



TOWN COUNCIL
Special Meeting
Town Hall
October 3, 2013
6:00 p.m.

1. Call to Order: Roll Call

2. Public Comments re: Agenda Items Only

3. Order of Business
 - *A. Re-Appointment of Planning Commissioner
 - *B. Re-Appointment of Board of Zoning Appeals Member
 - *C. Re-Appointment of Wetlands & Coastal Dune Board Member
 - *D. Request to Accomack-Northampton Planning District Commission
 - *E. Harbor Development Master Plan
 - *F. Harbor Protection Capital Projects

4. Motion to Adjourn

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Reappointment of Planning Commissioner		AGENDA DATE: October 17, 2013
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Planning Commissioner		ITEM NUMBER: 3A
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Planning Commission serves as an advisory body to the Town Council for planning-related matters and consists of seven members each serving four-year terms.

DISCUSSION:

Sandra Salopek was appointed to the Planning Commission in September 2012 to complete the unexpired term for Bruce Brinkley. Her term expires October 31, 2013. Ms. Salopek has expressed her interest in continuing her service on the Commission for another term.

RECOMMENDATION:

Staff recommends Council reappoint Ms. Sandra Salopek to the Planning Commission for another four-year term.

 <p>TOWN OF CAPE CHARLES</p>	AGENDA TITLE: Reappointment of Board of Zoning Appeals Member		AGENDA DATE: October 17, 2013
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Member to the Board of Zoning Appeals		ITEM NUMBER: 3B
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Board of Zoning Appeals hears zoning appeals and reviews variance and special exception applications. All appointments are made by the Town Council and are approved by the Circuit Court of Northampton County. The Board consists of five members each service five-year terms

DISCUSSION:

Ray Salopek was appointed to the Board of Zoning Appeals in December 2012 to complete the unexpired term for Steve Hairfield. His term currently expires October 31, 2013. Mr. Salopek has expressed his interest in continuing his service on the Board for another term.

RECOMMENDATION:

Staff recommends Council reappoint Mr. Ray Salopek to the Board of Zoning Appeals for another five-year term.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Reappointment of Wetlands & Coastal Dune Board Member		AGENDA DATE: October 17, 2013
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Member to the Wetlands & Coastal Dune Board		ITEM NUMBER: 3C
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rob Testerman, Planner	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Wetlands & Coastal Dune Board reviews applications for certain activities in wetlands and dune areas. The Board consists of five members each serving five-year terms.

DISCUSSION:

Ray Salopek was appointed to the Wetlands Board in April 2013 to complete the unexpired term for Wayne Creed. His term currently expires November 12, 2013. Mr. Salopek has expressed his interest in continuing his service on the Board for another term.

RECOMMENDATION:

Staff recommends Council reappoint Mr. Ray Salopek to the Wetlands & Coastal Dune Board for another five-year term.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Request to Accomack-Northampton Planning District Commission		AGENDA DATE: October 17, 2013
	SUBJECT/PROPOSAL/REQUEST: Request to ANPDC re: Comprehensive Plan Update		ITEM NUMBER: 3D
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The current Cape Charles Comprehensive Plan was adopted by the Town Council on June 11, 2009. The rewrite of the Comprehensive Plan was done in-house and the Cape Charles Planning Commission spent several years researching and revising the Plan.

Code of Virginia § 15.2-2230 requires that the Planning Commission review the Comprehensive Plan every five years to determine whether it is advisable to amend the plan.

\$30K is included in the FY 2013-2014 budget to obtain professional assistance to update the Town's Comprehensive Plan.

In 1999, the Town worked with the Accomack-Northampton Planning District Commission for a previous update of the Comprehensive Plan.

DISCUSSION:

Heather Arcos and Rob Testerman met with Ms. Elaine Meil, Executive Director of the Accomack-Northampton Planning District Commission (ANPDC) regarding their assistance to review and update the Comprehensive Plan. The cost savings are expected to be significant with a potential decrease of 50% vs. using the services of a consulting firm.

The Town Council must request the services of the ANPDC in this capacity. Upon receipt of the Town's request, Ms. Meil will prepare a scope of work and estimate for review and approval by the Council. If selected, the ANPDC will be able to begin working with the Town staff and Planning Commission in January 2014.

The Planning Commission is currently reviewing sections of the Comprehensive Plan to provide their recommendation on areas needing to be reviewed further and/or updated.

RECOMMENDATION:

Staff recommends Council approval to request the assistance of the Accomack-Northampton Planning District Commission in the review and update of the Cape Charles Comprehensive Plan.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Harbor Development Master Plan		AGENDA DATE: October 3, 2013
	SUBJECT/PROPOSAL/REQUEST: Review Draft Harbor Master Plan		ITEM NUMBER: 3E
	ATTACHMENTS: Draft Harbor Master Plan		FOR COUNCIL: Action (x) Information ()
	STAFF CONTACT (s): Smitty Dize	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

The Cape Charles Harbor Master Plan was approved in 2007. Part of the plan has been accomplished and some changes in waterfront utilization have occurred or are under consideration. It would be useful to update the Harbor Master Plan to aid in discussions with state and federal agencies concerning permitting and financial assistance matters.

On August 1, 2013, Town Council approved a change order to our contract with Langley & McDonald in the amount of \$7,500 to update the Harbor Master Plan.

DISCUSSION:

The Harbor conceptual master plan has been updated to reflect the following:

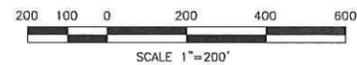
1. Completion of Phase I (floating docks, bath-house, and restaurant).
2. Phase IV (special event pavilion and support facilities) has been replaced for development of a yacht/vessel maintenance and repair center on Town property leased by South Port Investors.
3. Proposed intermodal shipping terminal.
4. Travel lift and wave break proposed by Bayshore Concrete Products; currently in the Army Corps of Engineers permit process.
5. Off-shore breakwaters with two of the five completed.
6. Wave Attenuator for improved inner harbor protection with additional docking space.
7. New inner basin Bathhouse necessary to comply with Health Department regulations.

RECOMMENDATION:

Staff recommends approval if deemed acceptable, or provide comments in order to finalize plan.



CAPE CHARLES HARBOR
CAPE CHARLES, VIRGINIA



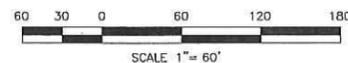
HARBOR MASTER PLAN - CONCEPTUAL



309 Lynnhaven Parkway
 Virginia Beach, VA 23452
 PH: (757) 463-4306 FAX: (757) 463-3563
 L&M PROJECT NUMBER: 2007-012, 9/27/13
 L&M FILE NAME: Master Harbor Exhibit 04



CAPE CHARLES HARBOR
CAPE CHARLES, VIRGINIA



HARBOR MASTER PLAN - CONCEPTUAL

 TOWN OF CAPE CHARLES	AGENDA TITLE: Harbor Protection Capital Projects		AGENDA DATE: October 3, 2013
	SUBJECT/PROPOSAL/REQUEST: To provide an update on capital projects in the Harbor		ITEM NUMBER: 3F
	ATTACHMENTS: Letter to Delegate Lewis		FOR COUNCIL: Action () Information (X)
	STAFF CONTACT (s): Heather Arcos	REVIEWED BY: Heather Arcos, Town Manager	

BACKGROUND:

In Fiscal year 2013; The Virginia Port Authority awarded the Town \$500,000 to begin work on the remaining three (3) segments of the offshore breakwaters. We worked with the stakeholders over the course of a year to assist the town in protecting the harbor, current development projects and increase the opportunities to grow the harbor into a port of mixed commercial and recreational uses.

In Fiscal year ending June 30, 2014; the Town was granted a carryover of \$500,000 by the Virginia Port Authority. At which time, the Town was looking at alternative protection in the inner basin in addition to the breakwaters to be considered as a project as well as the breakwaters.

At this time, we feel it's most beneficial to refocus on completion of the remaining breakwaters by either constructing one (1) or all breakwaters. The attenuator will remain on our master plan for additional protection in the inner harbor and when completed would allow for reconfiguration of floating slips to include 23 new slips.

DISCUSSION:

Recently, we met with Bayshore Concrete to review a wave study completed by Bayshore as a part of their pier project. The study showed the effects of the waves assuming the three (3) remaining breakwaters were constructed and clearly the breakwaters will protect the harbor by significantly decreasing the wave-driven swells in the harbor.

As a result of the study; construction of the remaining breakwaters will provide the most protection. The updated cost estimate to complete all three remaining breakwaters is \$2.4 million. The estimate for the southernmost breakwater is \$900,000.

We are aggressively seeking additional funding through our state legislators; as shown in a letter to Delegate Lynwood Lewis, dated September 9, 2013. We will continue our efforts to secure additional funding to complete one or all three breakwaters.

An option to consider as we move forward is financing the balance of \$400,000 and reevaluating this project as we work with Davenport who will provide the Town with possible low interest financing in order to complete capital projects.

RECOMMENDATION:

For Information Only. To discuss the update on the harbor capital projects; and consideration of future financing opportunities to complete one or all of the breakwaters.



Municipal Corp. of Cape Charles

September 9, 2013

The Honorable Lynwood Lewis
Virginia House of Delegates
P O Box 760
Accomack, VA 23301

Subject: Breakwater Project

Dear Lynwood:

I would like to take this opportunity to express our gratitude for your continued support over the years for the redevelopment of our Town Harbor.

As you know, we have been able to construct two of the five planned offshore breakwaters with a combination of Virginia Port Authority (VPA) Aid to Local Ports grants and Town financing. The design and permits for all five segments of the project are in place at this time. The Town received a \$500,000 grant from the VPA in 2012 to begin work on the next phase of the project as a part of the Harbor Redevelopment Master Plan. The estimated cost for each of the three remaining breakwater segments is approximately \$800,000, for a total of \$2.4 million.

We were not able to construct the third breakwater since matching funds for the grant were unaffordable for the Town and our attempts to secure additional funding for the breakwater project has been unsuccessful. As we requested, a carryover of the \$500,000 was granted by the VPA as we studied alternatives to protect the harbor.

As you are aware, the recent funding to construct the Harbor Access Road will open up many opportunities to grow our harbor into a Port. This puts renewed emphasis on completing the offshore breakwaters as opposed to other means of harbor protection.

It is important that we protect the development currently in the harbor and the opportunities for investment in mixed commercial/recreational uses in the harbor. South Port Investors, LLC is about to commence the first phase of construction, approximately \$5 million, for a vessel maintenance and repair facility. We have been working in partnership with them on a way to provide better protection for assets owned by the Town, South Port, the U.S. Coast Guard, Bay Shore Concrete, Bay Coast Railroad, commercial watermen, and recreational boaters. It would also provide opportunities to enable development of other privately held waterfront property in the harbor.

The Honorable Lynwood Lewis
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September 9, 2013

As this is critical to continued economic development and job creation in the Town and Northampton County, we respectfully ask to work with you to seek additional economic development funding in order to complete the construction of the remaining breakwaters.

Thank you for your consideration of our request.

Respectfully,



Dora Sullivan
Mayor, Town of Cape Charles

cc: The Honorable Lynwood Lewis, Richmond address
The Honorable Ralph Northam
The Honorable Barry Knight
The Honorable Aubrey Layne, Jr.
The Honorable Thelma Drake
The Honorable Tim Kaine
The Honorable Mark Warner
The Honorable Scott Rigell
The Honorable Robert McDonnell
South Port Investors, LLC
Bayshore Concrete Products
Bay Coast Railroad
USCG
Heather Arcos, Town Manager
Cape Charles Town Council
Northampton County Board of Supervisors
Katie Nunez, Northampton County Administrator