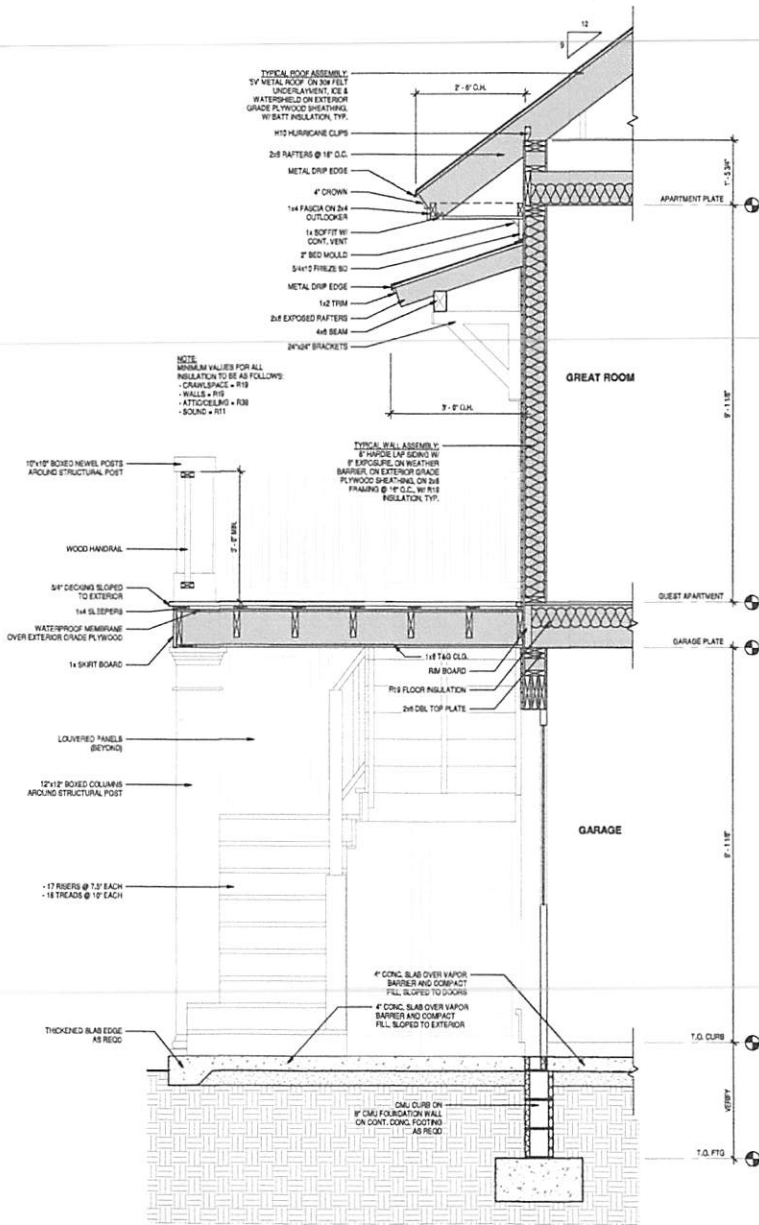
RELEASES:

Bay Creek

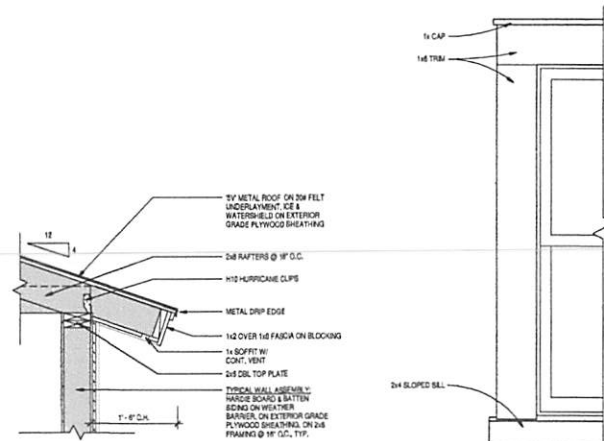
Lot 118

Cape Charles,
Virginia

A3.01
BUILDING SECTIONS &
DETAILS

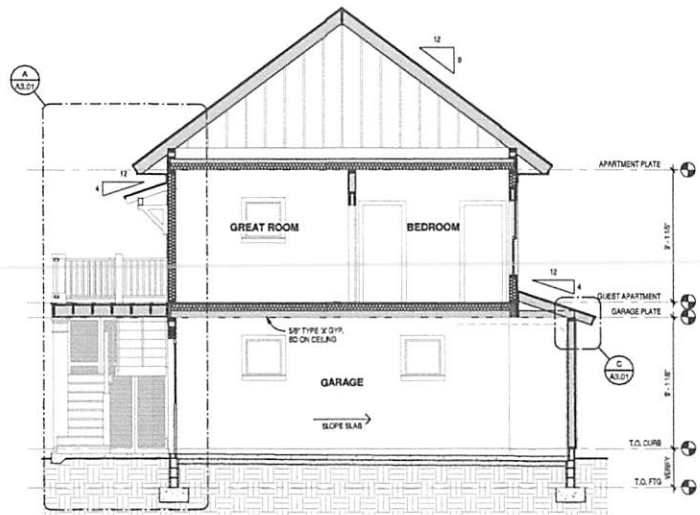


A WALL SECTION @ DECK
A3.01 3/4" = 1'-0"



C CORNICE DETAIL @ SHED ROOF
A3.01 1" = 1'-0"

D TYPICAL DOOR/WINDOW TRIM
A3.01 1 1/2" = 1'-0"



B BUILDING SECTION
A3.01 1/4" = 1'-0"

SOMMER DESIGN STUDIOS

ARCHITECTURE AND INTERIORS

10150 Woodbine Road, Suite 100, Woodbridge, VA 22191

TEL: 703-595-1234 FAX: 703-595-1235

It is the responsibility of the customer to maintain the following before beginning any construction:

1. Customer or builder must verify all dimensions prior to any construction.
2. Customer or builder must verify that all load bearing walls and columns are in the same place as shown on the drawings.
3. Customer or builder must verify the existing load bearing capacity of the wall or the construction on floor joists prior to any construction.

If any of the above conditions are not in accordance with the drawings, the customer must be notified by the architect prior to any construction. No changes or alterations are to be made to the project as it is in effect the structural integrity of the project as shown in the construction documents is being put at risk. The customer must verify the dimensions of the project prior to any construction.

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DRAWN BY: JAS

CHECKED BY: JAS

FOR CONSTRUCTION: 6/13/18

REVISIONS:

Bay Creek

Lot 118

Cape Charles,
Virginia

E1.01

ELECTRICAL PLANS

ELECTRICAL SYMBOL KEY

	LIGHT FIXTURE - CEILING MOUNTED		LIGHT SWITCH - SINGLE
	LIGHT FIXTURE - WALL MOUNTED		LIGHT SWITCH - 3-WAY
	LIGHT FIXTURE - RECESSED CAN		DUPLEX RECEPTACLE (OUTLET)
	CEILING FAN/LIGHT		DUPLEX RECEPTACLE - GROUND FAULT INTERRUPTER
	EXHAUST FAN		DUPLEX RECEPTACLE - WATER PROOF
	SMOKE/CO DETECTOR		DUPLEX RECEPTACLE - 220V
	FIRE EXTINGUISHER		DUPLEX RECEPTACLE - FLOOR MOUNTED
			DUPLEX RECEPTACLE - GARAGE DOOR OPENER

ELECTRICAL NOTES:
- THESE ELECTRICAL PLANS ILLUSTRATE SUGGESTED LIGHT FIXTURE LAYOUTS IN A DIAGNOSTIC MANNER. CANNOT MONITOR DETECTIONS AND OTHER CODE REQUIRED ELECTRICAL ITEMS ARE NOT INDICATED ON THESE PLANS. ELECTRICAL CONTRACTOR SHALL WORK WITH OWNER TO DEVELOP A DETAILED CODE COMPLIANT ELECTRICAL PLAN.

- MINIMUM RECEPTACLE LOCATIONS ARE INDICATED ON THESE PLANS. ELECTRICAL CONTRACTOR TO PROVIDE ADDITIONAL RECEPTACLE LOCATIONS AS REQUIRED TO MEET CODE.

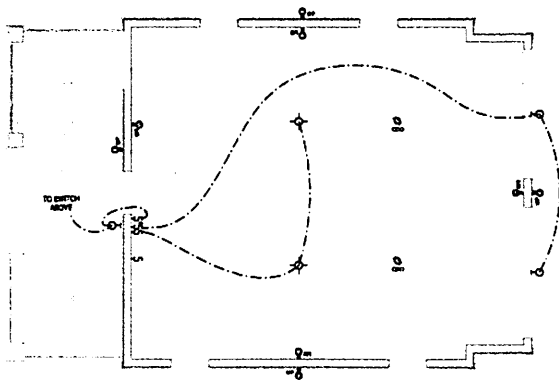
- VERIFY LOCATIONS OF OUTLETS MOUNTED IN EXTERIOR WALLS AND OVERHEADS FOR LIGHT FIXTURES IN OWNER.

- VERIFY LOCATIONS OF FLOOR OUTLETS, DIMMERS, AND EXTERIOR FLOOD LIGHTS IN OWNER.

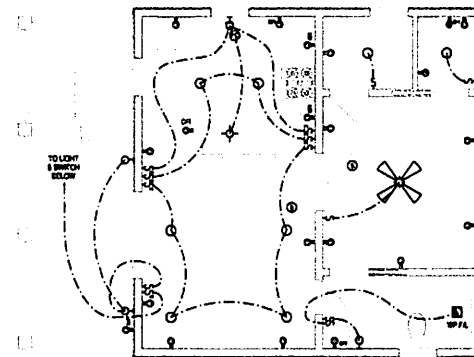
- VERIFY TV PLACEMENT LOCATIONS FOR ELECTRICAL OUTLETS IN OWNER.

- PROVIDE UNDER-CABINET LIGHTS AND SWITCHES IN KITCHEN FOR OWNER.

- REVIEW ALL ELECTRICAL FIXTURE LOCATIONS AND ELECTRICAL SYSTEMS DESIGN IN OWNER.



A FIRST FLOOR ELECTRICAL PLAN
1/4" = 1'-0"

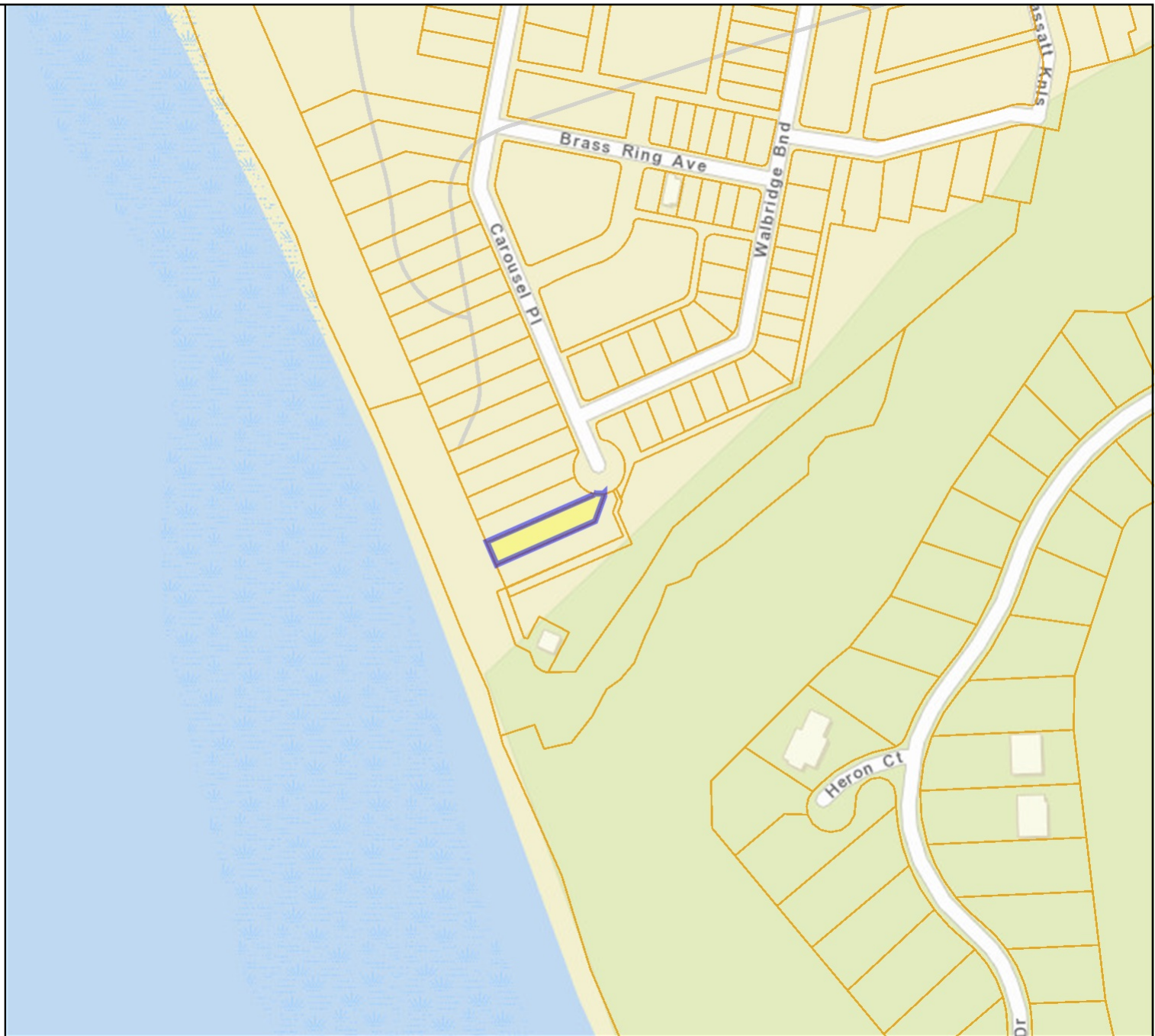


B SECOND FLOOR ELECTRICAL PLAN
1/4" = 1'-0"

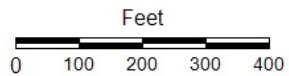
Northampton County, Virginia

Legend

- Parcels
- Driveways



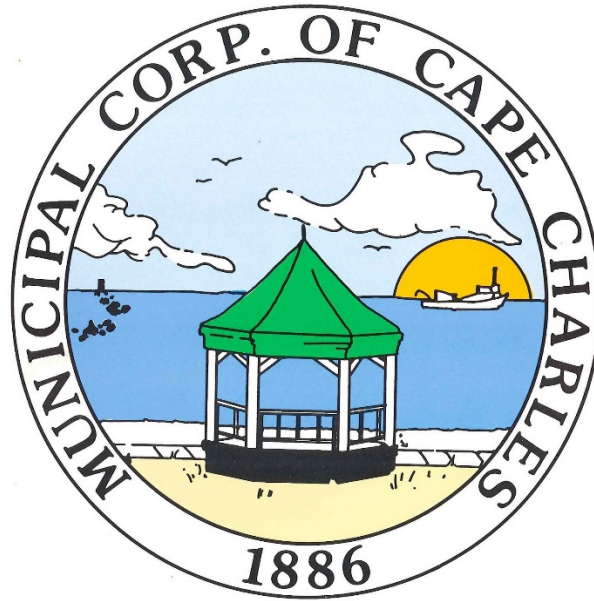
Map Printed from Northampton
<http://northampton.mapsdirect.net/>



Title: 636 Carousel Place

Date: 11/25/2019

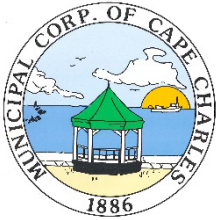
DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.



Consent

Agenda Items

#7B-7D



DRAFT
TOWN COUNCIL
Public Hearing, Regular Meeting & Executive Session
Cape Charles Civic Center
January 16, 2020
6:30 PM

At approximately 6:30 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Public Hearing, Regular Meeting & Executive Session of the Town Council. In addition to Vice Mayor Bennett, present were Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway. Mayor Dize was not in attendance. Also, in attendance were Treasurer Deborah Pocock, Capital Projects Manager Bob Panek and Town Clerk Libby Hume. There were eight members of the public in attendance.

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

PUBLIC HEARING COMMENTS:

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

Motion made by Councilman Grossman, seconded by Councilman Bannon, to close the Town Council Public Hearing. The motion was approved by unanimous vote.

RECOGNITION OF VISITORS / PRESENTATIONS / RECOGNITIONS:

A. Recognition of Town Employee Celebrating Significant Anniversary

Vice Mayor Bennett recognized Police Chief Jim Pruitt for ten years of service to the town effective January 4, 2020 and presented Chief Pruitt with a certificate of appreciation.

PUBLIC COMMENTS:

Town Clerk Libby Hume read a letter submitted by Mark Usry of 117 Strawberry Street into the record. (Please see attached.)

There were no comments to be heard nor any other written comments submitted prior to the meeting.

APPEAL OF HISTORIC DISTRICT REVIEW BOARD DECISION – 102 MADISON AVENUE:

Since Town Planner Zach Ponds was not in attendance, Vice Mayor Bennett opened the floor to Council for any questions or comments. Councilman Grossman stated that the conditions in the initial staff report to the HDRB were different than the conditions on the current staff report to Council. The current conditions were the ones detailed in the current staff report: i) the deck to be replaced with painted tongue and groove wood; ii) the existing guardrails, spindles and columns be maintained; iii) the masonry block be maintained; and iv) the handrail be on the inside of the masonry.

The appellants were not in attendance.

Chairman Kerry Shackelford represented the HDRB in the proceedings and read the HDRB's justifications for their decisions. (Please see attached.)

Motion made by Councilman Grossman, seconded by Councilman Bannon, to uphold the Historic District Review Board's decision. The motion was approved by unanimous vote.

CONSENT AGENDA:

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. December 19, 2019 Public Hearing, Regular Meeting & Executive Session
 - ii. January 2, 2020 Strategic Planning Session

- C. Approval of November 30, 2019 Financial Report
- D. Monthly Department Reports
- E. Set Public Hearing for Conditional Use Permit for 333 Madison Avenue
- F. Set Public Hearing for Conditional Use Permit for 636 Carousel Place

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the Consent Agenda as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

A. Conditional Use Permit Application – 501 Tazewell Avenue:

Vice Mayor Bennett stated that the subject property had an existing single-family detached home with an accessory structure that was currently used for storage. There were two parking spaces which were accessed from the rear of the property by an alley. The application wanted to convert the first story of the accessory structure into an accessory dwelling unit, with storage located on the second half-floor. The applicant proposed to build a bedroom, bathroom and kitchenette and had stated that they would possibly rent out the main house or use the accessory dwelling as a guest house. No changes were proposed to the exterior of the accessory structure. The Planning Commission recommended Council approval of the conditional use permit as submitted.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve a Conditional Use Permit for 501 Tazewell Avenue for an accessory dwelling unit as presented. The motion was approved by unanimous vote.

B. Conditional Use Permit Application – 316B Mason Avenue:

Vice Mayor Bennett stated the following: i) The subject property was an existing commercial building on Mason Avenue with a commercial space on the first floor (suite A) and an office/studio on the second floor (suite B). Suite A had an entrance located on Mason Avenue and another door exiting from the rear of the property which could be accessed from a gravel driveway off Randolph Avenue and a gravel driveway off Mason Avenue. Suite B's entrance was from the rear of the property only; ii) The applicant wished to convert the second-floor office/studio into an apartment. The current tenant would continue to rent the space for use as an art studio but also wanted to live in the space; iii) The applicant would add a kitchen and a shower to the existing bathroom; iv) There was one parking space provided in the rear of the property; and v) The Planning Commission recommended Council approval of the conditional use permit as submitted.

Councilwoman Burge noted a contradiction in the staff report which stated that there was not a right-of-way allowing access to the rear of the property, but that there was an ingress-egress easement.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve a Conditional Use Permit for 316B Mason Avenue to allow a residential dwelling unit above commercial use as presented. The motion was approved by unanimous vote.

C. Proposed Zoning Ordinance Text Amendments – Article II, Section 2.9:

Vice Mayor Bennett stated two new definitions were proposed for Zoning Ordinance Article II, Section 2.9 regarding "Hardship" and "Variance." These definitions were discussed by Council at a previous meeting. A public hearing was held on December 19, 2019 as required.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the proposed text amendments to Zoning Ordinance Article II, Section 2.9 as presented. The motion was approved by unanimous vote.

D. Cape Charles Community Trail, Phase 3:

Capital Projects Manager Bob Panek stated the following: i) Two bids were received and opened on November 26, 2019; ii) Excel Paving was the low bidder at \$722,226, but was disqualified by VDOT due to failing to submit all the required documents; iii) Conrad Brothers was the second

bidder at \$1,041,851, which was \$120,343 higher than the bid from Excel; and iv) With the current numbers, the budget shortfall was \$162,497.

There was much discussion regarding the budget amount and funding the shortfall. Bob Panek stated that the scope of work could be reduced with the elimination of some of the light posts and increasing the lumens on others. Some of the funding budgeted for the payout of phase 2 of the project could be used for this phase since it was unlikely that phase 2 would be finalized in this fiscal year. It was agreed that more information and discussion was necessary prior to awarding the contract. Bob Panek would contact Conrad Brothers to determine whether they would be willing to extend the bid deadline. Delay in the contract award would hinder the ability to complete the project prior to the start of the busy season.

Council agreed to defer this decision until after the mid-year budget review scheduled for February 6.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to revisit this issue looking at the scope of work, pricing, budget transfers, etc. after the mid-year budget review. The motion was approved by unanimous vote.

E. Inner Harbor Rehabilitation & Improvements:

Bob Panek stated the following: i) This project was to install a concrete sidewalk at the harbor and was a relatively simple job. The sidewalk would be adapted to VDOT specifications; ii) The electrical pedestals would not be reinstalled. They would be replaced with two simple 30W and 50W receptacle boxes on poles which would be plumbed underneath the sidewalk. The harbor crew would lay out the PVC conduit and the Town would contract with local electricians and plumbers to complete the job; iii) The light poles will be the same as those used on the trail project, along Mason Avenue and at the Strawberry Street Plaza; iv) A separate invitation for bids would be advertised; v) The benches would be the same as those Cape Charles Main Street purchased for the Strawberry Street Plaza; and vi) If there were funding issues, the lights and benches could be deferred to save almost \$40K.

Motion made by Councilman Grossman, seconded by Councilwoman Burge, to approve the funding for Phases 1 to 3 contingent on the budget transfer. The motion was approved by unanimous vote.

F. FY 2020 Capital Project Budget Transfer Request:

Treasurer Deborah Pocock stated that although the town manager was authorized by the budget resolution to transfer funding between accounts, the Town's procurement policy required Town Council approval for capital expenditures with a cost greater than \$50K. This project included paving the parking lot turnaround at the Harbor, replacement of the inner harbor walkway, replacement of broken electric and water pedestals, new area lighting and benches.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve a budget transfer of \$128K from the FY 2020 capital budget set aside for work on the second and third floors of the library to the Inner Harbor Rehabilitation Project. The motion was approved by unanimous vote.

NEW BUSINESS:

A. 2020 Elderly & Handicapped Tax Relief Code Update:

Deborah Pocock stated that the Town provided assistance in the form of real property tax credits to qualified persons who were elderly or physically disabled. Applicants must meet certain income and health status substantiations. In 2019, Northampton County increased the maximum combined income for married applicants from \$22K to \$25K. The Town generally followed suit with such tax matters. If Council was agreeable to updating the Town's requirements, an ordinance would need to be adopted to update Town Code section 66-118. In addition to this change, there were a number of typographical errors in the language that needed to be corrected.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Ordinance 20200116 Updating the Elderly & Handicapped Individual Tax Relief Code. The motion was approved by unanimous vote. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

B. *Proposed Lease of Space on Water Tower:*

Vice Mayor Bennett stated that Neubeam purchased Eastern Shore Communications (ESC) in 2019 and would be taking over the wireless internet services of Chesapeake Bay Communications (CBC) in January 2020. On January 9, 2020, Mayor Dize signed a letter of intent with Neubeam to continue service without interruption until a new lease agreement could be approved by Council. The new lease would combine the leases with ESC and CBC. Neubeam would be paying an annual fee to place their antennae on the water tower and provide wireless internet services to all town-owned facilities with the exception of the Town Hall which would be serviced by Charter Communications. A public hearing was held earlier this evening and no comments were heard.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve execution of the lease agreement with Neubeam as presented.

Councilwoman Burge noted the terms of the lease agreement as five years, with quarterly payments totaling \$2,400 per year, provision of internet services to the town's facilities. The town's facilities would not be without internet service.

The motion was approved by unanimous vote.

MAYOR AND COUNCIL COMMENTS

Councilman Bannon stated that the 28th Annual Epiphany Party would be held tomorrow evening at the Cape Charles Volunteer Fire Company. He invited all to bring their least favorite Christmas present to be auctioned. Proceeds of the auction would go to the Rosenwald School Initiative and the Cape Charles Museum. Chili, wine and beer would be provided. Guests were asked to bring a dish to share and money to spend on the auction. In past years, \$5K to \$8K was raised for local non-profits.

Councilman Grossman noted that the Planner's Staff Report stated that Zach Ponds had completed the University of Miami School of Architecture course and passed the Congress of New Urbanism Accreditation exam to become a CNU-A.

Councilwoman Burge commented as follows: i) She acknowledged Mark Usry's letter and asked for Council support to replace the willow tree and bench, and finding the story boards. She was sure they were around somewhere. She verified that there were two each of the watermen and meteor crater; and ii) Council needed to sharpen their pencils and be serious about the budget meeting. Council was seeing nearly every bid come in well over the estimates. The Town didn't have an unlimited amount of money to keep juggling. It made the setting and evaluation of priorities that much more important. Whatever Council chose to do, it needed to be completed to 100%. There were some tough decisions to be made regarding the Town Hall and library. As she remembered the walk-through wasn't particularly positive. The Town needed to come up with other facilities. Council couldn't keep pushing off the decision.

Councilwoman Holloway commented as follows: i) She also wanted to know how to address Mark Usry's requests to replant the tree and replace the bench. She asked about the story boards. Libby Hume mentioned that the meteor sign was removed due to its deteriorated condition. Jen Lewis was trying to locate information to have it recreated. Councilman Buchholz agreed that he had been trying to assist with the recreation of the story board. Councilwoman Burge asked that Jen Lewis contact her as she may be able to assist in some way; ii) She was glad to see that the strategic session date was finalized and asked that the information regarding the priorities set last year be included in the agenda packet for Council review to see what had been accomplished and determine whether any of the uncompleted items were still priorities; and iii) She wanted to go on record regarding VDOT's request for engineering plans for the reverse angle parking. It was an embarrassment in how long it had taken from the time of Council approval to move forward and application submittal to VDOT.

About four months were lost. What was the current timeline? Bob Panek stated that he had contacted Land Studio to provide a change order to make the changes proposed by VDOT and to comply with VDOT's requirement of having an engineer's seal on the plans.

Councilman Buchholz did not have any additional comments.

Vice Mayor Bennett did not have any additional comments.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, calling for a short recess before going into executive session. The motion was approved by unanimous vote.

The meeting recessed at 7:46 p.m. The members of the public and staff left the meeting.

At 7:54p.m. Vice Mayor Bennett called the meeting back to order.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:

Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Town Manager

Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Potential Lease of Real Property

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

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

Motion made by Councilman Grossman, seconded by Councilwoman Burge, to adjourn the Town Council Public Hearing, Regular Meeting and Executive Session. The motion was approved by unanimous vote.

The meeting adjourned at 7:55 p.m.

Vice Mayor Bennett

Town Clerk

Comments and Information Provided in Writing January 16, 2020 Town Council Public Hearing & Regular Meeting

Mark Usry, 117 Strawberry Street

Dear Members of the Cape Charles Town Council:

In writing this letter to you, I want to first thank you for the generous gift of your time in serving our community. I am also appreciative of the commitment and work of our town employees.

When I first came to Cape Charles in 1995, I was struck by several things: The idea that a potluck of 35-40 people could go from concept to reality in a matter of hours--that folks from here and who chose to come here would gather in the spirit of volunteerism and the desire to make a difference. At that time I also noticed the number of homes that had been 'casually maintained' for a number of years, the number of empty store fronts on Mason Avenue, and the space in the middle of town surrounded by a 6' high chain-link fence with 2 gates, both locked except when the space had to be mowed. Such a surprise to learn that space in the middle of town was labeled 'Central Park' on the original town plat. So much has changed.....

A group of wonderful folks worked tirelessly for the 10 years during the time I served as President of Citizens for Central Park from 2000-2010 to help the park become a reality and I commend those who still serve on that board.

A 50th Surprise Birthday, a Tree and a Bench

The initial money that allowed us to open the Citizens for Central Park checking account was raised in true Cape Charles fashion at a potluck/silent auction 50th birthday party for Ken A. Kuttler in 2000. At the birthday party we raised approximately \$1,000 as friends from many parts of Virginia and DC joined us at the St. Charles Parish Hall for the surprise event. The request that Ken had was for a weeping willow tree (his favorite tree) and a bench to be placed under it in Central Park.

When the park went 'under construction' after the Town received the 3rd alternative transportation grant through the federal government (with some matching money by the Town and Citizens for Central Park), Ken's tree was cut down and never replaced. I am not sure what happened to the bench.

Request Number 1: I would like to ask the Town of Cape Charles to pay for the cost of replacing the weeping willow tree and a bench. I ask the Citizens for Central Park Board to determine where the tree and bench will go. I ask to have sufficient notice to invite Ken to come for the planting and rededication of his tree. He does not know I am writing this letter.

The First of a Series of Grants

The alternative transportation grants were preceded by an initial grant that the Town of Cape Charles received through the Chesapeake Gateways Program to connect points of interest around the bay to one another and to stimulate tourism. The grant was to prepare several story boards to be placed around town. The writing of the text and placement of the signs was coordinated by Citizens for Central Park with the blessings of the Town Council.

The themes of the storyboards included: watermen, architecture, meteor crater, the Sustainable Technologies Park (now gone), passenger ferries and railroad. There were discussions about additional story boards that as far as I know were not ordered including: watermen and the fishing industry, The Rosenwald School, and agriculture.

We had enough money to buy two of each story board, the information was printed on a fiberglass board that slid into a metal frame (2 of them are still by the war memorial and one is on the east end of Central Park). The Sustainable Technologies storyboard was removed when the property was sold. The meteor storyboard was located near where the 'LOVE' sign is at the beach, it seems to have disappeared.

For years the second copy of each one was stored behind the cabinet that held maps, large photos, and floor plans for several things (including the gazebo in the park, and Leon Parham's initial design that he drew for the park). This cabinet was in the southwest corner of what used to be the old town council chambers on the second floor of Town Hall. In meetings with folks at Town Hall this past August no one seems to know what happened to the second copy of each storyboard.

The total grant was for \$15,000 and as I recall each storyboard cost about \$1,000. The metal frames were installed by Ken Kuttler and Steve Hairfield.

Request Number 2: I would like to ask Town Council ask Town employees to find the missing to metal frames. I ask that the second copies of each of the storyboards be located or remade. I ask that the meteor crater storyboard be re-installed at the beach near the 'LOVE' sign.

I continue to be impressed by the continued growth, progress and development of Cape Charles. The number of visitors, the growth of businesses and the increasing interest of developers and individuals from so many locations who have decided to make this beautiful little village their home are a testament to our success. As these wonderful changes occur, it can be easy to lose the trail of our past and the commitment of many who invested and committed themselves to build and take a chance on a place that had experienced many challenges and difficulties. Our community has succeeded in significant part because of these early investments. Acknowledging and stewarding this past is important in linking our progress to the future, and in continuing to demonstrate our appreciation to those individuals, groups and agencies who invested to establish the foundation on which the current successes of Cape Charles are built.

Thank you for your time, consideration and action to grant these two requests. I want to say thank Chris Bannon, who was one of the first Citizens for Central Park board members and Cela for her support in the initial and subsequent grant writing and all aspects of the Citizens for Central Park Board's work.

Sincerely,

Mark L. Usry
117 Strawberry Street
Usryml@gmail.com and 757-331-0798

Kerry Shackelford, Chairman of the Historic District Review Board

Zach Ponds

Town of Cape Charles

102 Madison Renovations

1/16/20

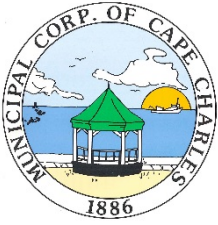
The application for the porch renovations at 102 Madison was denied as presented based on the following sections in the guidelines.

1. Pg. 19, #2 "The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided"
2. Pg. 19, #5 "Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved".
3. Pg. 19, #6 "Deteriorated Historic features shall be repaired rather than be replaced. Where the severity of the deterioration requires replacement of a distinctive feature, the new shall match the old in design, color, texture and other visual qualities and where possible materials".
4. Pg. 44, #1 "Retain porches that are critical to defining a specific building design and the integrity of the overall Cape Charles district".
5. Pg. 44, #3 "Repair damaged elements of porches by matching the materials, methods of construction and details of the existing original fabric".

The Rusticated Stone buttresses on the steps are a defining feature to this home and define a specific building design found in the town. The stone can be repaired and does not appear to have a structural issue. The removal of wood columns, flooring, and railings are also defining features and important to the overall design and appearance of the porch. A redesign of the porch steps and handrails would alter these defining features. The preservation of this historic material is important to maintaining the overall historic nature of the structure.

Kerry Shackelford

HDRB



DRAFT **TOWN COUNCIL**

Executive Session
Cape Charles Civic Center
January 22, 2020
6:30 PM

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Executive Session of the Town Council. In addition to Mayor Dize, present were Vice Mayor Bennett, Councilmen Bannon, Buchholz and Grossman, and Councilwomen Burge and Holloway.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, and unanimously approved to go into Closed Session in accordance with Section 2.2-3711-A of the Code of Virginia of 1950, as amended for the purpose of:

Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Town Manager Interview

Motion made by Councilwoman Burge, seconded by Councilman Grossman, to return to Open Session. The motion was unanimously approved.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Roll call vote: Bannon, yes; Bennett, yes; Buchholz, yes; Burge, yes; Grossman, yes; Holloway, yes.

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

The meeting adjourned at 8:51 p.m.

Mayor Dize

Town Clerk

December 2019 Treasurer's Report

Page 1 – Cash Position

- \$800,000 in tax receipts was transferred to the interest-bearing money market account.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- Trail Project Phase 3 expenses were \$555.
- \$2,011 was paid for stormwater drain repairs.

Page 4 – Tax Collection Rate

- No comments

Page 5 – Tax Revenue Trends

- It appears that the new regulations for recreational striped bass fishing may have adversely affected the Harbor's December performance.
- Transient Occupancy, Sales and Meals taxes continue to steadily increase.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
December 31, 2019

<u>Cash on Hand</u>	<u>11/30/2019</u>	<u>12/31/2019</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$1,168,922	\$791,566	-\$377,356
Atlantic Union Bank Money Market Account	\$980,594	\$1,782,073	\$801,479
LGIP Account 1 - Unrestricted	\$103,321	\$103,473	\$153
LGIP Account 2 - Unrestricted	\$298,761	\$299,247	\$486
Total Cash On Hand	\$2,551,597	\$2,976,360	\$424,762

<u>Restricted and Reserved Cash Balances</u>	<u>11/30/2019</u>	<u>12/31/2019</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Savings Account - Facility Fees Rsrvd (Utilities)	\$783,893	\$784,091	\$198
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loans	\$29,643	\$29,643	\$0
PNC SNAP Account- 2013 Bond Proceeds - Principal	\$544,367	\$544,367	\$0
PNC SNAP Account- 2013 Bond Proceeds - Interest	\$44,736	\$45,653	\$917
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$2,687	\$2,716	\$29
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,909	\$258,179	\$271
Wells Fargo 2010 Debt Service pass through account #300	\$2,853	\$2,857	\$4
Wells Fargo 2010 Debt Service pass through account #308	\$638	\$639	\$1
Total Cash Held in Reserve	\$1,667,157	\$1,668,576	\$1,420
Total Cash - All Accounts	\$4,218,754	\$4,644,936	\$426,182

DEBT SERVICE

Net Debt as of Current Reporting Month End \$7,329,255

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

December 31, 2019

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	PRIOR YEAR-TO-DATE	CURRENT YEAR-TO-DATE	INCREASE/ (DECREASE) YTD	ANNUAL BUDGET	% REALIZED/ EXPENDED FY19
GENERAL						
REVENUE - Operating	\$545,356	\$1,993,568	\$2,175,134	\$181,565.85	\$3,580,706	60.75%
EXPENDED - Operating	\$181,623	\$1,143,532	\$1,216,665	\$73,133.25	\$2,805,563	43.37%
NET	363,733	850,036	958,469	108,433	775,143	
REVENUE - CAPITAL GRANTS & LOANS	0	22,402	2,042	(20,360)	813,867	0.25%
EXPENDED - CAPITAL PROJECTS & DEBT SVC	9,975	353,874	202,813	(151,062)	1,589,010	12.76%
TOWN CONTRIB. & PENDING GRANTS	(9,975)	(331,472)	(200,770)	130,702	(775,143)	
PUBLIC UTILITIES						
REVENUE - Operating	140,330	813,151	865,531	52,380	1,689,134	51.24%
EXPENDED - Operating	87,246	476,613	388,371	(88,241)	1,146,690	33.87%
NET	53,084	336,538	477,160	140,621	542,444	
REVENUE - CAPITAL GRANTS, LOANS, & FACILITY FEES	11,200	63,600	173,668	110,068	169,600	102.40%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	11,200	357,728	372,062	14,334	712,044	52.25%
TOWN CONTRIB. & PENDING GRANTS	0	(294,128)	(198,395)	95,733	(542,444)	
HARBOR						
REVENUE - Operating	24,187	381,137	394,400	13,263	1,060,080	37.20%
EXPENDED - Operating	42,487	382,757	393,921	11,164	692,473	56.89%
NET	(18,300)	(1,620)	479	2,099	367,607	
REVENUE - GRANTS & LOANS	18,803	20,906	18,803	(2,104)	375,765	5.00%
EXPENDED - Capital Projects, Debt Svc	0	56,658	97,108	40,450	743,372	13.06%
TOWN CONTRIB. & PENDING GRANTS	18,803	(35,752)	(78,306)	(42,554)	(367,607)	
SANITATION						
REVENUE	16,681	97,381	101,196	3,814	214,546	47.17%
EXPENDED	17,282	80,831	98,719	17,888	214,546	46.01%
NET	(601)	16,551	2,477	(14,074)	0	

FY 2020 Capital Improvement Project Tracking Report

As of:
12/31/2019

	FY20 Status or Start Date	Percent of Completion	FY20 Budgeted	FY20 QTR 1 Expended	FY20 QTR 2 Expended	FY20 QTR 3 Expended	FY20 QTR 4 Expended	FY20 YTD Expended	(Over)/Under Budget
General Fund									
Wayfinding Signs	Pending	0%	\$ 68,000	\$ -	\$ -	\$ -	\$ -	\$ -	68,000
Parking lot Improvements - Strawb St Plaza	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Repair Exterior of Library Building Phase 2 Library Upper Floor office study and prep; ADA entrances, water damage repair and ventilation at Municipal Center, cost overrun for library exterior work, \$31,655.	Complete	100%	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	50,000	-
	Library exterior excess, remainder of list pending	11%	\$ 300,000	\$ 33,665	\$ -	\$ -	\$ -	33,665	266,335
Beach Sand Replenishment	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	20,000
Fishing Pier Upgrade Phase 1	Pending		\$ 10,000	\$ -	\$ -	\$ -	\$ -	\$ -	10,000
Storm Drain CCTV & Mapping	Pending Final Report	46%	\$ 30,000	\$ -	\$ 13,856	\$ -	\$ -	\$ 13,856	\$ 16,144
	Completed FY19, but sidewalk was damaged	3%	\$ 200,000	\$ 5,000	\$ -	\$ -	\$ -	5,000	195,000
Multi- Use Trail phase 3 Construction	Engineering	1%	\$ 750,000	\$ -	\$ 7,149	\$ -	\$ -	\$ 7,149	\$ 742,851
FY19 Rebuild Entrance to Tazewell Alley & Park Row	Complete	100%	\$ 10,930	\$ 10,929	\$ -	\$ -	\$ -	10,929	0
subtotal			\$ 1,448,930	\$ 99,594	\$ 21,005	\$ -	\$ -	\$ 120,600	\$ 1,328,330
Water Fund									
No projects budgeted		#DIV/0!	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
subtotal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
Sewer Fund									
4 New Mixers (Upgrades)	Complete	100%	\$ 30,000	\$ -	\$ 31,936	\$ -	\$ -	31,936.00	(1,936)
Odor Reduction at Mason & Bay Ave	Pending	0%	\$ 13,000	\$ -	\$ -	\$ -	\$ -	\$ -	13,000
Washington Ave Pump Station Upgrade Phase I - electrical	Pending	100%	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	30,000
subtotal			\$ 73,000	\$ -	\$ 31,936	\$ -	\$ -	\$ 31,936	\$ 41,064
Harbor Fund									
Inner Harbor Rehab.	In Process	17%	\$ 125,000	\$ 15,475	\$ 5,825	\$ -	\$ -	21,300	103,700
In-shore Breakwater/Wave Attenuator	Engineering	5%	\$ 500,000	\$ 24,250	\$ 2,240	\$ -	\$ -	26,490	473,510
Wi-Fi Upgrade & Server	In Process	14%	\$ 7,500	\$ -	\$ 1,019	\$ -	\$ -	1,019	6,481
Shade Sail	Pending	0%	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -	8,000
Fuel Pump Repair/Upgrade from FY19 FWD	Complete	100%	\$ 47,897	\$ 47,897	\$ -	\$ -	\$ -	47,897	-
subtotal			\$ 688,397	\$ 87,622	\$ 9,084	\$ -	\$ -	\$ 96,706	\$ 591,691
Sanitation Fund									
Trash Can Replacements	225 cans received, paid for in Jan.	50%	\$ 10,042	\$ -	\$ -	\$ -	\$ -	\$ -	10,042
subtotal			\$ 10,042	\$ -	\$ -	\$ -	\$ -	\$ -	10,042
TOTAL			\$ 2,220,369	\$ 187,217	\$ 62,025	\$ -	\$ -	\$ 249,242	\$ 1,971,127

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT

MUNICIPAL CORPORATION OF CAPE CHARLES
December 31, 2019

YTD 2019 Real Estate Tax Collections

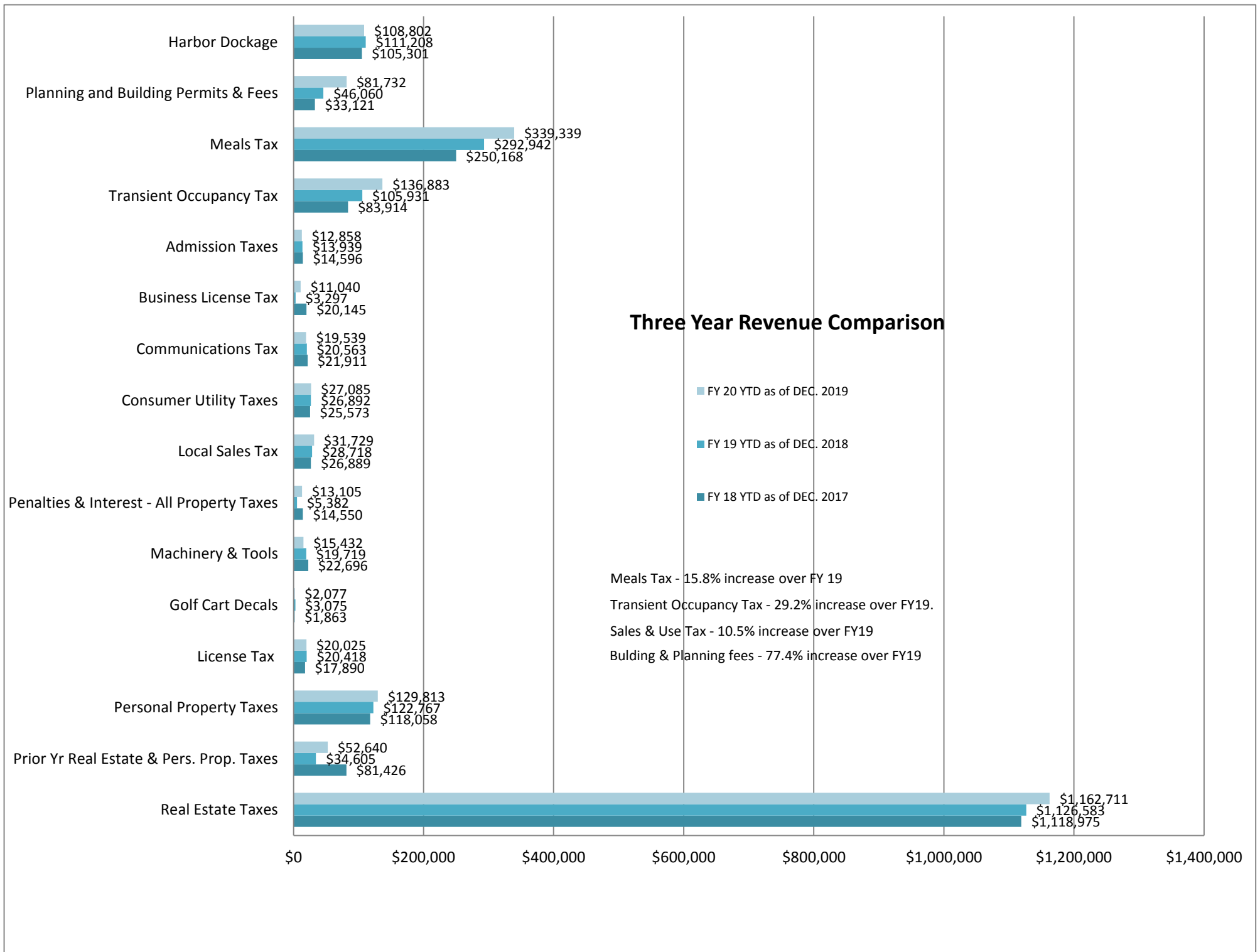
Total Taxable Land Value	\$	160,149,400	
Total Improvement Value	\$	260,882,300	
Exemptions	\$	(5,731,435)	
Additional Assessments (SCC Utility)	\$	3,672,005	
Total Real Estate Value (taxable)	\$	418,972,270	
Total Budgeted	\$	1,155,000	
Total Tax Billed	\$	1,233,840	
Total Adjustments	\$	(1,746.43)	
Total Collected YTD (percent of billed)	\$	<u>1,162,711</u>	94%
Amount Due per Accounts Receivable	\$	69,382.33	

**YTD 2019 Personal Property Tax, Machinery and Tools Tax
& 2019 License Tax Collections**

Total Personal Property Value	\$	14,452,600	
2019 Initial Assessment Exonerations	\$	(154,500)	
Personal Property Value, billed	\$	14,298,100	
Total Budgeted	\$	130,000	
Total Tax Billed less PPTRA	\$	213,122	
Total Adjustments & Additional Exonerations	\$	(6,831)	
Total Collected YTD (percent of billed)	\$	<u>165,270</u>	80%
Amount Due per Accounts Receivable	\$	41,020.25	

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

Total Budgeted	\$	154,500	
Total Collected (percent of budget)	\$	<u>65,745</u>	43%
Amount Due Per Budget	\$	88,755	



Code Enforcement

Month of January FY20

Building Permits Issued/Permit Fees Collected:

Permits this month: 49

Permits this year: 284

Total construction this month: \$1,132,168 Total construction this year: \$9,308,738

Permit fees this month: \$23,885.13 Permit fees this year: \$283,847.18

Connection & Facility Fees this month: \$12,350

Connection & Facility Fees this year: \$197,600

Fire Dept. levy this month: \$906.98 Total Fire Dept. levies this year: \$6,554.90

Miscellaneous Revenue: \$0

Grass cutting enforcement: 0

Grass cutting: 0

Other items of note:

1. Completed **124** inspections
2. Completed 3 courtesy residential inspections
3. Conducted 6 courtesy commercial inspection
4. Conducted 28 E & S control inspections
5. Conducted 0 commercial plan reviews for Erosion and Sedimentation Control.
6. Completed 2 residential plan reviews
7. Completed 1 commercial plan review
8. Staff has had numerous inquiries regarding new construction and renovation regulations throughout the town.
9. Staff is continuing the process of scanning older documents to the cloud and destroying the paper copies to make room in the office for upcoming projects.
10. Staff issued a permit for a new home in Heron Pointe.
11. Staff issued a permit for a new home in the Historic District.
12. Jeb was off January 6-9, 2020.
13. Town has rented a wide format scanner in order to scan larger plans and get them digital so that we can purge older documents.
14. Staff has received plans for a new home in the Colony.
15. Staff has received plans for a new home in the Historic District.
16. Working on a FOIA request received for information on a new home being built.

Community Relations

February 2020

Finalized the contract for cleaning services and an ad was placed last week. Three inquiries have been made that would like to place a bid.

Applications for non-profits have been completed and will be mailed out this week. As of February 13, 2020 we have not received any returned applications.

Provided an article for the Gazette to notify the public of a pickleball league in the Spring that will utilize both courts two nights a week for eight weeks.

There were about 30 people in attendance for the Farmer's Market Roundtable. The biggest topic of discussion was time, day and location. The decision was made to hold the Farmer's Market on Wednesday evening from 5-8 p.m. with live music in Strawberry Plaza to market a night out in Cape Charles. Staff is now working on rules, regulations and an application. Since the meeting we received a call from Eyre Baldwin offering the concrete slab at the Ferry Docks for the Farmer's Market. The information has been forwarded to the group for input but only one person has responded at this time.

Attended Civility Training.

Have begun working on the budget for Fiscal year 2020-21.

Tracy and Jen coordinated a farewell breakfast for Zach Ponds on February 13, 2020.

Finished candy bouquets and scheduling staff to deliver to all the residents of Heritage Acres. Staff normally tries to do something for the residents around Christmas but decided to do something a little later in the year.

Met with Kim Southern from CBES regarding the Between the Waters Bike Tour. The tour would like to come through Cape Charles this year with a rest area being located at the LVOE sign. I provided her with

Town Harbor Town Council Report

January 2020

The weather during the month of January has been very favorable, working outside on many projects all to be completed before the crab rush. First boat club will arrive as early as April 20th, we are book solid every holiday and every weekend, have several clubs interested and working on reservations for the remaining weekends. Have also booked 3 different outings past Labor Day weekend into October.

Items of Interest:

1. Annual rate survey complete, created new 2020/21 forms, updated rules and regulations all to be mailed to current slip holders and included February billing cycle to all harbor users.
2. Rob with REZ Electric has completed the repair of the electrical short on the floating dock. The harbor staff installed the splice box adjacent to the harbor safety dock box on the west end of the boardwalk and worked hard to assist in installing new cable in transformer. Addressed a couple of other issues needed to farther protect the existing wiring.

Maintenance/Repairs:

1. The force main sewage system for the harbor office has been installed by public works and myself with staff. The harbor office has been replumbed, the laundry facility has been rough plumbed and the fixed pump out system has been plumbed directly in the new tank preventing the back flow into the harbor office space.
2. Rob with REZ Electric has completed the repair of the electrical short on the floating dock. The harbor staff installed the splice box adjacent to the harbor safety dock box on the west end of the boardwalk and worked hard to assist in installing new cable in transformer. Addressed a couple of other issues needed to farther protect the existing wiring.
3. Painted fuel lines, currently prepping fuel tank to be repainted by mid-December. All lines and tank to be white for less heat absorption.
4. Office siding complete, Harbor Office for upper trim and painted new shade green to better match roof of bath house, complete. Harbor office underpinning is complete, some trim is left behind the dock side fuel pumps.
5. The privacy/ security fenced area between office and fuel storage to be completed after sewage due to plumbing work.
6. Aids to Navigation (PAYON) lighting on A dock. Mount for light for proper height being welded to be installed by end of February.
7. Shanty gravel lot, Waterman's Memorial pavers on site to be installed. Shanty 180 degree turn out for bid.
8. Harbor Wi-Fi and Security Cameras, added the Wi-Fi and security camera upgrades to the current grant, Bob Panek is handling the communications with VHD, a much-needed amenity for our guests. Also adding additional security cameras to areas that need coverage and looking into adding a camera that would live stream the westerly view of the Harbor linked from the harbor's website as well as the town hosted sites.

9. Harbor office computers Working with Trevon (IT) to relocate camera system, routers, and EPU's rerouting all cables, conduit to office closet. Relocated and remounted exterior antennas complete. IT built and installing a server system along with new computers, these upgrades are required to install new software updates from Scribble and Quick Books which the Harbor currently uses for reservations and accounting.
10. Working with Preston Smith with VHD on sewage grant funding to assist with the harbor force main sewage system replacement, bath house upgrade this past season and portable pump out unit.

Capital Projects and Harbor improvements

1. Shade sails for bath house. Template is made for bases are being prepped for anchors in concrete are predrilled and epoxy bedded. Poles and sails will be installed when funding is available.
2. Harbor wave break wall construction awarded and to begin construction mid-February. Inner harbor boardwalk 3 phases out for bid, to be received by Feb 14th 2020. Meet with several interested contractors.

Town Safety Committee

Safety Committee: Next meeting slated for first week in Feb TBD after the Monday meeting for briefing, discuss coded entry locks. Looking into automatic doors and covered awning to protect from weather as persons approach and enter offices to help address ADA functionality throughout the municipal buildings.

Cape Charles Memorial Library

Monthly Report, January 2020

- **Youth Programs**

Toddler & Preschool Storytime (4) 57

Total

- **Library Services**

- Book order of 33 and 45 books and CD's this month.
- Five driving tests were taken at the Library.
- Our meeting room was used 15 times this month.
- Cleaned out and organized the storage room at the back of the Library.
- Continue to plan programs for the future, contacting performers and scheduling activities.

- **Meetings**

- Attended Friends of the Library meeting.
- Attended ESPL Trustee Meeting.
- Attended Library Board Meeting
- Met with the Children's Librarian from ESPL to discuss the Summer Reading Program.

-

- **Marketing & Communication**

- Flyers were made for upcoming programs.
- Book displays featured books about Martin Luther King and books on winter for children.

-

- **Outreach**

- Sharon Silvey attended training for the Point-In-Time Count, a survey to count homeless persons in our area., We were one of 16 locations on the Shore participating in this survey. We did not have any homeless.

- **Facility**

-

- **Technology**

- Several of our public computers have been down. We will be replacing four computers and upgrading the rest to Windows 10.
- We are now able to count wi-fi statistics through a program with the State Library.
- Internet was down for a day due to the transition from Chesapeake Bay Communications to Spectrum.

▪ **Page 2**

- **Youth Services**

- Toddler Storytime and Preschool Storytime were held at 10:30 am on Thursday.

- **Friends of Cape Charles Memorial Library**

- Computer Tutor help is provided by the Friends. This help is free, and they will accommodate your schedule.

- **Volunteers**

- We had 76 .5 volunteer hours.

Upcoming Events

- Friends of Library Meeting, 2/3, 5:00.
- Eastern Shore Public Library Trustee Meeting, 2/11, 3:00.
- Library Board Meeting, 2/12 at 5:00.
- Library will be closed 2/18 & 2/19 for staff training at ESPL. Library is getting a new circulation system.
- Town Wide Read Book Discussion-2/18, 7:00
- Town Wide Read-Movie: Advise and Consent 2/23, 2:30
- Black History Program-Who Was Thomas Nelson Baker, 2/28, 5:30-7:00



PLANNING AND ZONING DEPARTMENT MONTHLY REPORT

Prepared By: Zach Ponds – Town Planner
Date: January 29, 2020
Subject: January 2020 Monthly Report
Attachments: None

Planning Commission:

The Planning Commission regular meeting was held on January 7. At this meeting, two conditional use permits for accessory dwelling units were recommended approval to Town Council, and the off-street parking and loading regulations were also recommended approval to Town Council. Commissioner Mike Strubb was recommended to be appointed to the Historic District Review Board by Town Council at this meeting. Commissioner Dennis McCoy was also appointed Vice-Chair of the Planning Commission, and the comprehensive plan update was discussed. The Commission held its work session meeting on January 27, where the comprehensive plan update was discussed.

Historic District Review Board:

The Historic District Review Board work session was held on January 3 to review and discuss possible updates to the Historic District Guidelines. The Board held its regular meeting on January 21 to hear three applications for Certificates of Appropriateness. There were five pre-application meetings for a possible Certificates of Appropriateness application this month. There are currently two openings for Board members on this Board, with one spot likely being filled by a Planning Commissioner after official appointment by Town Council at their February 20 meeting.

Harbor Area Review Board:

The Harbor Area Review Board did not meet.

Board of Zoning Appeals:

The Board of Zoning Appeals did not meet.

Wetlands and Coastal Dune Board:

The Wetlands and Coastal Dune Board did not meet.

Items of Interest:

- Staff met with Amber Foster, Environmental Planner with the Virginia Department of Environmental Quality, on January 8 to discuss the town ordinances and plans in place regarding implementation of the Chesapeake Bay Preservation Act. Amber mentioned the ordinances looked good and that the comprehensive plan should include more regarding the Chesapeake Bay Preservation Act during the comprehensive plan update.
- Staff, along with the Deputy Clerk and Councilman Grossman, met with Tom and Sherri Hall at Christopher Newport University on January 10. The Halls are consultants working on the Preservation Plan for the town. Phase III, which included production and distribution of the preservation plan survey, along with Phase IV, which will be the analysis of the survey results, were discussed at this meeting.
- The Commission Assistance & Mentoring Program (CAMP) workshop has been scheduled for May 8. This workshop is funded by the Certified Local Government Sub Grant Application that was awarded to the town by the Virginia Department of Historic Resources. This workshop will be geared toward assisting the Historic District Review Board, Town Council, and staff, in topics related to the Historic District.
- Staff attended the Coastal Adaptation Working Group (CAWG) meeting on January 22 to discuss resiliency efforts in the Region and to plan for the upcoming CAWG retreat. At this retreat, CAWG will identify the purpose, goals, and strategies moving forward for the group.
- Staff attended a UVA Transportation Training Academy/VA LTAP Transportation Infrastructure Funding Strategies Workshop at Tidewater Community College in Portsmouth with Councilman Grossman. At this workshop, facilitated by VDOT, the facilitator helped identify federal, state, and regional funding opportunities for transportation infrastructure projects in the region.

CAPE CHARLES POLICE DEPARTMENT

MONTHLY STATISTICS

January 2020

The following information is the monthly statistics regarding law enforcement activities for the Cape Charles Police Department.

- Calls for service in Cape Charles: 55
- Calls for service outside of Cape Charles (assist): 5
- Felony arrests: 0
- Misdemeanor Arrests: 1
- Traffic Summons: 1
- Traffic Warnings: 7 (written& verbal)
- Parking tickets: 0
- Building Checks: 12
- Assisted Northampton County Sheriff's Office: 1
- Assisted Virginia State Police: 4
- Assisted Federal Agencies: 0
- Assisted Fire& Rescue: 4
- Foot Patrol Hours: 22
- Bay creek patrol hours: 23

The following took place in January:

Arrests

1. Assault & Battery family member

PUBLIC UTILITIES

January 2020



Production Summary

- Miss Utility Tickets: 18
- Sludge Tons 10
- *Water: Total Production : 3,649,338 Gallons
High: 171,487 Gallons
Low: 75,055 Gallons

Average	Raw Water	Finished Water
Hardness	477	111.4
Iron	6.99	.01
Manganese	.462	.009

All Data in PPM

- *Waste Water: Average Flow 135,000 gpd
Maximum 185,600 Gallons
Total for Month 4,185,000 Gallons
Nutrients:
Phosphorus Average .01 Limit .3 mg/l annual average
YTD .079
Nitrogen Average .25 Limit 4 mg/l annual average
YTD .39

(*Numbers are from previous month)

Personnel

○ Water

Regular Staff:

- Scottie Neville Operator Class 3 Water, Operator in Charge
- Freddie Meditz Operator Class 4 Water

Available as needed:

- Patrick Christman Operator Class 3 Water,
- Dan Dabinett Operator Class 3 Water, Maintenance

○ Waste Water

Regular Staff:

- Patrick Christman Operator Class 2 WW, Operator in Charge
- Dan Dabinett Operator Class 2 WW, Maintenance
- Billy Powell Maintenance Supervisor
- Gerald Elliott Maintenance
- Ralph Bowen Maintenance

Public Utilities

Available as needed:

- Freddie Meditz Operator Class 3 WW

Current Projects

- Water plant: Replacing softener media and under drain piping in softener. Done.
- Rerouted water line to brewery.
- Installed sewer wet well pit at Harbor

Capital Projects

- Wastewater:
 - New mixers for the WWTP \$30K
 - Installed
 - All mixers at the WWTP have been upgraded from the original 4620 Model to the more robust 4630 Model
 - First Model 4630 was installed January 2017 with no issues thus far
 - Washington Ave Pump Station upgrade \$30K.
 - ANEC engineering 3 phase power to station
 - Working on Utilities easement
 - Mason Avenue Odor Reduction \$13K
 - Water
- None

PUBLIC WORKS
January 2020

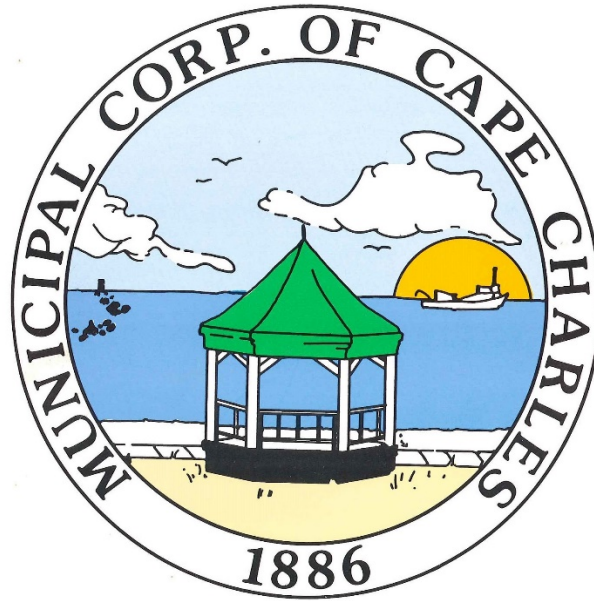


Personnel

John Lockwood	Foreman
Willie Lyons	Maintenance Worker
Dejohn Stratton	Maintenance Worker
Demetrius Spadey	Maintenance Worker
Rick Finley	Maintenance Worker

Continuing Projects

1. CCTV on Storm Drains Completed
2. Removed paneling in municipal building to investigate dampness issue.
3. Spread gravel on golf cart path
4. Had demonstration of equipment.
5. Attended civility training
6. Helped read water meters



**Unfinished
Business
Agenda Items
#8A-8D**

 TOWN OF CAPE CHARLES	AGENDA TITLE: Virginia Port Authority (VPA) Aid to Local Ports (ALP) Grant Request		AGENDA DATE: February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Authorize the Mayor to submit ALP grant request to VPA.		ITEM NUMBER: 8A
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT(s): Bob Panek, Project Manager	REVIEWED BY: Smitty Dize, Mayor	

BACKGROUND:

The Town has made good use of the Virginia Port Authority (VPA) Aid to Local Ports (ALP) program to improve our Harbor as part of the Harbor Redevelopment Plan. ALP grants pay for up to 75% of capital improvement projects. The VPA requires a letter signed by the Mayor by March 1st to carry-over an existing grant or request a new grant. The VPA Board typically considers these requests in May, with approved funding becoming available July 1.

Last year we requested a \$375K ALP grant to relocate the existing floating wave attenuator and replace it with a fixed, sheet pile breakwater/dock to protect the floating docks from long period waves from the southwest during the summer. The cost estimate for this project was \$500K. We were awarded a grant in the amount of \$251.4K. This was \$123.6K less than requested. Therefore, Council opted to scale back the project to maintain the Town's budgeted funding of \$125K. The contract was awarded to Marine Contracting Corporation for \$340K. Work will start this month and is scheduled to complete in April. No grant carryover should be necessary.

The phased rehabilitation of the inner harbor presents an opportunity for a new ALP grant request.

DISCUSSION:

Council has approved \$253K this fiscal year for Phases 1–3 of inner harbor rehabilitation (north and east sides), as well as paving the turnaround at the watermen's memorial and installing light poles along the boardwalk between the bath house and the Shanty restaurant. Phase 4 would complete the rehabilitation on the south side of the inner harbor. This is estimated to cost \$118.5K. A maximum ALP grant, 75%, would fund \$88.8K of this project. While it is unlikely that the full amount would be approved, there is a good chance of a substantial award due to the Town's performance in executing previous grants. The Town share would need to be included in the FY 2021 budget.

RECOMMENDATION:

Authorize the Mayor to request a VPA ALP grant in the amount of \$88.8K for Phase 4 of the inner harbor rehabilitation.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Harbor Parking Lot Turnaround		AGENDA DATE February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Construction contract award.		ITEM NUMBER: 8B
	ATTACHMENTS: None.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek, Project Manager	REVIEWED BY: Smitty Dize, Mayor	

BACKGROUND:

Council approved installation of concrete paving at the Harbor parking lot turnaround in front of the Shanty restaurant. This will be a semi-circle around the Watermen's Memorial. This project is part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An Invitation for Bids (IFB) was advertised in the Eastern Shore Post and on the Town website. Only one bid was received on January 28, 2020, and it was significantly higher than the expected price. That bid was rejected, and the project was re-advertised with bids due February 14, 2020.

DISCUSSION:

Six bids were received ranging from \$25,000 to \$40,229. The apparent low bid was slightly more than the estimate. However, the apparent low bidder is nonresponsive because they are licensed as only a Class C contractor. The next low bidder is Phillips Housing and Development, LLC of Chesapeake, VA, at \$30,628. This firm has the appropriate license. While this price is more than anticipated, it is still reasonable and there should be sufficient flexibility in the remaining harbor work to absorb the overage. The firm indicates they can complete the work before the Shanty's planned opening on March 4, barring any unusual weather. The restaurant owner is willing to accept the risk instead of deferring the project to next January.

RECOMMENDATION:

That Council authorize the Mayor/Acting Town Manager to execute a contract with Phillips Housing and Development, LLC, in the amount of \$30,628.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Inner Harbor Sidewalks		AGENDA DATE February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Construction contract award.		ITEM NUMBER: 8C
	ATTACHMENTS: None.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek, Project Manager	REVIEWED BY: Smitty Dize, Mayor	

BACKGROUND:

Council approved the installation of concrete sidewalks along the north and east sides of the inner harbor, replacing the badly deteriorated wood walkway. This project is part of the \$253K available for Town Harbor rehabilitation and improvement projects after the recent budget transfer approved by Council. An Invitation for Bids (IFB) was advertised in the Eastern Shore Post and on the Town website, with bids due on February 14, 2020.

DISCUSSION:

The IFB was structured for a Base Bid for the north side and a Bid Alternate for the east side to provide flexibility in executing the overall rehabilitation project. Five bids were received, ranging from \$75,000 to \$111,500. The low bidder was:

<u>Bidder</u>	<u>Base Bid</u>	<u>Bid Alternate</u>
Ace Construction Company, Portsmouth, VA	\$51,600	\$23,400

The bid is responsive. While the price is somewhat higher than anticipated (\$61,500), it is reasonable and there should be sufficient flexibility in the remaining rehabilitation work to absorb the overage.

RECOMMENDATION:

That Council authorize the Mayor/Acting Town Manager to execute a contract with Ace Construction Company in the amount of \$75,000.



**TOWN OF
CAPE
CHARLES**

AGENDA TITLE: Harbor Management Company

AGENDA DATE:
February 20, 2020

SUBJECT/PROPOSAL/REQUEST: Review draft Request
for Proposals (RFP).

ITEM NUMBER:
8D

ATTACHMENTS: Draft RFP.

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Bob Panek,
Project Manager

REVIEWED BY:
Smitty Dize, Mayor

BACKGROUND:

For several years, some members of Council have expressed an interest in exploring opportunities for contracting out management of the Town Harbor, with the objective of improving performance. There are several firms that provide marina management services for both private and governmental entities. At the January 2, 2020 strategic planning session, Mayor Dize presented comprehensive background information on the Town Harbor and the pros and cons of contracting out its management. Council directed that a RFP be prepared to solicit proposals for evaluation.

DISCUSSION:

Contracting out management of the Town Harbor can range from hiring a management firm for a fee, to leasing the property to a firm for a specified rental payment to the Town. Degree of control and operational visibility are dependent on the arrangement. The draft RFP, attached, takes the former approach. It also solicits a possible management fee structure which is partially dependent on improvement in financial operating results.

RECOMMENDATION:

That Council consider the draft RFP and provide direction to staff.

Request for Proposals (RFP)
Town of Cape Charles
Marina Management Services

- I. Introduction.** The Town of Cape Charles, Virginia, is requesting proposals for management of the Town Harbor Marina with the objective of improving financial operating results.
- II. Overview.** The marina serves recreational, commercial and governmental vessels. This includes annual, seasonal and transient docking, sale of fuel and marine supplies, offload of commercial seafood catch, and public boat launch and recovery. The marina includes 95 slips, 4 T-Heads, 1,200 feet of side-to dock space, a pump out facility, a bath house and public restrooms. Marina operations are subject to the following conditions:
- a. Local Cooperation Agreement with the United States of America, particularly Harbor of Refuge; Exhibit A.
 - b. Free public use of the boat landing, per the Cooperative Agreement with the Virginia Department of Game and Inland Fisheries; Exhibit B.
 - c. A minimum of 32 floating dock spaces must be reserved for transient vessels, 14 on B Dock and 18 on C Dock, as a Boating Infrastructure Grant requirement.
 - d. Continued certification as a Virginia Clean Marina.
 - e. Public access from the western terminus of Marina Road through the asphalt parking lot to The Shanty restaurant, the boat landing and any future facility open to the public.
- III. Scope of Work.**
- A. Budget Development and Implementation.
 - 1. Prepare annual budget for submission to Town Manager and approval by Town Council. This will include proposed rates, fees, prices and discounts for Town property owners and commercial operators.
 - 2. Implement approved budget, including expense items such as personnel, utilities, facilities maintenance and repair, tools and equipment, fuel and other retail item purchases.
 - 3. Prepare mid-year forecast of operating results.
 - B. Financial Control and Reporting.
 - 1. Bill and collect all payments for goods and services, including related deposits.
 - 2. Account for all transactions and cash through existing marina software and accounting system. Provide monthly detail reporting to Town Treasurer.

3. Propose changes to existing software and accounting system for efficiency and improvement in operations, financial control and reporting.
- C. Operations.
1. Solicit and administer occupancy agreements and slip assignments. Monitor for unauthorized occupancy. Administer evictions and remove abandoned vessels in accordance with law.
 2. Ensure boaters are provided with and sign rules and regulations, and provide certificates of liability insurance.
 3. Implement standard operations procedures and facilities and equipment maintenance schedules.
 4. Maintain emergency contact numbers and an Emergency Procedures Plan for staff. Ensure staff members are trained in safety and emergency procedures.
 4. Provide a weekly activity report to the Town Manager.
- D. Human Resources.
1. Hire, train and supervise all staff as employees of contractor.
 2. Institute performance evaluation system tied to marina performance metrics.
 3. Provide and ensure all staff are uniformed in proper apparel with Town Harbor logo.
- E. Facilities.
1. Maintain marina to a high level of appearance and operational status.
 2. Provide security monitoring for common areas and docks.
 3. Conduct routine inspections of grounds, systems, buildings and docks.
 4. Perform routine maintenance and repair of all facilities and equipment.
 5. Purchase tools, equipment and materials required for operations, maintenance and repair.
 6. Provide recommendations for long term facilities improvements.
- F. Marketing.
1. Prepare, at least annually, a competitive market analysis that identifies the marinas, amenities, slip sizes, services and rates in the region. Develop a positioning strategy based on this analysis.
 2. Develop an aggressive marketing strategy to increase occupancy and improve operating results, including branding and improved print and digital advertising.

IV. Instructions to Offerors.

A. Proposals must be submitted in accordance with the instructions and requirements contained in this RFP. Failure to do so may result in the proposal being considered non-responsive and it may be rejected.

B. Offerors must promptly notify the Town of any ambiguity, inconsistency, or error which may be discovered upon examination of this RFP.

C. For clarification or interpretation of this RFP contact Mr. Bob Panek, 757-331-3259 ext. 19, or bob.panek@capecharles.org.

D. Submit one original, signed by an authorized representative, and four copies of the proposal providing the following:

1. General business information.

- Length of time in the business, corporate experience, strengths in the industry, and business philosophy.
- Organizational structure of the firm and summary qualifications of key individuals to be assigned to the work, and office location of each. Full resumes may be attached as an appendix.
- Financial condition of the firm and availability of financial resources to perform all obligations of any resultant contract.
- Compliance by the firm with laws regarding prior contracts.
- Any lawsuits, related to your business, in which the firm has been a defendant.
- The three most relevant marinas for which the firm has provided similar services within the last five years. Include short descriptions of the work performed, contract value, dates of performance, operating results and client references.

2. Specific approach.

- Address the experience of your firm and the approach which would be taken in performing each of the major scope of work items, A – F, enumerated in section III, above. Include expected outcomes for each.
- Address the approach your firm would take to transition the marina from government to private management, including seasonal timing and current employees.
- Address proposed fee structure for performing the work. Is your firm open to an incentive arrangement for a portion of the fee, such as a percentage of the improvement in net operating income over a previous period?

E. The proposal must be submitted to the Town of Cape Charles, 2 Plum Street, Cape Charles, Virginia 23310, in a sealed envelope or container clearly labeled **“Request for Proposals, Marina Management Services”**. Deadline for submission is 2:00 p.m., _____.

F. The Town may request additional information, clarification, or presentations from any of the offerors after review of the proposals received.

G. The Town has the right to use any or all ideas presented in reply to this RFP, subject only to the limitations regarding proprietary/confidential data of the offeror.

H. The Town is not liable for any costs incurred by any offeror in connection with this RFP or any response by any offeror in connection to this RFP. The expenses incurred in the preparation, submission, and presentation of the proposal are the sole responsibility of the offeror and may not be charged to the Town.

V. Miscellaneous.

- A. Ownership of all data, materials, and documentation originated and prepared for the Town pursuant to the RFP shall belong exclusively to the Town and be subject to public inspection in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by the offeror shall not be subject to public disclosure under the Freedom of Information Act, unless otherwise required by law or a court. **However, the offeror must invoke the protection of Section 2.2-4342(F) of the Code of Virginia, in writing, either before or at the time the data or other material is submitted.** The written notice must SPECIFICALLY identify the data or materials to be protected and state the reason why protection is necessary. The proprietary or trade secret material submitted must be identified by some distinct method such as highlighting or underlining and must indicate only the specific words, figures, or paragraphs that constitute trade secret or proprietary information. The classification of an entire proposal document, line item prices, and/or total proposal prices as proprietary, or trade secrets, is NOT ACCEPTABLE and may result in rejection of the proposal.
- B. No information regarding the proposal records or the contents of proposals will be released except in accordance with Section 2.2-4342 of the Code of Virginia. Once an award has been made, all proposals will be open to public inspection subject to the provisions set forth above.
- C. Any interpretation, correction or change of the RFP will be made by an addendum. Interpretations, corrections or changes of this RFP made in any other manner will not be binding and offerors must not rely upon such interpretations, corrections or changes. Addenda will be faxed or mailed to all who are listed as having received the RFP and will be posted on the Town website.

Acknowledgement of receipt of all addenda issued and taken into consideration in the submittal of any proposal is required as part of the proposal package.

- D. No offeror shall confer on any public employee having official responsibility for a purchasing transaction any payment, loan, subscription, advance, deposit or money, service, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value.
- E. The Town may make investigations to determine the ability of the offeror to perform or supply the services as described in this RFP. The Town reserves the right to reject any proposal if the offeror fails to satisfy the Town that it is qualified to carry out the obligations of the proposed contract.
- F. The successful offeror must comply with the nondiscrimination provisions of Virginia Code Section 2.2-4311, which are incorporated herein by reference.
- G. The successful offeror must comply with the drug-free workplace provisions of Virginia Code Section 2.2-4312, which are incorporated herein by reference.
- H. It is the policy of the Town to maximize participation by minority and women owned business enterprises in contracting opportunities.
- I. The successful offeror shall comply with all applicable Town, State and Federal laws, codes, provisions, and regulations.
- J. Providers of any subcontract services shall be subject to the same conditions and requirements as the successful offeror in regards to law, code, or regulation compliance. The Town reserves the right of approval for any subcontract work, including costs thereof.
- K. Ethics in Public Contracting. The provisions, requirements, and prohibitions as contained in Sections 2.2-4367 through 2.2-4377, of the Virginia Code, pertaining to bidders, proposers, contractors, and subcontractors are applicable to this RFP.
- L. Conflict of Interests Act. The provisions, requirements, and prohibitions as contained in Sections 2.2-3100, et. seq., of the Virginia Code are applicable to this RFP.
- M. All firms doing business in the Town are required to be licensed in accordance with the Business, Professional and Occupational Licensing (BPOL) Tax

ordinance. Questions concerning business licenses should be directed to the Town Treasurer at 757-331-3259, X23.

VI. Contract Terms and Conditions. Below are contract terms and conditions that the Town plans to include in any contract that may be awarded, but such terms and conditions may be changed, added to, deleted, or modified as may be agreed to between the Town and the contractor during negotiations. However, if an offeror has any objections to any of the terms or conditions set forth below or any changes or additions thereto that the offeror wants to discuss during negotiations, the offeror should set forth such objections, changes or additions in the proposal submitted in response to this RFP. Otherwise, submission of a proposal will obligate such offeror, if it is the successful offeror, to enter into a contract containing the same or substantially similar terms and conditions as contained below. Other terms and conditions, if necessary, will be negotiated with the successful offeror.

- A. Choice of Law and Venue: Any disputes that cannot be resolved between the Town and the Contractor must be resolved in the Courts of Northampton County, Virginia. The contract shall be governed by the laws of the Commonwealth of Virginia.
- B. Termination: It shall be the sole right of the Town to terminate the contract upon written notification to the Contractor.
- C. Modification: The contract shall not be amended, modified, or otherwise changed except by the written consent of the Contractor and the Town given in the same manner and form as the original signing of the Contract.
- D. Nondiscrimination: In accordance with Section 2.2-4311 of the Code of Virginia, during the performance of this contract the Contractor agrees as follows:

The Contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Contractor. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

The Contractor, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, will state that such Contractor is an equal opportunity employer.

Notices, advertisements, and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The Contractor shall include the provisions of the foregoing paragraphs in every subcontract or purchase order of over \$10,000 so that the provisions will be binding upon each subcontractor or vendor.

- E. Right to Audit: Contractor's records shall be open to inspection and subject to audit and/or reproduction, during normal working hours, by the Town to the extent necessary to adequately permit evaluation and verification of any invoices, payments or claims submitted by Contractor of any of its payees pursuant to execution of the contract. Such records subject to examination shall also include, but not be limited to, those records necessary to evaluate and verify direct and indirect costs (including overhead allocations) as they may apply to costs associated with this contract.

For the purpose of such audits, inspections, examinations and evaluations, the Town shall have access to said records from the effective date of this contract, for the duration of the work, and until two (2) years after the date of final payment by the Town to Contractor pursuant to this contract.

The Town shall have access to Contractor's facilities, shall have access to all necessary records, and shall be provided adequate and appropriate work space, in order to conduct audits in compliance with this article. The Town shall give Contractor reasonable advance notice of intended audits.

Contractor shall require all subcontractors, insurance agents, and materials suppliers (payees) to comply with the provisions of this article by insertion of the requirements hereof in a written contract agreement between Contractor and payee. Failure to obtain such written contracts which include such provisions shall be reason to exclude some or all of the related payees' costs from amount payable to Contractor pursuant to this contract.

If an audit, inspection or examination in accordance with this section discloses overcharges (of any nature) by Contractor to the Town in excess of five percent (5%) of the total contract billings, the actual cost of the Town's audit shall be paid by the Contractor.

F. Insurance: The contractor shall purchase and maintain in force, at his own expense:

1. Workers' Compensation Insurance – Standard Virginia Worker's Compensation Policy.
2. Broad Form Comprehensive General Liability - \$1,000,000 Combined Single Limit coverage to include: Premises – Operations; Products/Completed Operations; Contractual; Independent Contractors; County and Contractor's Protective; Personal Injury (Libel, Slander, Defamation of Character, etc.).
3. Professional Liability Coverage (errors and omissions) - \$1,000,000 minimum.
4. Automobile liability insurance shall be written with a Comprehensive Form and include coverage for owned, hired, and non-owned vehicles the limit for any one accident or loss shall be \$1,000,000.

The insurance specified herein shall name the Town as additional insured with regard to work performed under any Contract. All policies shall provide that the Town is to receive written notice by certified mail, thirty (30) days in advance of cancellation or alteration of any policy. The Contractor shall provide the Town with copies of certificates of insurance coverage and proof of payment for all premiums.

G. Drug Free Workplace: In accordance with Section 2.2-4312 of the Code of Virginia, during the performance of this contract the contractor agrees to:

1. Provide a drug-free workplace for the contractor's employees.
2. Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or

marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.

3. State in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace.
4. Include the provisions of the foregoing clauses for employees placed by or on behalf of the contractor that the contractor maintains a drug-free workplace.

For the purposes of this section, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a contractor in accordance with this section, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of this contract.

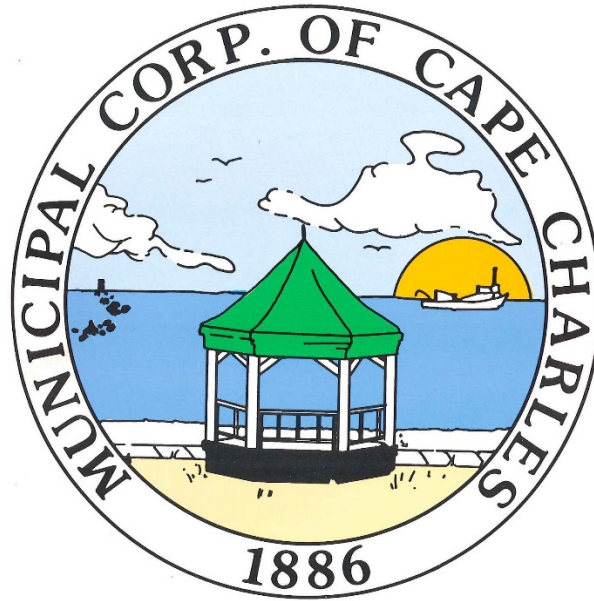
- H. Faith-based Organizations: The Town does not discriminate against faith-based organizations in accordance with the Code of Virginia, Section 2.2-4343.1.
- I. Environmental Management: Contractor shall be responsible for complying with all applicable federal, state, and local environmental regulations, if any.
- J. Finance Charges: The Town will not pay any finance charges imposed on any invoices submitted by the contractor relative to this Contract.
- K. Assignment: Contractor may not assign his rights and obligations hereunder. The Town may, without Contractor's consent, assign its rights and obligations hereunder to a Public Service Authority, a Sanitary District or a Public Services Corporation created in accordance with Virginia law.
- L. Applicable to Successors and Assigns: The Town and Contractor agree that the rights and obligations under this Contract shall inure to and be binding on their respective successors and permitted assigns.
- M. Minority-Owned Business Enterprises and Women-Owned Business Enterprises (MBE/WBE): Contractor shall comply with the requirement to offer subcontracting opportunities to MBE/WBE firms per the attached supplement.

VII. Sham or Collusion. The proposal of any offeror or offerors who engage in collusion shall be rejected. Any offeror who submits more than one proposal in such a

manner as to make it appear that the proposals submitted are on a competitive basis from different parties shall be considered a collusive offeror.

VIII. Debarment. By submitting their proposal, offerors certify that they are not now debarred by the United States, the Commonwealth of Virginia, or any town, city or county within the Commonwealth of Virginia, from submitting proposals on contracts for the services described in this RFP, nor are they an agent of any person or entity that is now so debarred.

IX. Rejection of Proposal. The Town reserves the right to reject any and all proposals, to waive any informality or irregularity in the proposals received, and to make the award to the offeror whose proposal is deemed to be in the best interest of the Town.



New Business Agenda Items #9A-9D

 TOWN OF CAPE CHARLES	AGENDA TITLE: Appointment of Historic District Review Board Member		AGENDA DATE: February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Appointment of Historic District Review Board Member		ITEM NUMBER: 9A
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Zach Ponds, Town Planner	REVIEWED BY: William "Smitty" Dize, Mayor	

ITEM SPECIFICS:

Diane D'Amico, Planning Commission representative on the Historic District Review Board, has resigned as a member of the Historic District Review Board, effective October 29, 2019.

Historically, the Planning Commission has nominated a member to be a Planning Commission representative on the Historic District Review Board to act as a liaison between the Commission and the Board. However, this is not required per Article VIII of the zoning ordinance, as updated on August 16, 2018.

Section 8.7 Historic District Review Board; Membership

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.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town.

The Historic District Review Board by-laws, which have not been updated since the August 16, 2018 text amendments to Article VIII, and which are intended to reflect the zoning ordinance, state the following:

Article Two

2-1 This Board shall consist of [5] members appointed by the Town Council. The five [5] members must be citizens of Cape Charles, and at least three [3] of whom shall be residents of the local Historic District

2-2 Members of the Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible be a licensed architect or engineer, Planning Commission member, or licensed building contractor.

STAFF ANALYSIS:

Although the current zoning ordinance does not specifically state that a member of the Board can be a Planning Commissioner, it does not restrict a Planning Commission member from serving on the Historic District Review Board, as long as they are appointed by Town Council. At the December 3 Planning Commission meeting, Councilman Strub volunteered and was recommended to Town Council to be the Planning Commission representative on the Historic District Review Board.

RECOMMENDATION:

Staff recommends Town Council appoint Commissioner Mike Strub to be the Planning Commission representative to the Historic District Review Board.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Appointment of Interim Zoning Administrator		AGENDA DATE: February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Appointment of Interim Zoning Administrator		ITEM NUMBER: 9B
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Smitty Dize	REVIEWED BY:	

BACKGROUND:

Section 2.4.1 of the Cape Charles Zoning Ordinance states that the Town Council shall appoint a Zoning Administrator to serve under the direction of the Town Manager. Section 2.4.1 of the Zoning Ordinance outlines the Zoning Administrator's authority to enforce the Town's Ordinance and is attached for reference purposes.

ITEM SPECIFICS:

Zach Ponds has resigned, effective February 19, 2020. He is the current Zoning Administrator. Town Council will need to appoint a new Zoning Administrator.

RECOMMENDATION:

Staff recommends Town Council appoint an interim Zoning Administrator.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Wayfinding Committee Findings		AGENDA DATE: February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Wayfinding Committee Findings – Approval of Final Design		ITEM NUMBER: 9C
	ATTACHMENTS: 1) Wayfinding Signs Design; 2) Signs Priority List; 3) Wayfinding Sign Size, Location, and Content		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Zach Ponds, Town Planner	REVIEWED BY: William “Smitty” Dize, Mayor	

ITEM SPECIFICS:

The Wayfinding Committee met on multiple occasions throughout many months to identify the best design, location, and content for wayfinding signs in the town and directly adjacent to the town limits.

Design:

The design was produced by OTTO and slightly altered after discussion by the group. The designs are provided as Attachment 1, and show the following sizes (*these are not included in Attachment 1):

Level 1 120” x 84” (10 x 7)

Level 2 72” x 60” (6 x 5)

Level 3 48” x 54” (4 x 4.5)

Level 4 36” x 36” (3x3)

Level 5 24” x 24” (2 x 2)

Level 6 16” x 12”

*Level 7 48” x 96” (4 x 8)

*Level 8 96” x 60” (8 x 5)

Location:

The locations of the wayfinding signs were identified using aerial maps of the town and surrounding areas and site visits, which included driving the town. Attachment 3 provides a description of the proposed locations of the signs along with their size and content.

Content:

During this process, the Wayfinding Committee specifically refrained from using any business names (such as Oyster Farm) on the content of the signs. The content of the signs was carefully analyzed to assure that everything was identified at the property time (i.e. more detailed the closer to the location you get), to assure the signs were not too cluttered, and to assure the correct size sign was used. This information is shown on Attachment 2 and Attachment 3.

RECOMMENDATION:

Staff recommends Town Council **APPROVE** the wayfinding design, proposed locations, and proposed content.

Cape Charles

VIRGINIA'S CAPE

WAYFINDING CONSULTING SERVICES AND RECOMMENDATIONS

Level 1. Welcome Signage *(Largest)*

Cape Charles

Level 2. Overarching Directional Signage

Cape Charles Downtown
Harbor & Yacht Center

Bay Creek

Marina

Beach Access

Level 3: Specific Directional Signage

2-3 locations per sign with more specific naming, as you get closer to the destinations

Level 4. Pedestrian Signage

1-2 locations for people on-foot or golf carts coming off their boats or from their vacation rentals

Level 5 & 6. Smaller Pedestrian Signage

1-2 locations for people on-foot on Main Street or going through the park.

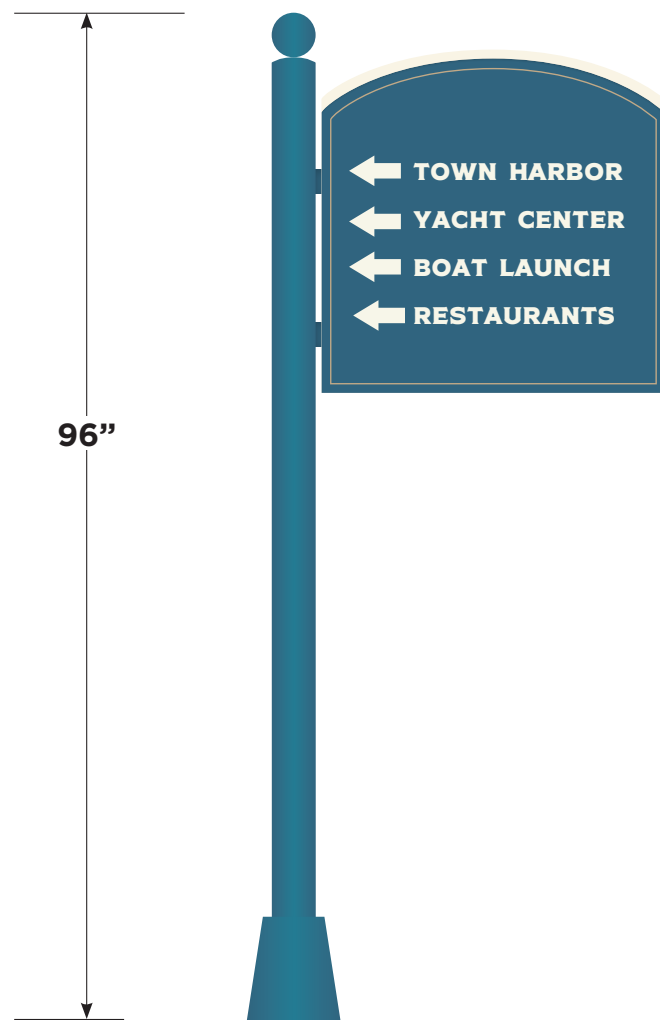
Street Signage

Redesign for in-town street signage, that works with other signage.

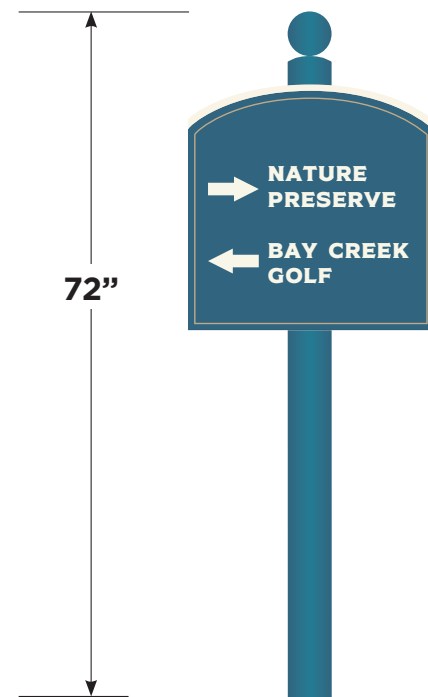
Other potential signage copy:

Rt. 13

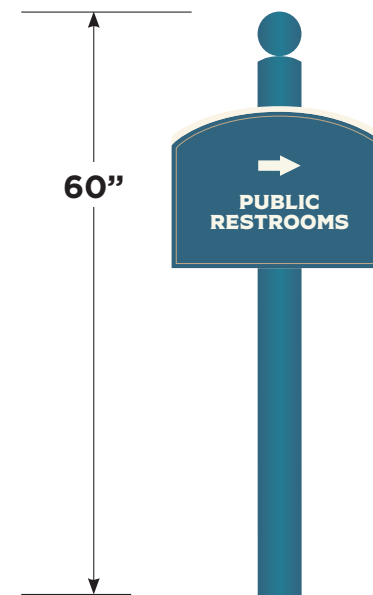




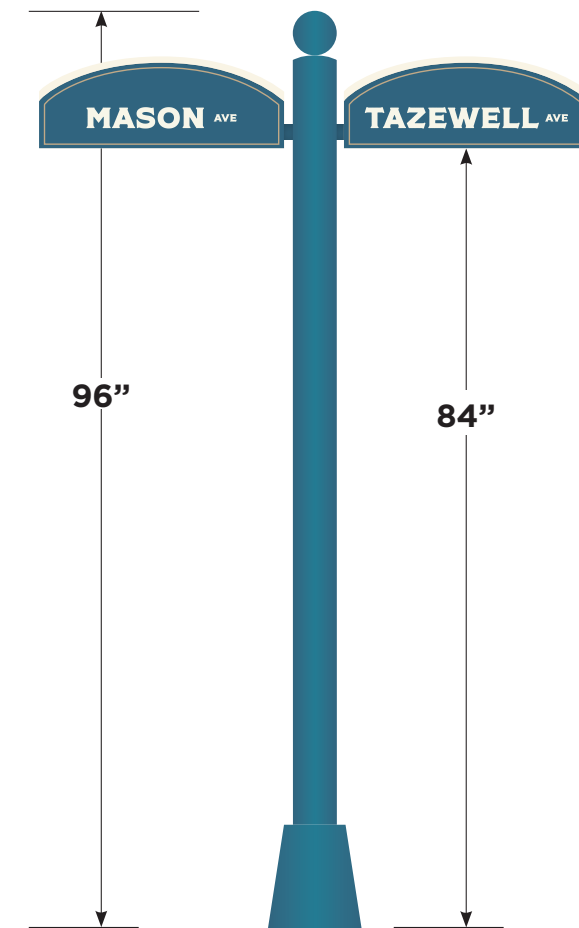
LEVEL 4
SIGN: 36" WIDE X 36" HEIGHT



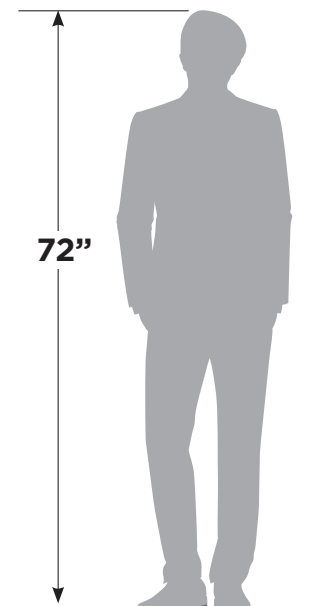
LEVEL 5
SIGN: 24" WIDE X 24" HEIGHT



LEVEL 6
SIGN: 16" WIDE X 12" HEIGHT



STREET SIGNAGE
SIGN: 24" WIDE X 9" HEIGHT



Andy,

Here is what we need as mock ups for Wayfinding so that Zach can take the reins.

Please use the attached from Otto's initial design for mock ups. We have noted each sign as a LEVEL 1, 2, 3....

<https://www.dropbox.com/s/n6z4221wbvjdo8e/CC-007-Signage%20Files.zip?dl=0>

And we need two additional sign mock-up **made** with the design Level 7 (4 wide x 8h) and Level 8 (8 wx 5h)
You will need to lay these out based on the OTTO design

Sign 1

Level 2

Historic District, Beach, Restaurants, Shops & Lodging straight ahead arrows. Boat Launch & Library icons

Sign 2

Level 7

Historic Downtown, Beach Access & Marina straight ahead arrows.
Bay Creek-Golf, Town Harbor, Yacht Center & Boat Launch left turn arrows.

Sign 3

Level 1

Welcome to Cape Charles Virginias Cape

Sign 4

Level 3

Bay Creek-Golf, Town Harbor, Yacht Center, Boat Launch & Historic Downtown straight ahead arrows.

Sign 5

Level 3

Historic Downtown, Town Harbor & Boat Launch right turn arrows.
Yacht Center & Nature Preserve straight ahead arrows.

Sign 6

Level 3

Historic Downtown, Beach Access & Marina Villages straight ahead arrows.
Town Harbor, Yacht Center & Restaurant left turn arrows.

Sign 7

Level 4

Town Harbor & Yacht Center with right arrows.
Icons for Boat launch and Restaurants

Sign 8

Level 5

Yacht Center right arrow, Bay Creek-Golf & Historic Downtown left arrows.

Sign 9

Level 5

Historic Downtown, Beach Access left arrows. Bay Creek-Golf right arrows

Sign 10

Level 5

Nature Preserve right arrow, Bay Creek-Golf left arrows.

Sign 11

Level 5

Town Harbor, Yacht Center, Boat Launch, Restaurants right arrows.

Bay Creek-Golf & Nature Preserve straight ahead arrows.

Sign 12

Level 7

Central Park straight ahead arrow.

Historic Downtown, Town Harbor, Beach Access & Bay Creek-Golf left turn arrows.

Marina Villages, Marina right arrows.

Restaurants left and right arrows.

Sign 13

Level 2

Welcome

CC Virginia's Cape

Est 1886

Sign 14

Level 7

Historic Downtown, Library, Parking, Beach Access straight ahead arrow.

Town Harbor, Yacht Center, & Bay Creek-Golf left arrows

Sign 15

Level 3 **Double sided**

Parking sign with arrows on both sides of sides facing south

Sign 16

Level 6

Public Restrooms sign with left arrow

Sign 17

Level 5

Central Park, Marina Villages, Marina & Rt. 184 all right turn arrows.

Sign 18

Level 5

Central Park double sided sign with arrows pointing south

Sign 19

Level 5

Marina Villages & Marina left turn arrows.

Historic Downtown and Rt. 184 right turn arrow. Restaurants right and left arrows

Sign 20

Level 5

Historic Downtown & restaurants straight ahead arrows. Cape Charles Museum and Rt. 13 get left arrows.

Sign 21

Level 5

Marina Villages, Marina & Restaurants straight ahead

Sign 22

Level 5

Central Park and Beach Access straight ahead arrows.

Sign 23

Level 5

Historic Downtown left arrow.

Icons: shops, Library, food & parking left

Sign 24

Level 5

Beach Access straight ahead arrow. Central Park right arrow.

Historic Downtown left arrow.

Sign 25

Level 2

Thanks for visiting, come back soon!

Cape Charles, Virginia's Cape logo

Wayfinding

Sizes:**Level 1 120" x 84" (10 x 7)****Level 2 72" x 60" (6 x 5)****Level 3 48" x 54" (4 x 4.5)****Level 4 36" x 36" (3x3)****Level 5 24" x 24" (2 x 2)****Level 6 16" x 12"****Level 7 48" x 96" (4 x 8)****Level 8 96" x 60" (8 x 5)****"A" Signs**

Sign # & size	Location	Text
#1 - Level 2	North side, past utility right-of-way, 30' east Crepe Myrtle	Historic District, Beach, Restaurants, Shops & Lodging straight ahead arrows. Boat Launch & Library icons
#2 -Level 2	North side Rt. 184 between house numbers 2493 & 2497	Historic Downtown, Beach Access & Marina straight ahead arrows. Bay Creek-Golf, Town Harbor, Yacht Center & Boat Launch gets left turn arrows.
#3 – Level 7	Southside Rt. 184 @ edge of town/railroad property	Welcome to Cape Charles Virginias Cape

Note – Immediately before Rt. 642 there is a small green USCG sign with a left turn arrow.

Note – Blue Bay Creek golf course sign just prior to Parsons Road goes away

#4 - Level 3	North side Rt. 642, just south west of intersection of Old CC Road & 642 – 30' north of existing location.	Bay Creek-Golf, Town Harbor, Yacht Center, Boat Launch & Historic Downtown straight ahead arrows.
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Note – Check with Yacht Center for directions to the entrance they want used.

#5 – Level 3	Rt. 642 West on the north side before Old CC Road. *NOTE* Our maps do not include this area.	Historic Downtown, Town Harbor & Boat Launch right turn arrows. Yacht Center & Nature Preserve straight ahead arrows.
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“A” signs continued

Page 2

Sign # & Size	Location	Text
#6 – Level 3	Old CC Road prior to Bayshore Rd. right side	Historic Downtown, Beach Access & Marina Villages straight ahead arrows. Town Harbor, Yacht Center & Restaurant left turn arrows.
Note – there is an existing small green sign across from the water treatment plant that has USCG on it.		
#7 – Level 4	Prior to the intersection of Bayshore Rd. and Marina Road.	Town Harbor & Yacht Center with right arrows. Icons for Boat launch and Restaurants
#8 Level 5	Exiting on Marina Road, approaching Bayshore Road, on right.	Yacht Center right arrow, Bay Creek-Golf & Historic Downtown left arrows.
#9 Level 5	Exiting on Bayshore Road, right side at water treatment facilities 2 story building.	Historic Downtown, Beach Access left arrows. Bay Creek-Golf right arrow.

#10 Level 5	Old Cape Charles Road, west side, just at Rosewall fenced area.	Nature Preserve right arrow, Bay Creek-Golf left arrows.
#11 Level 5	Old Cape Charles Road, west side, prior to Bayshore Road.	Town Harbor, Yacht Center, Boat Launch, Restaurants right arrows. Bay Creek-Golf & Nature Preserve straight ahead arrows.
#12 Level 7	Town lot, northeast corner, move east 20' to replace existing large blue sign	Central Park straight ahead arrow. Historic Downtown, Town Harbor, Beach Access & Bay Creek-Golf left turn arrows. Marina Villages, Marina and "maybe" Beach Access right arrows. Restaurants left and right arrows.
#13 Level 2	Existing Welcome to CC sign in town lot under the trees, moves from under the trees	Replaced with Welcome to CC Virginia's Cape - 1886

"A" signs continued

Page 3

Sign # & Size	Location	Text
#14 Level 2	Mason & Nectarine, north side Mason, 15' further east than existing sign.	Historic Downtown, Library, Parking, Beach Access straight ahead arrow. Town Harbor, Yacht Center, & Bay Creek-Golf left arrows.
#15 Level 3	South side of Mason at the Tavi lot – southwest corner of entrance to parking lot.	<u>Double sided</u> Parking sign with arrows on both sides of sign facing south.
#16 Level 6	North side of Mason, 30' from Bay Avenue	Public Restrooms sign with left arrow
#17 Level 5	East side of Bay Avenue and 25' north of Of Corner with Jefferson.	Central Park, Marina Villages, Marina & Rt. 184 all right turn arrows.

#18 Level 5	North side Washington at Peach, between ADA Ramps on Community Trail	Central Park <u>double sided</u> sign with arrows pointing south.
#19 Level 5	South side of Washington and just east of the where it intersects with Nectarine.	Marina Villages & Marina left turn arrows. Historic Downtown and Rt. 184 right turn arrow. Restaurants right and Left arrows.
#20 Level 5	West side of Fig and 25' south of the intersection of Fig & Randolph	Historic Downtown & restaurants straight ahead arrows. Cape Charles Museum and Rt. 13 get left arrows.
#21 Level 5	East side of Fig just north of Jefferson, between sidewalk and driveway	Marina Villages, Marina & Restaurants straight ahead
#22 Level 5	East side of Fig just north of Jefferson, between sidewalk and driveway	Central Park and Beach Access straight ahead arrows.
#23 Level 5	Just before curve on north side of Washington, after Bus Stop – between last 2 light poles.	Historic Downtown left arrow. Icons: shops, Library, food & parking left arrows.
# 24 Level 5	North side of Randolph, just west of sidewalk at 509 Randolph	Beach Access Straight ahead arrow. Central Park right arrow. Historic Downtown left arrow
# 25 Level 5	Rt. 184 exact <u>location TBD</u>	Thanks for visiting – Come Again Soon Cape Charles, Virginia's Cape Logo

"B" List signs

Sign # & size	Location	Text
#26 - 5	Rt. 642 before intersection with Bayshore Rd. right side. *NOTE* Our maps do not include this area.	Yacht Center would get right arrow. Nature Preserve left arrow.
#27 - 5	642 traveling towards Stone Rd. prior to RR tracks	Historic Downtown, Beach Access & Marina left arrows

VDOT Signs

Sign size	Location	Text
Rt. Signs	West bound Old CC Road at Rt. 642, prior to stop sign.	Rt. 184 & Rt. 13 signs with arrows
Rt. Sign	Exiting on Bayshore Road, right side at water treatment facility's 2 story building	Rt. 13 sign with right arrow
Rt. Sign	Old Cape Charles Road, west side, just at Rosewall fenced area	Rt. 13 sign with left arrow.

VDOT Signs continued

Page 5

Sign size	Location	Text
Rt. Sign	Northeast corner of Fig & Randolph	Rt. signs 184 east with arrow & 13 with arrow
Rt. Sign	Rt. 642 prior to RR tracks	Rt. 13 sign with right arrow

On Hold

Sign size	Location	Text
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Level 3
w/ 2 poles

Rt. 184, north side, diagonally across from
Brewery – after Bike sign, between 4th &
5th Crepe Myrtle

Welcome to CC a Main Street Community

Notes:

- Need to know, from VDOT, minimum & maximum distance directional signs are required to be from intersections.
- Where do we put the Rotary sign?
- Many street signs need to be replaced and or straightened (VDOT), when we replace we should follow design provided
- Several Stop signs need to be looked at
- We need to look at and plan for a new Rte 13 entrance sign

Concerns/Future Considerations:

- We have made all sign language neutral (ie not specifying one particular business) . How do we address such issues as the corner of Fig and Randolph with the Oyster Farm
- How can businesses not on the main strip get signage? Pay to Play? Ie. Northampton Hotel, Hook at Harvey, The Shanty, B&B's etc...

 TOWN OF CAPE CHARLES	AGENDA TITLE: Cape Charles Main Street Support Letter		AGENDA DATE: February 20, 2020
	SUBJECT/PROPOSAL/REQUEST: Letter to Virginia Dept of Housing & Community Development pledging five-year financial support of Cape Charles Main Street		ITEM NUMBER: 9D
	ATTACHMENTS: Letter pledging support		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: William "Smitty" Dize, Mayor	

BACKGROUND:

The Town began researching the Virginia Main Street Program in September 2015. Staff attended a number of workshops and met with staff from the Virginia Department of Housing and Community Development over the next couple of years. On July 6, 2017, the Cape Charles Town Council appointed a Community Enhancement Program Board which was charged with organizing and applying to become a Virginia Main Street Affiliate. The Board made great strides during their first year in generating active community support and in organizational formation. They incorporated themselves as Cape Charles Main Street, Inc. and obtained their tax-exempt status under Internal Revenue Code, § 501(c)(3). In April 2018, the Community Enhancement Board was dissolved by the Town Council and Cape Charles Main Street, Inc. became an official non-profit organization and partner with the Town.

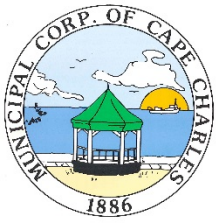
DISCUSSION:

Since their incorporation, Cape Charles Main Street, Inc. has been working toward obtaining their designation as a Virginia Main Street community. They were named as the first Virginia Downtown community in 2018.

There are numerous requirements to obtaining the Virginia Main Street Community designation, one of which is ongoing financial support by the locality. Cape Charles Main Street Program Director Karen Zamorski requested a letter pledging the Town's financial support over the next five years. There is no requirement for a specific dollar amount in the letter. The actual amount of financial support will be discussed and determined annually during the budget process. The draft letter is attached for Council review.

RECOMMENDATION:

Staff recommends Town Council approval for the mayor to sign and provide the letter to Cape Charles Main Street to include in their Virginia Main Street Community Designation application packet.



*Municipal Corp. of
Cape Charles*

February 20, 2020

Virginia Dept. of Housing & Community Development
Virginia Main Street Program
600 E. Main Street, Suite 300
Richmond, VA 23219

Re: Cape Charles Main Street, Inc.

Dear Virginia Main Street Program Leaders:

As the Mayor of Cape Charles, Virginia, I am pleased to support Cape Charles Main Street's application for designation as an official Virginia Main Street community. For more than two years, Cape Charles Main Street has demonstrated outstanding success in promoting existing downtown businesses, downtown revitalization, business recruitment and expansion, and directly and indirectly hosting a myriad of special events to draw people in. The ribbon cutting ceremony they planned for the 14 new businesses that opened in the first year of the program was a testament to its success. Even more exciting are the plans for the future that will enhance the economic growth and vibrancy of downtown Cape Charles while promoting the quaint, historic nature of our community.

There are many projects that Cape Charles Main Street would like to pursue that the additional resources afforded by becoming a designated Main Street community would enable. These projects will allow our town to push our economic and revitalization pursuits to the next level.

The Town Council of the town of Cape Charles has provided substantial funding for the first two years of Cape Charles Main Street's program and pledge to continue the efforts over the next five years. We appreciate all the partnership with the Virginia Main Street program has brought to our town and look forward to continuing this successful partnership.

Sincerely,

William Dize
Mayor