

# Harbor Area Review Board

## Meeting Agenda

Cape Charles Civic Center – 500 Tazewell Avenue

July 18, 2016

5:30 P.M.

1. **Call to Order; Roll Call**
2. **Invocation and Pledge of Allegiance**
3. **Consent Agenda**
  - A. Approval of Agenda Format
  - B. Approval of April 11, 2016 Meeting Minutes
4. **Old Applications**

None
5. **New Business**
  - A. Lot 19 Harbor District – locate wood-frame, two-story building on permanent block and brick foundation on lot 19.
6. **Other Business**
  - A. None.
7. **Announcements**
8. **Adjourn**



**DRAFT**  
**Harbor Area Review Board**  
**Regular Meeting**  
**Cape Charles Civic Center**  
**April 11, 2016**  
**6:00 p.m.**

At approximately 6:00 p.m. in the Town Hall, Chairman Ralph Orzo, having established a quorum, called to order the Harbor Area Review Board (HARB) Meeting. In addition to Ralph Orzo, present were Board members Steve Bennett, Edward Eichman, Dennis McCoy, Joan Natali, Sandra Salopek and Stuart Smith. Also present were Town Planner Larry DiRe, Town Manager Brent Manuel, Town Clerk Libby Hume, and Assistant Town Clerk Tracy Outten. Applicant of Lots 19 and 20 Dan Brown of Southport Investors, LLC was in attendance. One Member of the public was in attendance.

Ralph Orzo offered the invocation and led the Pledge of Allegiance.

**CONSENT AGENDA**

**Motion made by Joan Natali, seconded by Steve Bennett, and unanimously approved to accept the agenda format as presented.**

The Board members reviewed the minutes from the December 21, 2015 Regular Meeting.

**Motion made by Sandra Salopek, seconded by Stuart Smith, and unanimously approved to accept the minutes from the December 21, 2016 Regular Meeting as presented.**

**OLD APPLICATIONS**

There was no Old Business to review.

**NEW BUSINESS**

- A. *Lot 19 Harbor District – locate wood-frame, single-story commercial building and new construction bath house on lot 19;*

Ralph Orzo stated this was a relocation of a building, Ms. Kitty. Ms. Kitty was currently located on the Webster property in Cheriton. Discussion continued as follows: i) The roof was currently cedar shake and would most likely remain as such; ii) The roof on the north elevation and south side porch would be metal; iii) The sheds would match the existing buildings; iv) Dan Brown stated that the Ms. Kitty building would be open during regular business hours and locked after hours. There was some discussion regarding installation of a keypad to allow boaters access afterhours; v) There would be no washer and dryer nor a kitchen; vi) Edward Eichman commented that the handicap ramp appeared to go to the staff entrance. It was not connected to the covered deck nor did it allow ADA public access to the building. Dan Brown responded that the rendering was drawn by the architect and was not sure why it was drawn the way it was but the ramp could be modified. Mr. Brown added that the project would completed in compliance with the building code guidelines. Mr. Brown went on to state that the Ms. Kitty building would be for the dock master and staff, not visitors. The Harvey building would house the ship store for visitors; vii) Edward Eichman questioned why the South Elevation foundation had exposed masonry block vs. brick veneer. The rendering for the Harvey Building showed a footnote regarding the brick veneer foundation but the Ms. Kitty rendering did not. This would be added since it was a requirement of the Harbor Area Design

Standards; viii) There was much discussion regarding pedestrian traffic on the walkway and green area. Stuart Smith suggested a sidewalk to extend across the green area. Steve Bennett added that the parking area was gravel but a stoop could possibly be installed for access to the stairs vs. a sidewalk. Dan Brown responded that something could possibly be integrated. There was additional discussion regarding a hard surface for walking or wheelchair accessibility; ix) There was also some concern regarding pedestrians on the seawall/bulkhead which did not have railings. Stuart Smith stated that people would walk on it to look at the boats and it could be a hazard. If the facility ever became a marina facility with docks, the walkway would be public access and this safety issue needed to be considered; x) The parking area would include curb stops and lines to delineate the parking spaces. There was much discussion regarding handicap spaces. The Board requested the applicant to include handicap parking for both parking lots as required by code.

**Motion made by Dennis McCoy, seconded by Joan Natali, to recommend Council approval of a Harbor Development Certificate for a Bath/Shower House and Dock Master Station on Lot 19 with three conditions: 1) Possible extension of the ramp to connect with the covered deck and to allow ADA public access to the building; 2) The foundation should have brick veneer vs. exposed masonry; and 3) Handicap accessible parking should be added if required by code.**

B. *Lot 20 Harbor District – locate wood-frame, two-story mixed use building on permanent block and brick foundation on lot 20.*

The use of the Harvey building had changed but the look would remain the same as the previous application and the building was reviewed thoroughly at the last meeting. There would be a mercantile store on the first floor offering marina supplies, commonly used engine parts, beach-related merchandise, safety equipment, packaged snacks and drinks. The second floor would have a single unit short-stay accommodation for transient boaters. There was discussion as follows: i) Dan Brown stated that the Harvey building would be located at the northeast corner of lot 20 with a view of the harbor. The “dirty” work would be across the street and lots 19 and 20 would remain more aesthetically acceptable; ii) Larry DiRe stated that green space would not be an issue since there were minimal requirements for a development of this size. Dan Brown added that beach grasses, beds and other plantings would be planted; iii) The hours of operation were 8:00 a.m. – 5:00 p.m. but the hours could possibly be extended during the summer to 8:00 p.m. The Bathhouse would be accessible to overnight and transient boaters; iv) Work would start on the project as soon as permitted.

**Motion made by Stuart Smith, seconded by Steve Bennett, to recommend Council approval of a Harbor Development Certificate for a mercantile on the first floor and overnight accommodations on the second floor of the Harvey building on Lot 20 with the condition that handicap accessible parking be added if required by code.**

Edward Eichman commended Southport for their historic preservation efforts and adaptive reuse was a good historic preservation option. South Port spent a lot of money in relocating these two buildings to Cape Charles. Mr. Eichman expressed his pleasure with the historic preservation commitment.

Stuart Smith asked whether the office building was being kept. Dan Brown responded that the existing building would remain as is but that more support, clerical and bookkeeping staff would be needed.

Ralph Orzo stated that this was currently a repair facility but when it was changed to a marina, more approvals and modifications would be required. Dan Brown stated that when the facility was converted, he would work with the US Army Corps of Engineers for pier permits, etc.

Larry DiRe mentioned that the Harbor Development Certificate applications would be reviewed by Council at their April 21<sup>st</sup> meeting.

**OTHER BUSINESS**

There was no Other Business to discuss.

**ANNOUNCEMENTS**

There were no announcements.

**Motion made by Joan Natali, seconded by Sandra Salopek, to adjourn the Harbor Area Review Board meeting. The motion was approved by unanimous vote.**

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Chairman Ralph Orzo

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Assistant Town Clerk

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| <br><b>TOWN OF<br/>CAPE CHARLES</b> | <b>AGENDA TITLE:</b> Application for Harbor Development Certificate at Lot 19 Cape Charles Harbor                   |   | <b>AGENDA DATE:</b><br>July 21, 2016                 |
|  | <b>SUBJECT/PROPOSAL/REQUEST:</b> Action by Town Council to consider application for Harbor Development Certificate. |   | <b>ITEM NUMBER:</b><br>xx                            |
|  | <b>ATTACHMENTS:</b> Application, site plan, project narrative.  |   | <b>FOR COUNCIL:</b><br>Action (X)<br>Information ( ) |
|  | <b>STAFF CONTACT (s):</b><br>Larry DiRe   | <b>REVIEWED BY:</b><br>Brent Manuel, Town Manager |  |

### **BACKGROUND:**

The Harbor Area Review Board was scheduled to meet on Monday July 11, 2016 to review an application for Harbor Development Certificate to locate a two-story, wood frame building on a permanent block and brick veneer foundation at Lot 19 in the Cape Charles harbor area. The Board did not have a quorum at that time, so they rescheduled the meeting for Monday July 18<sup>th</sup> at 5:30 pm to review the application materials and question the applicant. Previously the Board did unanimously vote to recommend approval of locating this building on a permanent foundation on Lot 20. The owner applied to move the building to Lot 19 instead, and that is the issue before the Board.

### **ITEM SPECIFICS:**

Article III Section 3.9 enumerates the design and development requirements that must be met. First, the lot meets the lot area requirements described in Section 3.9.F.1. Second, at less than 2,000-square feet of development on an 81,000 square foot lot, open space is available to the public. Third, the parcel does not feature any alleys and so there are no requirements as stated in Sections 3.9.I.3.e, and .f. Fourth, the small scale development and limited commercial uses will not have vehicular impact beyond what can be expected for the street in its current usage (Section 3.9.I.3.d, .g). The multimodal (including marine) feature of the development will not impact pedestrian traffic (Section 3.9.I.3.i). Fifth, while the addition of any built structure or impervious surface creates micro-climatic changes (Section 3.9.I.3.l), the physical scale and height of the Harvey building will not create heat zones, cast shadows on streets or public open spaces, or redirect wind beyond what would be expected of a single-family house anywhere in Town. Sixth, on-site signage is small and affixed to the front (east side) of the building (Section 3.9.I.3.o). Finally, the site plan shows parking on Lot 19 adjacent to the Harvey building footprint. Staff finds that to be appropriate given intention of sharing parking and reducing the growth of impervious surface on Lot 20. Lot 20 is in a less developed state than the more industrial Lot 19. Also, the same corporate entity would be operating facilities on these lots, with the longer-term intention to purchase both lots.

### **RECOMMENDATION:**

Pending Town Council review and discussion staff recommends approval of the application for Harbor Development Certificate for Lot 19.

Application for Harbor Development Certificate

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

Date 6/30/16

Permit No.:

Fee: \$ 300.00 / 6-30-16

Proposed Use: Rigging shop; dockmaster station; bath house

Present Zoning: Harbor District

Location Address: 1011 Bayshore Rd. Cape Charles VA 23310

Tax Map ID: 83A3-A-19 Acreage: 1.3

I (We) hereby petition the Cape Charles Town Council for a Harbor Development Certificate to provide the above use on the above mentioned property.

I (We) acknowledge the fact that all pertinent information required by the Harbor Area Review Board and Zoning Office must be submitted in a timely manner so that required public meetings can be scheduled and advertised (Zoning Ordinance §3.9.1). Applicant or representative must be present in the public meetings.

Land Owner/Lessee Name: Southport Investors LLC

Land Owner/Lessee Signature: Dan Brown

Address: PO Box 395 Eastville, VA 23347

Phone Number: 757-695-0265 Email Address: danbrown.va@gmail.com

Harbor Area Review Board Meeting

Date: July 11, 2016 Time: 6:00pm

Meetings will be held at the Cape Charles Civic Center unless otherwise noted.

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Harbor Development Certificate Application Checklist

- 1. [x] completed application
2. [x] payment of fees (\$300.00 + \$70.00 per acre)
3. [x] letter of application stating in general terms: (a) the proposed use of the property, (b) the effect of the changes on the surrounding area, and (c) the reason for the request
4. [x] plot plan in accordance with the Site Plan Ordinance

Detailed application information shall be added per §3.9.1.1.b of the Zoning Ordinance when required.

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## Larry DiRe

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**From:** Dan Brown <danbrown.va@gmail.com>  
**Sent:** Friday, July 01, 2016 3:39 PM  
**To:** Eyre Baldwin; Larry DiRe  
**Subject:** Lot 19 Narrative

Larry - first let me thank you for your patience regarding uncertainty with these buildings. The good part about it all, is that as our business and scope of ability grows we need these little spaces to operate and serve people. Undoubtedly with Harvey in the new place, not only can it handle provisions that are needed on the dock directly, it acts as a lay down facility for rigging and masting. We have a huge project now with the S/Y Arrabella that is a complete mast and rigging job. It has probably taken this job for us to realize why a rigging shop with its tools and utilities needed, for us to plan the site.

Missy Kitty house: This too, is water dependent, like the towns dock master office. It will house several operations, key to our waterfront.

Our business is all service, it is dependent on boats in the water and out of the water.

Like other shipyards in this country the facilities are all dockside. When we are able to haul boats and get them away from the watershed, we do it, the proof is on lot 17.

Today we are asking simply for the tools and facilities to do our work that's In the water. Accommodate the customers, that come here and their needs.

The bath house will serve as a bathroom facility for our customers.

Again I thank you, the council, and the Harb review board for your patience.

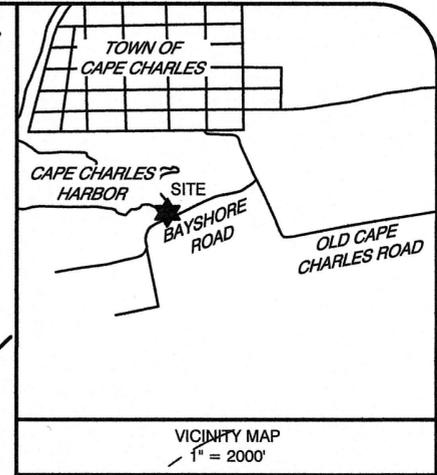
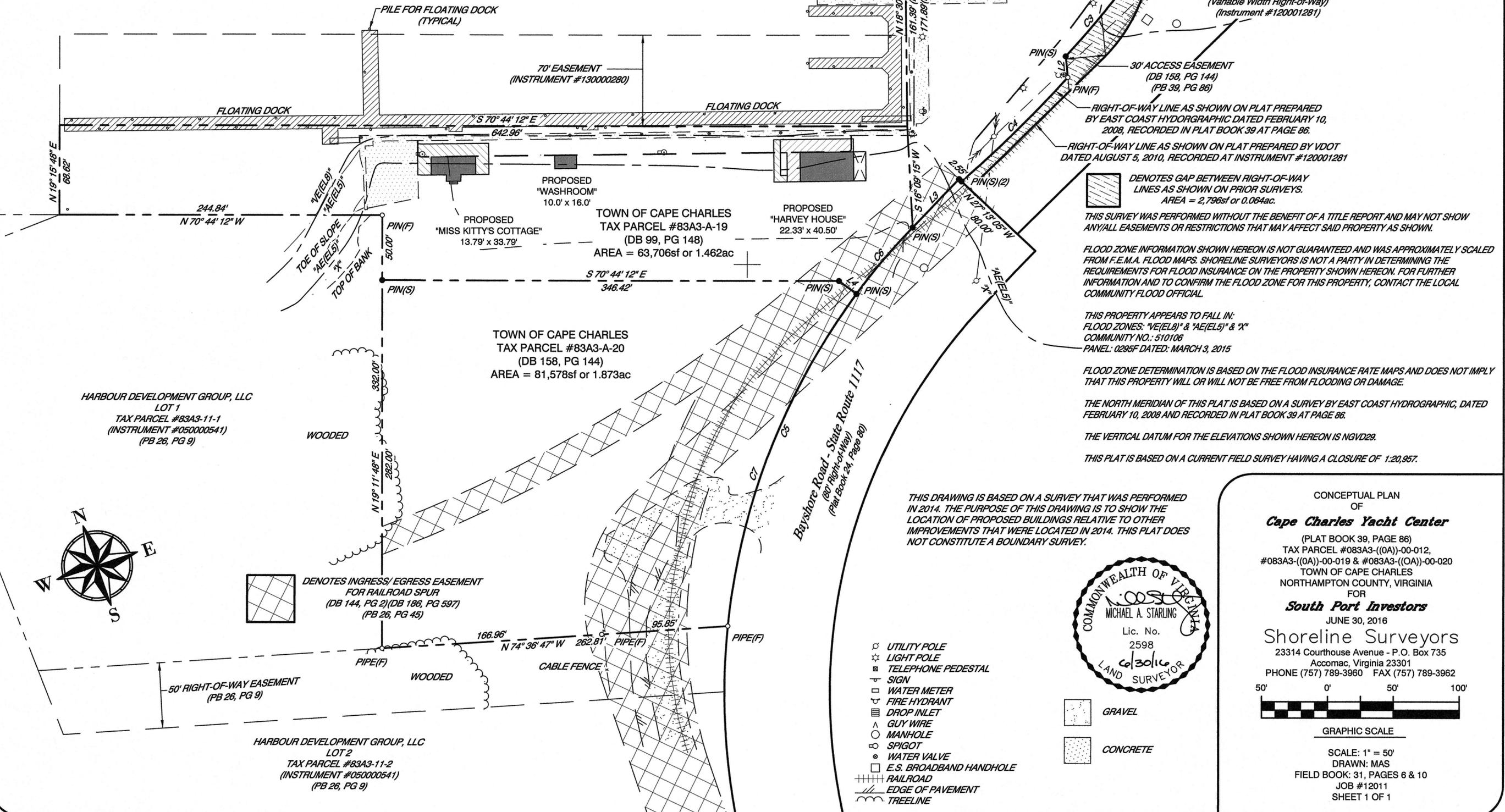
Sincerely Eyre Baldwin

Sent from my iPhone

Sent from my iPhone

| CURVE TABLE |         |         |         |             |               |
|-------------|---------|---------|---------|-------------|---------------|
| CURVE       | LENGTH  | RADIUS  | CHORD   | DELTA ANGLE | BEARING       |
| C1          | 68.41'  | 125.00' | 67.56'  | 31°21'26"   | S 15°46'08" W |
| C2          | 34.00'  | 427.91' | 33.99'  | 04°33'07"   | S 54°59'52" W |
| C3          | 59.91'  | 815.23' | 59.90'  | 04°12'39"   | S 59°22'45" W |
| C4          | 113.43' | 945.37' | 113.36' | 06°52'28"   | S 64°31'37" W |
| C5          | 342.15' | 517.46' | 335.95' | 37°53'05"   | S 43°50'22" W |
| C6          | 66.47'  | 517.46' | 66.42'  | 07°21'34"   | S 59°06'07" W |
| C7          | 275.68' | 517.46' | 272.43' | 30°31'30"   | S 40°09'35" W |

| LINE TABLE |        |               |
|------------|--------|---------------|
| LINE       | LENGTH | BEARING       |
| L1         | 41.82' | S 31°26'43" W |
| L2         | 16.26' | S 13°34'22" W |
| L3         | 50.98' | S 62°46'55" W |
| L4         | 16.46' | S 34°34'33" E |



DENOTES GAP BETWEEN RIGHT-OF-WAY LINES AS SHOWN ON PRIOR SURVEYS. AREA = 2,796sf or 0.064ac.

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

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

THIS PROPERTY APPEARS TO FALL IN:  
FLOOD ZONES: "VE(ELB)" & "AE(EL5)" & "X"  
COMMUNITY NO.: 510106  
PANEL: 0295F DATED: MARCH 3, 2015

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

THE NORTH MERIDIAN OF THIS PLAT IS BASED ON A SURVEY BY EAST COAST HYDROGRAPHIC, DATED FEBRUARY 10, 2008 AND RECORDED IN PLAT BOOK 39 AT PAGE 86.

THE VERTICAL DATUM FOR THE ELEVATIONS SHOWN HEREON IS NGVD29.

THIS PLAT IS BASED ON A CURRENT FIELD SURVEY HAVING A CLOSURE OF 1:20,957.

THIS DRAWING IS BASED ON A SURVEY THAT WAS PERFORMED IN 2014. THE PURPOSE OF THIS DRAWING IS TO SHOW THE LOCATION OF PROPOSED BUILDINGS RELATIVE TO OTHER IMPROVEMENTS THAT WERE LOCATED IN 2014. THIS PLAT DOES NOT CONSTITUTE A BOUNDARY SURVEY.



- UTILITY POLE
- ☆ LIGHT POLE
- TELEPHONE PEDESTAL
- ⊕ SIGN
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- ⊕ DROP INLET
- ⊕ GUY WIRE
- MANHOLE
- SPIGOT
- WATER VALVE
- E.S. BROADBAND HANDHOLE
- ⊕ RAILROAD
- ⊕ EDGE OF PAVEMENT
- ⊕ TREELINE

GRAVEL

CONCRETE

CONCEPTUAL PLAN OF  
**Cape Charles Yacht Center**  
(PLAT BOOK 39, PAGE 86)  
TAX PARCEL #083A3-(0A)-00-012,  
#083A3-(0A)-00-019 & #083A3-(0A)-00-020  
TOWN OF CAPE CHARLES  
NORTHAMPTON COUNTY, VIRGINIA  
FOR  
**South Port Investors**  
JUNE 30, 2016  
**Shoreline Surveyors**  
23314 Courthouse Avenue - P.O. Box 735  
Accomac, Virginia 23301  
PHONE (757) 789-3960 FAX (757) 789-3962

GRAPHIC SCALE

SCALE: 1" = 50'  
DRAWN: MAS  
FIELD BOOK: 31, PAGES 6 & 10  
JOB #12011  
SHEET 1 OF 1