

# Historic District Review Board

Cape Charles Civic Center – 500 Tazewell

## Regular Session Agenda

February 21, 2017 6:00 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 Minutes
4. New Business
  - A. Application for Certificate of Appropriateness for 611 Tazewell Avenue – new sliding door and transom window
  - B. 2016 Annual Report
  - C. Selection of Community Enhancement Program Board interview and selection committee member
  - D. Election of officers
5. Old Business
  - A. Guidelines review
6. Announcements
7. Adjourn



**DRAFT**  
**HISTORIC DISTRICT REVIEW BOARD**

**Regular Meeting**  
**Cape Charles Civic Center**  
**January 17, 2017**  
**6:00 p.m.**

At approximately 6:00 p.m. Chairman Joe Fehrer, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Joe Fehrer, present were John Caton, Terry Strub, David Gay and Sandra Salopek. Also in attendance were Town Planner Larry DiRe, Assistant Town Clerk Tracy Outten and the applicant, Thomas Arnold. There were no other members of the public in attendance.

Chairman Joe Fehrer started the HDRB Regular meeting with a moment of silence and the recitation of the Pledge of Allegiance.

**CONSENT AGENDA:**

**Motion made by Terry Strub, seconded by David Gay, to accept the agenda as presented. The motion was unanimously approved.**

The HDRB reviewed the minutes from the November 15, 2016 Regular Meeting and the December 13, 2016 Regular Meeting.

**Motion made by Terry Strub, seconded by John Caton, to accept the minutes of the November 15, 2016 Regular Meeting and the December 13, 2016 Regular Meeting as presented. The motion was unanimously approved.**

**NEW BUSINESS:**

A. *Application for Certificate of Appropriateness for 204 Jefferson Avenue\lot 221 – new construction of single-family dwelling.*

Applicant, Thomas Arnold, gave an overview of the proposed plans. The board members discussed plan details with the applicant. Joe Fehrer noted some items that might be changed from what was in the plans and advised Mr. Arnold that the Historic District preferred to see new buildings to complement the historical buildings.

**Motion made by John Caton, seconded by Terry Strub, to approve the Application for the Certificate of Appropriateness for 204 Jefferson Avenue as submitted. The motion was approved by unanimous vote.**

B. *Procedural requirements for expanding the Historic District footprint and including additional historic sites*

Larry DiRe explained that in order to expand the Historic District a more accurate survey needed to be completed, adding that a survey was in progress. Joe Fehrer suggested a discussion with Marcus Pollard regarding adding other places to the district.

**OLD BUSINESS:**

A. *Review of draft paint structure, and residential heritage and specimen tree sections language for revised Guidelines document.*

The board discussed the second draft of the HDRB Painting and Color Palette Guidelines, which was written by Joe Fehrer. After some discussion the following sections were deleted. (i) As part of the Guidelines review process, the Historic District Review Board has developed a suggested Color Chart, which should be consulted to assist in determining appropriate colors for homes in the historic district. The Board strongly urges home and business owners in the district, who will be painting their building to make use of this information. (ii) In addition, the Board reserves the right to review paint colors in instances where the new color is so clearly inappropriate as to constitute alteration of the architectural character of the building.

**Motion made by Joe Fehrer, seconded by David Gay, to approve the proposed Cape Charles Historic District Guidelines Painting and Color Palett, 2<sup>nd</sup> Draft addition as discussed. The motion was approved by unanimous vote.**

Joe Fehrer suggested the members review his proposed Heritage and Specimen Trees Cape Charles Historic District Guidelines section and put as an agenda item for the February meeting.

**ANNOUNCEMENTS:**

*CAMP follow-up work session Wednesday, January 18<sup>th</sup> 4:00 pm in Town Hall.*

Joe Fehrer announced that the Town Council would hear the Historic District Review Board Appeal for 204 Washington Avenue at their meeting on Thursday, January 19, 2017 at 6:00 p.m.

**Motion made by Joe Fehrer, seconded by Terry Strub, to adjourn the Historic District Review Board Regular Meeting. The motion was unanimously approved.**

---

Chairman Joe Fehrer

---

Assistant Town Clerk



**DRAFT**  
**HISTORIC DISTRICT REVIEW BOARD**  
**Work Session**  
**Cape Charles Town Hall – 2 Plum Street**  
**January 18, 2017**  
**4:00 p.m.**

At approximately 4:00 p.m. Chairman Joe Fehrer, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Joe Fehrer, present were John Caton, Terry Strub, David Gay and Sandra Salopek. Also in attendance were Assistant Town Manager Bob Panek, Town Planner Larry DiRe and Assistant Town Clerk Tracy Outten.

Chairman Joe Fehrer started the HDRB Work Session with a moment of silence and the recitation of the Pledge of Allegiance.

**CONSENT AGENDA:**

**Motion made by David Gay, seconded by Terry Strub, to accept the agenda as presented. The motion was unanimously approved.**

**NEW BUSINESS:**

A. *None.*

**OLD BUSINESS:**

A. *CAMP program follow-up*

HDRB members discussed how motions were documented. Joe Fehrer suggested using the attached CAMP Motion Worksheet as a guide for future Historic District Review Board motions.

Joe Fehrer would like the board to clearly define the wording in the guidelines.

Some discussion on historical signage was discussed and would be pursued at a later date.

Joe Fehrer reminded the board that the HDRB appeal would be heard at the Town Council meeting on Thursday, January 19<sup>th</sup>.

**Motion made by Joe Fehrer, seconded by Terry Strub, to adjourn the Historic District Review Board Work Session. The motion was unanimously approved.**

---

Chairman Joe Fehrer

---

Assistant Town Clerk

**MOTION WORKSHEET:**

---

**Motion for Findings of Fact:**

I move that, based upon the evidence presented in the application and during the public hearing, the commission finds and concludes that the proposed [work]

[does / does not] have a substantial adverse effect on the significance and character of the [property / district]

according to guidelines sections [list applicable sections],

and the following facts:

- 
- 
- 
- 

**Motion to Grant/Deny COA:**

Based upon the findings of fact, I move to:

*Approve;*

*Approve with the following conditions;*

- 1.
- 2.
- 3.

*Defer;*

*Deny;*

the application for *123 Elm Street* as [*submitted / amended in plans/correspondence dated* \_\_\_ ]

**FACTS WORKSHEET:**

---

- Building is a contributing property in the Cedar Oak Historic District.
- Proposed location is along the side facade and involves converting an existing window into a door.
- Handicap ramp will be a wood frame structure with wood-plastic composite decking and handrails.
- Handicap landing and ramp will be constructed in a reversible manner: wood frame, minimal attachment to building, ramp located 12 inches away from the building.
- Parking for café located in rear of building accessed from existing driveway.
- No landscape plans submitted but the proposal will require removal of existing shrubbery along the side facade.

•

•

•

•

•

•

•

# Historic District Review Board Staff Report

From: Larry DiRe   
Date: February 21, 2017  
Item: 4A – Application for Certificate of Appropriateness for 611 Tazewell Avenue –  
new sliding door and transom window, roofing shingles  
Attachments: Complete application, materials sheet, photos

---

## Application Specifics

An application has been received for a Certificate of Appropriateness from the owner of the property at 611 Tazewell Avenue. This is a single-family home, is a contributing structure, and is on a conforming size lot. The current work on the building is the re-framing and remodeling of a rear-area kitchen. The proposed work before the Board involves widening of an existing doorway to accommodate an eight-foot wide sliding door to a patio, roofing shingles, and the installation of a new transom window. The application includes a materials sheet showing the sliding door model proposed and the siding materials and roofing shingles proposed. The reframed rear area is proposed to be clad in hardie plank siding, which is a synthetic siding material approved by the Board on other projects. The roof shingles are proposed to be thirty-year architectural type, to match the existing. The proposed transom window matches those on the building. The rear steps conform to zoning ordinance requirements.

## Discussion

- The Guidelines specifically address synthetic cladding materials. While the general approach is to be preferential to wood over synthetic materials, “If synthetic siding is used, it should match the size, type, style, and surface appearance of the original material as closely as possible. Insure that any moisture, rot, or infestation problems are corrected before covering up these areas with synthetic materials.” (element 3, page 55). The materials sheet submitted by the applicant shows the proposed siding to be “horizontal wood-grain” and would be in conformity with the Guidelines.
- The proposed thirty-year architectural roofing shingles are specifically cited as appropriate materials in the Guidelines (element 2, page 35).
- The proposed doorway widening to accommodate an eight-foot sliding door is addressed in the Guidelines in the Windows and Doors section. Changing the number or location of wall openings is generally to be avoided (element 5, page 40), however elsewhere the Guidelines allow for maintaining the ratio of wall space to openings (element 9, page 40). The applicant presents additional openings in conformity with that Guidelines’ requirement.
- The proposed transom window installation is similar in style to such windows found on this building and within the historic district, and so conforms to the Guidelines language and intent (elements 10 and 11, page 40).

## Recommendation

Staff recommends the Board finds the proposed materials conform to those cited in the relevant sections of the Guidelines, as stated above. Staff recommends the Board finds the application sufficient to merit issuing a Certificate of Appropriateness. Following Board discussion and consideration of the applicant’s presentation, the Board should decide whether a Certificate of Appropriateness is approved for this application.

**Application for Historic District Review**

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

Date: 01-23-2017

Permit No.: Pb170008

\* Please attach checklist items

Fee: \$100.00

Modification Fee: \$50.00

Special Meeting Fee: \$125.00

Applicant: Thom and Charlene Dix Signature: Charlene Dix  
Address: 611 Tazewell Avenue City: Cape Charles State: VA Zip: 23310  
Telephone: 757-710-9614 Charlene Cell: \_\_\_\_\_  
Email: charlene@capechuck.com

Owner(s): Same as above  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Cell: \_\_\_\_\_  
Email: \_\_\_\_\_

Contractor: Scott Simms - Coastal Craftsman Builders, LLC  
Address: 2246 Sand Hill Dr. City: Cape Charles State: VA Zip: 23310  
Telephone: \_\_\_\_\_ Cell: (757) 678-2951  
Email simmstrim@verizon.net  
Town License No.: 16-0238 State License No.: 2705101247

Location of Improvement: 611 Tazewell Avenue  
Lot No.: \_\_\_\_\_ Block No.: \_\_\_\_\_ Lot Size: \_\_\_\_\_ Lot Area: \_\_\_\_\_  
Type of Improvement: Patio sliding door  
Platform + 5 faircase / E. Side Transom window  
Proposed Use: Residential to match others on house  
Estimated Construction Costs: \_\_\_\_\_

Dimension of Structure or Improvement:  
Width: \_\_\_\_\_ Length: \_\_\_\_\_ Height: \_\_\_\_\_  
Total Square Footage: \_\_\_\_\_

Structure of Improvement will be set back:

- from front property line
- from side property line
- from side property line on corner lot
- from rear property line
- from alley

Town Water Permit: \_\_\_\_\_ Town Sewer Permit: \_\_\_\_\_

## Application for Historic District Review

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

### Applicant Checklist:

These items must be submitted to the Town Planner no later than 14 days prior to the Historic District Review Board meeting. The Historic District Review Board meets the third Tuesday of each month.

- Completed signed application
- Application fee payable to "Town of Cape Charles"
- Site plan for any project proposing to alter the principal or accessory building footprint
- Scale drawings drawn to an appropriate scale of the site depicting the affected property and all buildings/structures
- Photos of existing/current structure
- Photos illustrating proposed project
- Material list (if applicable) including building materials, product descriptions and specifications

### 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.

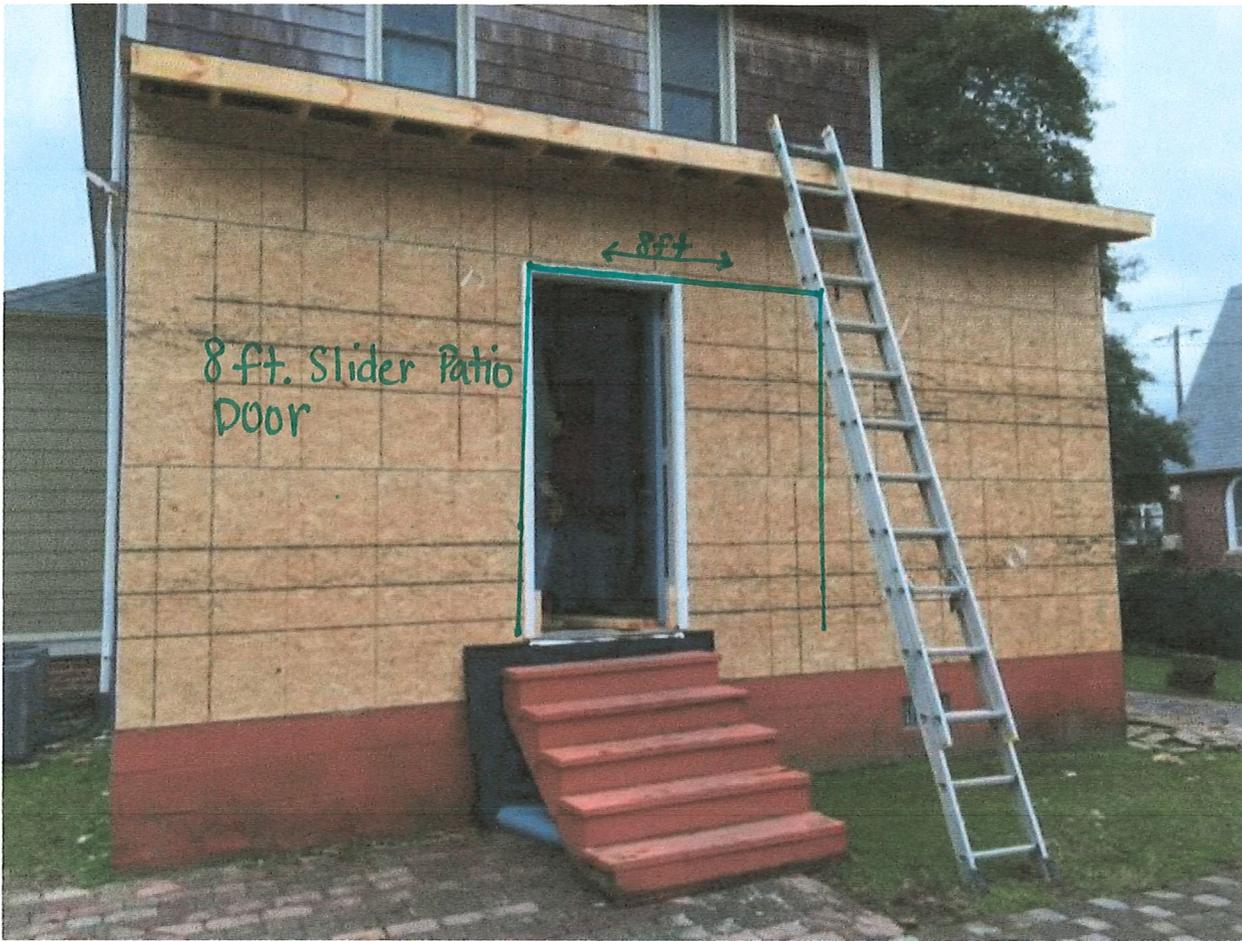
I understand that delinquent real estate taxes must be paid before any permits will be issued per Cape Charles Town Code Sec. 66-4.

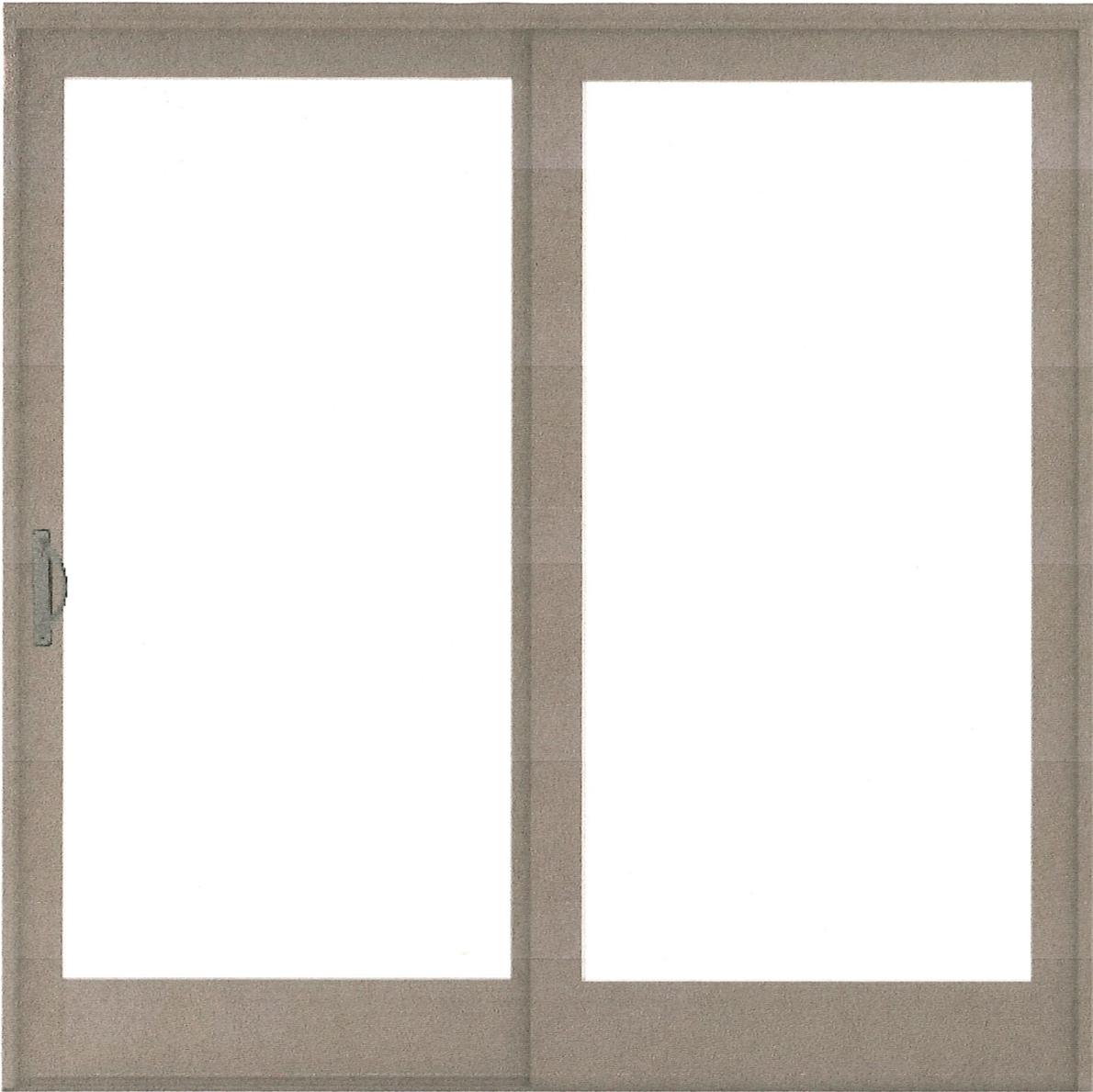
I acknowledge that I have received the checklist of items to be submitted to the Town Planner for Historic District Review Board review. Failure to comply could result in delayed application review.

Signature of Owner/Contractor: \_\_\_\_\_

*Andrew Drip*







Andersen 8ft Gliding Patio Door

**Larry DiRe**

---

**From:** charlenecapechuck@gmail.com on behalf of Charlene Dix <Charlene@capechuck.com>  
**Sent:** Monday, January 30, 2017 9:52 PM  
**To:** planner@capecharles.org  
**Subject:** Dix Application - 611 Tazewell Avenue

Hello Mr. DiRe

Below is the materials list for my application. Please let me know if you need anything else.

- horizontal wood grain hardie siding
- hardie vented soffit
- anderson sliding door
- atrium window to match existing
- 30 year architecture shingles to match existing

Best,

Charlene Dix

[REDACTED]

[REDACTED]

# Historic District Review Board Staff Report

From: Larry DiRe   
Date: February 21, 2017  
Item: 4B – 2016 Annual Report  
Attachments: Copy of 2015 – 2016 Annual Report filed with the Virginia Department of Historic Resources

---

## Item Specifics

### **Introduction**

The Virginia Department of Historic Resources requires all Certified Local Governments to submit an annual activity report for the fiscal year running from October 1 through September 30. The 2016 state report is attached for your information. This staff report supplements that report and includes information not requested in the state report. This report includes only calendar year 2016 actions and activities. For broader context, Planning Department yearly activity provided to the Planning Commission is also provided below.

### **Development in Cape Charles**

2016 saw both new development and redevelopment in Cape Charles. Notable projects included the renovations to several commercial properties on Mason Avenue; progress continued on the Strawberry Street Station mixed-use development and the former Northampton Hotel building; and six new single family homes were permitted. Two structures were demolished in the old town historic district. A small commercial structure and public bath house were approved for Lot 19 in the Harbor District, and one Harbor District parcel was rezoned to Industrial M-2 to allow for working waterfront activities. The Town finalized the purchase of the Mason Avenue parcel to become the future site of Strawberry Street Plaza. Phase 2 of the trail project (Washington Avenue and Peach Street) began in late spring and continued throughout the year. Two other projects being undertaken by state and federal agencies also impact development in Cape Charles. VDOT began work on the Route 642 industrial access project from Stone Road (Route 184) just east of the Town line to Bayshore Concrete. In August and September, the US Army Corps of Engineers completed the last phase of the Cherrystone Creek and Federal Harbor dredging project. Both the channel and the harbor were dredged to 18-feet in depth. Approximately 112,000 cubic yards of spoils were deposited at the upland site and approximately 29,000 cubic yards deposited on the town beach. Sand fence installation and vegetative sprigging of the dunes were completed by mid-December. As listed on the application forms submitted to the Board, the total estimated construction cost of projects approved by the Board in calendar year 2016 is \$1,865,532.

### **Historic District Review Board and Staff Updates**

At the February regular monthly meeting the Board re-elected Joe Fehrer as Chairman and John Caton as Vice Chair for 2016. Tracy Outten was hired as Deputy Town Clerk effective April 4, 2016 and serves as secretary for the Board.

**2016 Summary of Permits and Projects Reviewed by Planning:**

Home Occupations	0
Site Plan Reviews	11
Violations	4
Zoning Clearance	27
Historic District Review	25
Harbor Area Review	3
Wetlands Board Review	3
Board of Zoning Appeals Review	3
Rezoning	1
Conditional Use Permits	2
Lot subdivisions approved	4

**Historic District Guidelines**

The Board reviewed chapters of the Historic District Guidelines, and finalized language for many of those chapters. Work continued on the issue of exterior paint color palettes. The heritage and signature tree issue was raised in 2016, with the Board taking up draft revised text review in early 2017.

**Other Matters**

In June, the Town was awarded a grant from the Virginia Department of Historic Resources to update the historic district register survey of contributing structures. That grant required no local funds match, and is the update project is scheduled to be completed in spring 2017.

Also in June, a private preservationist group held an old house tour and series of lectures on tax credit programs, landscaping, and preservation rehab and construction. Approximately seventy people participated in the tour and lectures.

In December, the town received an appeal request for the Town Council to review a Board decision on the cladding of a new home's chimney shaft. The appeal hearing was held in January 2017, and decided in favor of the applicant's original request.

Discussion

Please review and make any edits or revisions.

Recommendation

Provide direction to staff as needed.

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

## State Annual Report for Fiscal Year 2016

The information gathered using this form will be a valuable tool for tracking the accomplishments of localities participating in the CLG program. Please take the time to complete the form and return it to me by email by January 15, 2017. Thank you for taking the time to complete the annual report and please make sure you complete section 10 so that we may continue to streamline and improve the CLG program to better serve your needs.

Once you have completed the document please save the completed form and email as an attachment to [aubrey.vonlindern@dhr.virginia.gov](mailto:aubrey.vonlindern@dhr.virginia.gov). You can also convert it to a PDF and send as an email attachment.

**Locality Name: Town of Cape Charles**

**Contact Person: Lawrence DiRe**

**Telephone: 757-331-2036**

**Email: [planner@capecharles.org](mailto:planner@capecharles.org)**

**Report Prepared by: Lawrence DiRe**

### Local Review Board Activities

**1. In the 2016 fiscal year, how many review board meetings were held?** Twelve.

Please attach a copy of all ARB bylaws and procedures, if they are new or have been revised during the fiscal year.

**2. In the 2016 fiscal year, how many applications for a Certificate of Appropriateness were:**

Reviewed by the local review board	27
Approved by the local review board	27
Denied by the local review board	0
Appealed by the applicant or another party	0

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

On appeal, how many board decisions were:  
Upheld N/A  
Overturned N/A

Number of Design Review Cases 27

**Please attach a copy of at least one set of minutes for a meeting of the review board at which an application for a certification of appropriateness was discussed.**

### 3. Survey/Inventory/Designation Activities:

**Please indicate whether or not you have an ongoing survey program and enter the number of historic properties surveyed in fiscal year 2015-2016:**

Do you have a survey and inventory program? Not ongoing.

Number of resources added to the local government's survey inventory in 2016. None.

Did your local government have a local register program, which may include Virginia Landmarks Register and/or National Register of Historic Places listing and/or eligibility for listing?  Yes  No

Number of locally designated historic properties. Approximately 490.

Number of applicants assisted through a local historic preservation tax incentive program. None.

Did your community have a local government-funded grants/loan program that could be used for rehabilitating/restoring historic properties?  Yes  No

Number of properties assisted through a local historic preservation grant or loan. N/A

Did your local government have a program that could be used to acquire or help to acquire historic properties in whole or in part through purchase, donation, or other means?  Yes  No

Number of historic properties acquired through purchase, donation or other means. None this year.

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

Were there any additional or new cultural resource surveys done or additions to existing boundaries of existing historic districts completed during this reporting period?  Yes  No

Does this inventory/survey include information on each structure or site within each district?  Yes  No

**If a district was locally designated, please attach a map of the district.**

## 4. Section 106 of the National Historic Preservation Act

Were there any resources reviewed through Section 106.  Yes  No

What is the role of the staff and commission in providing input to Section 106 documents prepared for, or by; the local government? N/A

What is the role of the staff and commission in reviewing Section 106 documents for projects that are proposed within the jurisdiction of the local government? N/A

What, if any, comment on Section 106 reviews of federal projects occurred within the locality in 2016? (e.g. number, federal agency involved, etc.): N/A

## 5. Does the locality have or has there been any new archaeology ordinances implemented during the 2016 fiscal year? Yes No

**If so, please include a copy of these ordinances.**

## 6. Were there any amendments or alterations in the 2015 fiscal year to your:

Local historic district legislation/ordinance during the report period  Yes  No

Design review guidelines  Yes  No

**If yes, please attach a copy of the revised legislation/ordinance or design review guidelines and provide a brief explanation of the reasons for the amendment(s) and/or alteration(s).**

**If changes to design review guidelines were made during the last year, please include a copy of the ARB meeting minutes where these changes were discussed.**

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

## 7. National Register Nominations:

Were any proposed National Register nominations considered by your review board during the 2016 fiscal year?  Yes  No

**If yes, please attach a copy of the minutes of a meeting at which a proposed nomination was considered by the board. If not included in the minutes, please attach an explanation of the board's decision.**

## 8. Members of the Local Review Board

Were there any training/orientation programs offered to review board members in the 2016 fiscal year?  Yes  No

Did any members of the review board attend the training workshops presented by DHR and Preservation Virginia?  Yes  No

### Commission Membership

Name	Professional Discipline	Date Appointed	Date Term Ends	Email Address
Joseph Fehrer	Construction\Preservation	Type here.	January 8, 2020	Type here.
John Caton	Preservation	Type here.	January 8, 2018	Type here.
David Gay	Construction	Type here.	January 8, 2021	Type here.
Sandra Salopak	Preservation	Type here.	October 31, 2017	Type here.
Teri Strub	Preservation	Type here.	January 8, 2022	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

Type here.				
Type here.				

1. If you do not have two qualified professionals on your commission, explain why the professional qualifications have not been met and how professional expertise is otherwise being provided. N/A
  
2. If all positions are not currently filled, why is there a vacancy, and when will the position will be filled? N/A

### Training Received

Indicate what training each commissioner and staff member has received. Remember it is a CLG requirement that all commissioners and staff to the commission attend at least one training program relevant to your commission each year. It is up to the CLG to determine the relevancy of the training. None by September 30, 2016. All Board members participated in the CAMP one-day program on October 31, 2016

Commissioner/Staff Name	Training Title & Description (including method presentation, e.g., webinar, workshop)	Duration of Training	Training Provider	Date
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.
Type here.	Type here.	Type here.	Type here.	Type here.

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

## 9. Public Education and Outreach

List briefly and describe any public outreach, training, publications, etc. conducted or created by the locality.

Project	Description
Type Here	Type Here
Type Here	Type Here
Type Here	Type Here

## 10. Additional Information/Questionnaire

- A. What are the most critical preservation planning issues? Finalizing the historic district guidelines document; exterior paint color palettes.
- B. What is the single accomplishment of your local government this year that has done the most to further preservation in your community? Updating the national register survey.
- C. What recognition are you providing for successful preservation projects or programs? N/A
- D. How did you meet or not meet the goals identified in your annual report for last year? Type here.

# Certified Local Government Program -- 2015-2016 Annual Report

(Reporting period is from October 1, 2015 through September 30, 2016)

- E. What are your local historic preservation goals for 2016-2017? Received CAMP training; updated historic district survey; continued finalizing historic district guidelines document.
- F. So that we may better serve you in the future, are there specific areas and/or issues with which you could use technical assistance from DHR? Not at this time.
- G. In what subject areas would you like to see training provided by DHR? How you like would to see the training delivered (workshops, online, technical assistance bulletins, etc.)?

Training Needed or Desired	Desired Delivery Format
N/A for this year.	N/A for this year.

H. Would you be willing to host a training workshop in cooperation with DHR and Preservation Virginia?

Yes       No

I. Did you apply for a CLG grant during the reporting period?  Yes       No

J. What prevented you from applying? N/A

I. Is there anything else you would like to share with DHR? Not at this time.

Thank You!

Email to [aubrey.vonlindern@dhr.virginia.gov](mailto:aubrey.vonlindern@dhr.virginia.gov)

# Historic District Review Board Staff Report

From: Larry DiRe   
Date: February 21, 2017  
Item: 4C – Selection of Community Enhancement Program Board interview and selection committee member  
Attachments: Copy of report submitted to Town Council February 9, 2017

---

## Item Specifics

For several months, an ad hoc committee has been working on the process of forming a community enhancement program (CEP) along the four-point approach of the national and Virginia Main Street program. An essential part of this process is the formation of a community enhancement board. This board will have nine members interviewed and recommended by an independent five-member selection committee. Those chosen by the selection committee will be sent to the Town Council for a vote and appointment. The Town Council has expressed interest in having a member of the Historic District Review Board serve on the five-member selection committee. Members of the selection committee may not be members of the nine-member CEP board. The selection committee will begin their work in earnest in early March and work until approximately late April. An informational report generated by the ad hoc committee is attached. The following information is taken from the Town website.

*The Town of Cape Charles Community Enhancement Program is based on the Virginia Main Street Program. The Virginia Main Street Program is a preservation-based economic and community development program that follows the National Main Street Center's Main Street Approach™. Virginia Main Street offers a range of services and assistance to meet the variety of needs of communities interested in revitalization.*

*The focal point of the program is assistance to competitively selected communities that are working in traditional downtown settings and meet certain threshold criteria. Communities with a population of 75,000 or less with a high degree of commitment and readiness that wish to use the Main Street Approach™ in a traditional downtown setting may apply for formal Virginia Main Street designation. For communities that are just getting started, do not want full Main Street designation, or for communities that wish to use the Main Street Approach™ in compact, pedestrian-oriented commercial settings, there is an Affiliate Program. Communities of any size, counties, and cities with neighborhood commercial districts may participate in the Affiliate Program.*

*The Cape Charles Town Council supports the Virginia Main Street initiative and the town joining the program as a Community Affiliate member. The goal of a Community Affiliate is to employ the Main Street Approach in the development of the organizational stability and public-private partnerships necessary for successful administration of a downtown revitalization program. Community Affiliate core services include: access to training by state and national downtown development experts; organizational structure development assistance; and eligibility for DHCD grants as available. Affiliates have the opportunity to learn about best practices in the field and to network with peers from around the state.*

*The town will be accepting applications for volunteers to serve on the Cape Charles Community Enhancement Board.*

Discussion

As needed on this issue.

Recommendation

Following discussion select a Board member to serve on the five-member selection committee.

**Main Street Virginia “Ad Hoc” Committee Update  
February 9, 2017  
Work Session Town Council**

**Introduction**

**Ad Hoc Committee:** initially Nan Bennett, Kathleen Coalter, Tammy Holloway, Andrew Follmer, Libby Hume and Brent Manuel  
Added: Andy Buchholtz as town council representative in December

**How were these selected?** They were not, just an eager and enthusiastic group of citizens that came together to investigate and initiate the Main Street program

**What was the purpose of this group?** Initially just a group of citizens who expressed interest to pursue the “Main Street” program.

**Recap:**

**Successes**

- Identified key leaders in the community that supported the concept
- Created energy and enthusiasm about the program
- Got Funding from Town Council!
- Had official Main Street Virginia Presentation
- Had presentations from towns that had participated in Affiliate program
- Dedicated Ad Hoc Committee

**Challenges**

- Excitement and Enthusiasm got ahead of ourselves
- Didn't set a realistic timeline and tangible goals to launch program
- Some of the speakers were not necessarily “Main Street” designated and left the attendees to those sessions a bit confused over the difference of Affiliate and a Main Street designated community.
- Community Enhancement Applications went out before we were truly ready

**Current Status Update**

- Regrouped in December to strategize and create a realistic launch timeline
- Officially named the program “Community Enhancement Program” (why that name? We cannot use Main Street Designation until we have received the designation.

- Clarified with constituents that we are beginning as an affiliate Program with the goal to become a designated Main Street Virginia town.
- Set up a “launch” party **The MAIN Event March 1<sup>st</sup> 7-8:30** at the Palace Theater
  - This event has three goals:
    - To create excitement and verify the towns commitment to starting as an affiliate and working toward Main Street designation.
    - To clarify the benefits of being a designated Main Street program
    - To share how all citizens of Cape Charles can be involved:
      - Applying to the Community Enhancement Board (applications and Volunteer Interest forms will be available)
      - 4 Committees with the program and how people can be involved.
      - Create a buzz and excitement of what this program will do for Cape Charles
  - Per recommendation of Libby and Nan (who saw this speaker at a Main Street VA Conference) Jon Schallert who is an internationally-recognized speaker and business expert specializing in teaching businesses and communities how to turn themselves into Consumer Destinations.
  - The event will be kicked off with a “main street” speaker
  - We would like for all of the Town Council to be there.
  - Bonus: Jon Schallert will do a FREE session for businesses (and any other person of interest) on Thursday March 2<sup>nd</sup> 9-1pm.
  - Marketing for these events are launching as we speak and you will see the roll out, help us to spread the word and get excited about this event.

### **Next Steps:**

- Community Enhancement Board: Brent
  - Selection Committee:
  - Committee Enhancement Make-up
    - 9 ppl
    - Will consist of a well rounded representation of individuals (for example but not limited to: residents: Bay Creek, beyond the town, and in town), clergy, business, preservationist, historian, realtor, etc....staff liaison, town council liaison)
  - Applications deadline March 31<sup>st</sup>, selection to begin asap

## General Recommendations:

- Momentum is imperative after launch
- How can Town Council Help?
  - Should be come a regular update component of Town Council Meetings
  - Town Council Members need to be excited and talking about this program to their constituents.
  - Plan on attending March 1<sup>st</sup> event (and March 2 if you can)
  - Begin thinking about people that you should forward the Community Enhancement Board or volunteer form too.

## Q& A:



- Jon Schallert is an internationally-recognized professional speaker and business consultant specializing in teaching businesses how to turn themselves into Consumer Destinations. Jon speaks to thousands annually on his proprietary 14-step "Destination Business" process. His methodology has been used extensively by towns, cities, villages, downtowns, seasonal tourist locations, shopping centers, retail chains, franchises, and independent small business owners.
- The Destination Business process that Jon developed shows local businesses how to differentiate and market themselves as unique Destinations, rather than simply relying on the physical location or the demographics of the area to be successful. No other consultant teaches a similar process.

# Historic District Review Board Staff Report

From: Larry DiRe   
Date: February 21, 2017  
Item: 5A – Guidelines update  
Attachments: Historic District Guidelines draft residential heritage and specimen tree section language, new construction section

---

## Discussion

The Historic District Review Board is doing an on-going review of the current Historic District Guidelines document. The attached residential tree document was drafted by the Board chairman, and the new construction section is also included. Both are for review.

## Recommendation

Following discussion determine if updates are needed and provide direction to staff.

The Town of Cape Charles has a “Tree Conservation and Preservation Ordinance”; Appendix F Articles I and II, located in the Towns Zoning Ordinance.

It is not the intent of the Historic District Review Board to confer to itself regulatory or punitive actions regarding Heritage or Specimen trees, but rather to provide context and clarification for property owners in the District when restoring, remodeling or building on their property.

The purpose of this inclusion into the Historic District Guidelines is to inform and educate property owners of the need to identify, maintain and protect large and outstanding Heritage and Specimen trees and the associated benefits these trees provide. The removal of these trees, if healthy and sound decrease the aesthetic and environmental quality for individuals and community. These trees are also an important habitat for many wildlife species in an urban setting.

The large and exceptional trees growing in the District are generally of great age and size for their species and represent an historic association with the Town. In short, these trees are part of the historic “fabric” of the District and as such should be protected and preserved to the greatest extent possible.

Heritage and Specimen trees generally follow these criteria:

- 1) Be true to its genetic form, not topped or poorly pruned (if outside of utility easements) and structurally sound.
- 2) Be of mature size and form, in healthy condition, free of disease, insect infestation and storm damage.
- 3) Should be visible from publically accessible locations.

Private property: any tree with a DBH (Diameter Brest Height) of more than 30” located on any private lot(s) within the District and outside of the street or alley row-of-way

Public property: any tree with a DBH (Diameter Brest Height) of more than 30” located on lands owned by the Town, VDOT or other governmental bodies within the District.

Heritage Trees: Any native [or street] tree that may have notable historic or cultural interest.

Specimen trees: Any tree by virtue of its outstanding size and quality for its particular specie, taking into account its circumference (feet and inches) height (feet) and crown spread (feet).

The benefits of urban forests, also referred to as community forests, are far-reaching. The social, health, wildlife and economic benefits attributed to urban forests are definitely worth considering in all communities. There is also a growing awareness that integrating urban forests into our communities offer many significant natural benefits. Urban forests address our desires of providing sound economic benefit, aesthetic value, improved air and water quality, health benefits and wildlife habitat among other things.

Large mature trees with a healthy crown spread can reduce summer season energy costs, reduce noise levels, improve property values and increase water retention thereby helping to slow and reduce localized flooding.

DRAFT

**REFERENCE MATERIAL: from VA Dept. of Forestry**

<http://www.dof.virginia.gov/tree/care/index.htm>

<http://www.dof.virginia.gov/tree/care/how-to-prune.htm>

<http://www.dof.virginia.gov/tree/care/damage-prevention.htm>

[http://www.dof.virginia.gov/print/trees//handout\\_Reasons-To-Prune.jpg](http://www.dof.virginia.gov/print/trees//handout_Reasons-To-Prune.jpg)

[http://www.dof.virginia.gov/print/trees/handout\\_How-To-Kill-A-Tree.jpg](http://www.dof.virginia.gov/print/trees/handout_How-To-Kill-A-Tree.jpg)

[http://www.dof.virginia.gov/print/trees/handout\\_Plant-Right-Tree-Right-Location.jpg](http://www.dof.virginia.gov/print/trees/handout_Plant-Right-Tree-Right-Location.jpg)

[http://www.dof.virginia.gov/print/trees/handout\\_Step-By-Step-Tree-Planting.jpg](http://www.dof.virginia.gov/print/trees/handout_Step-By-Step-Tree-Planting.jpg)

**REFERENCE INFORMATION for the HDRB: from The International Society of Arboriculture**

<http://www.isa-arbor.com/education/onlineResources/treeOrdinanceGuidelines.aspx>

## **Defining special trees: heritage, historic, and landmark trees**

As noted in our discussion of provision 31, individual trees may be considered important community resources because of unique or noteworthy characteristics or values. Such trees have been described in ordinances as heritage, historic, landmark, legacy, special interest, significant, or specimen trees or various permutations of these terms (e.g., heritage oak, exceptional specimen tree). In some ordinances, trees are simply labeled protected trees (i.e., trees afforded protection by the ordinance). Regardless of the term used, the concept is the same: trees with certain characteristics are singled out for special consideration in the ordinance. Most commonly, one or more of the following criteria are used to define a special status tree: **Size** - Some component of tree size, most frequently trunk diameter, may be used to define a special status tree. Most commonly, a given diameter at 4.5 ft above grade (i.e., diameter at breast height or DBH) is used as the size standard. Additional rules are typically needed to handle trees that are multi-trunked or branch below 4.5 ft. Because the relationships between DBH and canopy spread or DBH and tree age vary by species, different tree diameter standards may be applied to different species.

Although a tree diameter standard is fairly objective, the threshold diameter is often set more or less arbitrarily. As such, management decisions based solely on a threshold diameter may not be particularly logical. For example, if the threshold diameter for protecting a tree is 24 inches DBH, a tree with a diameter of 23.9 inches would be ignored, even though it might have a greater canopy spread than a tree with a larger DBH. Furthermore, the measurement of DBH with standard equipment such as diameter tapes or calipers is subject to errors related to trunk or bark irregularities and minor shifts in the location of the measuring device. A tree with a DBH measured as 24.2 inches by one observer could be measured at 23.5 inches by another observer. These problems are minimized when small threshold diameters (e.g., 3 inches) are used. Other components of tree size, such as maximum canopy spread or height, may also be considered independently or in conjunction with tree diameter.

The National Register of Big Trees, maintained by American Forests, uses a point system to rate tree size. Points for each tree are calculated by summing trunk circumference (at 4.5 ft) in inches, tree height in feet, and one-quarter of the average crown spread in feet. This system is used to determine "champion" trees for each species. Some ordinances expressly confer special tree status on state or national champion trees. More local "champion" trees could be defined using the same methods.

**Species** - Special status may be conferred only to certain species of trees. Special status trees are often, but not always, important locally native species or trees that are associated with the character of a community. Certain species that are relatively rare in an area, whether native or not, may also be granted special status. In some cases, species is used to specifically exempt certain trees from special status regardless of size. For instance, weedy trees such as tree-of-heaven (*Ailanthus altissima*) or trees used for commercial purposes (e.g., fruit trees, plantation lumber or pulp trees) may be excluded from consideration as special status trees. Unless interspecific hybrids are present in an area or the taxonomy of a species changes, species is probably the most objective criterion used in defining special status trees.

**Age** - Especially old trees are a link to the past, so many definitions of special status trees include age as a criterion. In practice, tree age is fairly difficult to determine in standing trees unless documentation of tree age exists from historical accounts, photographs, or associations with historical structures. Tree age is sometimes inferred from tree size, especially DBH. However, the relationship between age and DBH varies with species, site quality, management history, and other factors, so DBH is usually only a crude estimator of tree age. Determining age by increment boring is theoretically possible, but is potentially damaging to the tree and is fraught with difficulties if trees are large, have very hard wood, or are decayed in the center.

**Historic significance** - A tree may be associated with a notable local or regional historical event, person, structure, or landscape. Almost every tree that has been around for a while has some historical significance, whether it is recognized or not. Determining whether the historical significance of a given tree is sufficiently notable is therefore a subjective matter. Historic tree status is typically granted by a governing (e.g., city council) or advisory body (e.g., tree commission). Some ordinances automatically confer historic status on trees designated as historical landmarks by certain other organizations (e.g., historical societies). In addition, ordinances may assign special status to trees dedicated or planted as public memorials.

**Ecological value** - All trees serve a variety of ecological functions. Certain trees or groups of trees may have especially high ecological value because of their location, size, species, and/or condition. For example, a given tree may be an important roost, nesting site, or food source for certain wildlife species; it may be situated in a site where it plays a critical role in stabilizing soil or providing shade needed by other plant or animal species; it may be an important genetic resource for a local tree population or the species as a whole. Input from trained biologists and ecologists may be necessary to document particular ecological values that may not be obvious to the general public.

**Aesthetics** - Since beauty is in the eye of the beholder, assigning special status on the basis of aesthetics is always highly subjective. A tree may have special aesthetic value due to its form, whether it is especially perfect and symmetrical or notably craggy and idiosyncratic. Also, the function that a tree serves in a landscape may be sufficient to justify special status; for example, a landmark pair of trees that frame an entrance. In the absence of other noteworthy characteristics, it may be contentious to base special status upon aesthetics alone.

**Location** - Trees in particular locations may be accorded special status in recognition of the important aesthetic or ecological functions that they serve. Proximity to a thoroughfare can be used to classify a tree as a street tree, which may be accorded special status whether or not it is in the public right-of-way or is under public or private care. Trees located along or within a set distance from watercourses may also be given special status due to their importance in stabilizing streambanks or providing shaded riverine habitat. In some cases, the location of a tree is considered in conjunction with size or species parameters.

**Required plantings and retained trees** - If trees have been preserved or planted as a requirement of development, the community has a vested interest to ensure that the trees are protected. The purpose of planting and tree retention is to develop mature tree canopy, and this cannot occur if the subject trees are

eliminated, ruined by topping or other poor maintenance practices, or replaced frequently with young trees. By explicitly providing special status to such trees in the ordinance, a jurisdiction may be able to provide a higher level of regulatory protection to such trees and increase the penalties associated with unauthorized damage to or removal of the tree.

**Other unique characteristics** - This grab-bag term may be added to the list of criteria used to designate special status trees because it is difficult to anticipate all possible situations of significance. For example, a given tree may become a local or regional cultural icon due to an event or apparition that is associated with it. This criterion will again be subjective and typically may be invoked through the approval of a governing body.

DRAFT

# PLANNING NEW CONSTRUCTION OR ADDITIONS

The design of a new building or addition in a historic district is often a difficult issue for property owners, Historic District Review Boards, and architects. The guidelines in this publication reflect the current philosophy that new structures should complement and respect the existing character of historic buildings.

## NEW CONSTRUCTION CHECKLIST

1. Attempt to accommodate needed functions within the existing structure.
2. Look at surrounding buildings to determine their style, age, and the elements that help define the neighborhood's special character. The earlier section, "Looking at Your Building" should be helpful.
3. Choose a design that relates to the design character of the historic buildings in the area.
4. Follow the last two guidelines in The Secretary of the Interior's Standards for Rehabilitation:
  1. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features of the old work to protect the historic integrity of the property and its environment.
  2. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
5. Obtain a zoning permit and building permit, which you will need in order to erect a new structure or work outside of existing walls.
6. Become familiar with the BOCA Code and meet with your building inspector early on about your plans.
7. Meet with the zoning administrator or Historic District Review Board early in the process for their informal input.
8. Consider employing an architect experienced in working with historic buildings.

New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the

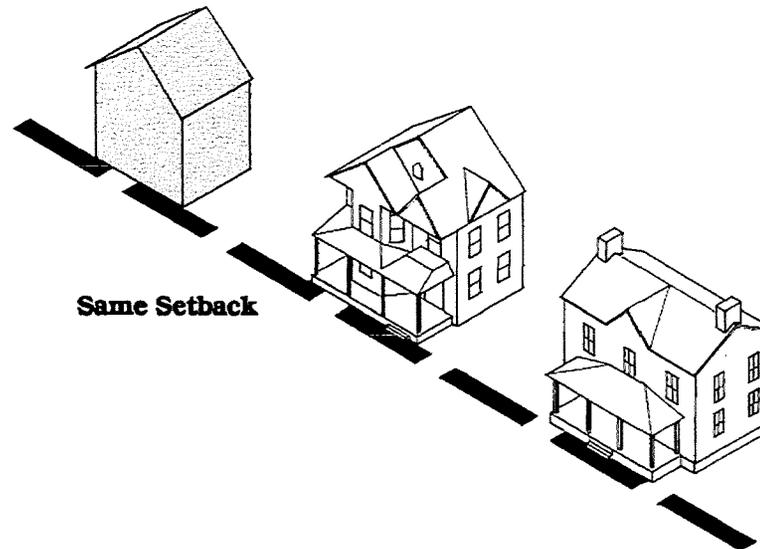
# GUIDELINES FOR REHABILITATION AND NEW CONSTRUCTION

22

## BUILDING SITE

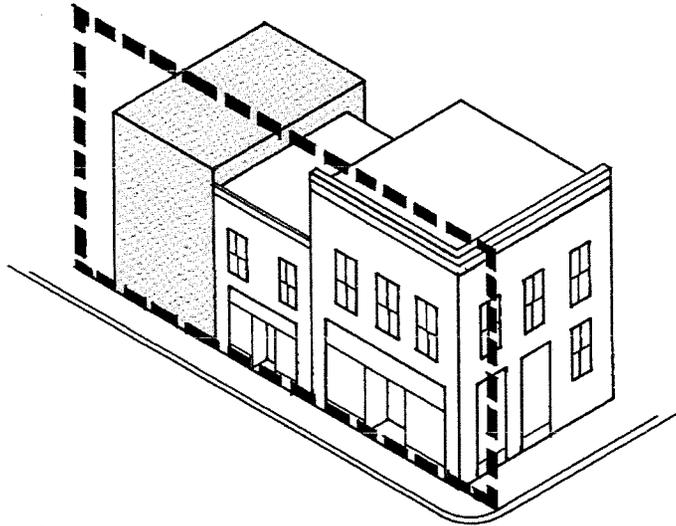
## SETBACK

☞ Setback is the distance between a building and the property line. In these guidelines, setback refers to the distance from the front property line.



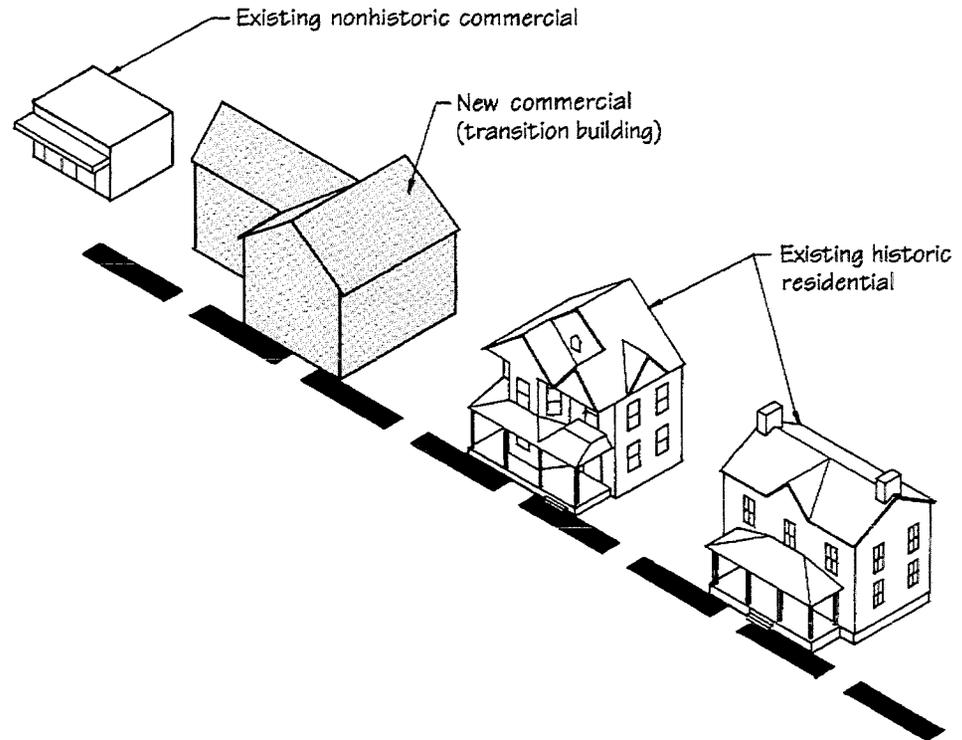
## BUILDING SITE

## SETBACK



**1** Locate new residential construction 30 feet from all right-of-way lines or, in built up neighborhoods, the prevailing setback shall be the standard to which new housing must conform when possible. If all of the buildings in the vicinity have the same setback, respect that line.

**2** At transitional sites that serve as a border between a historic residential area and a new commercial area, defer to the setback of the historic buildings.



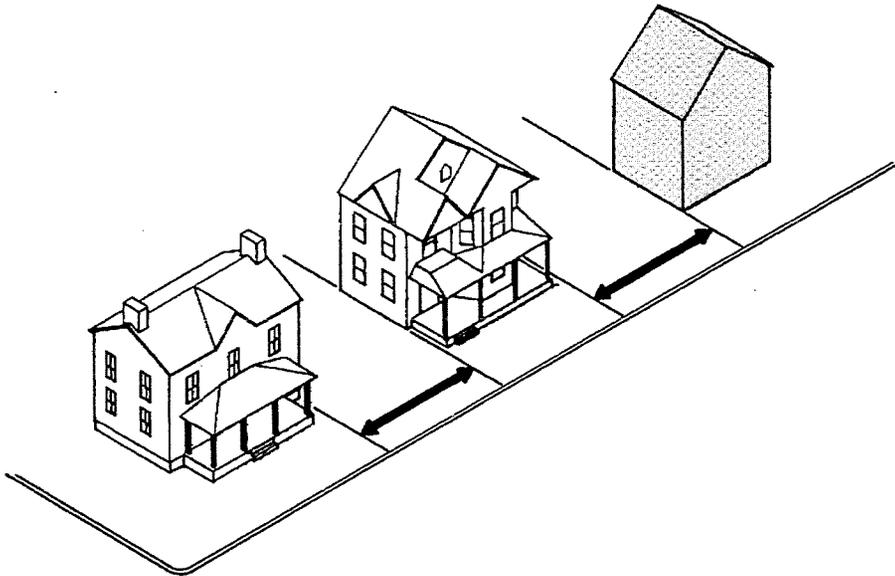
**3** In traditional commercial areas, construct new buildings with a minimal setback in order to maintain the street wall.

**4** On corners in the traditional commercial district, avoid deep setbacks or open plazas

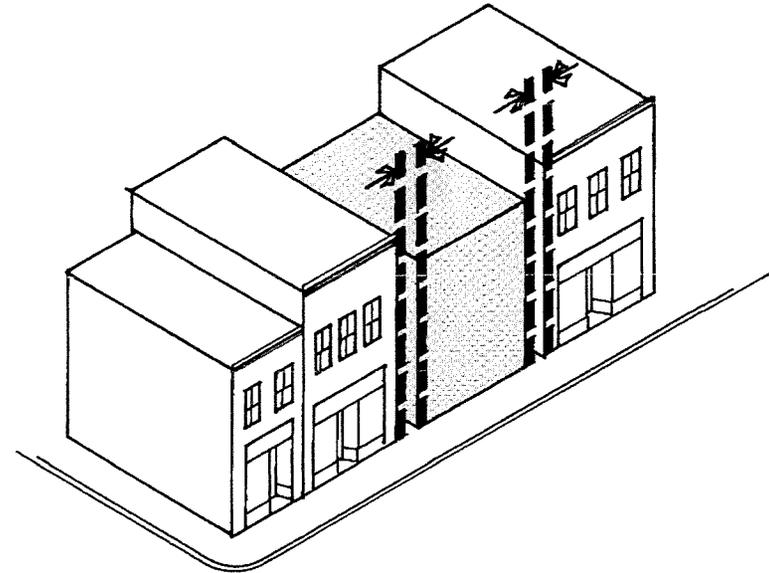
## BUILDING SITE

## SPACING

**1** Space new residential construction at least five feet from a side property line so that there is a minimum ten-foot distance between houses.



☞ On the edges of the historic district where new construction has taken place, further new construction can reestablish a rhythm of spacing that is consistent with that of nearby historic structures.

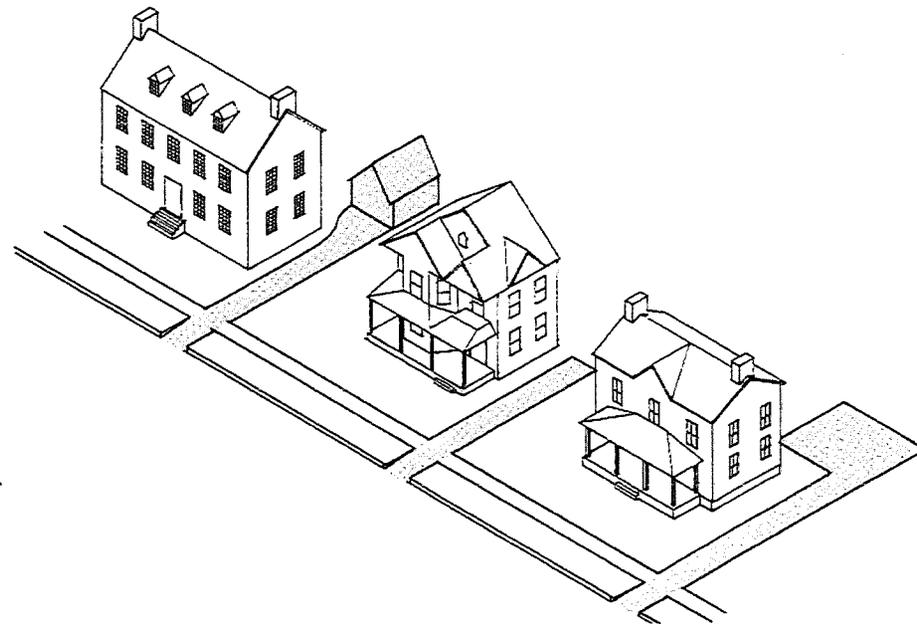


**2** In traditional commercial areas with a well-defined street wall, keep a similar spacing between new buildings to reinforce this street wall. This spacing generally varies from zero to five feet.

## BUILDING SITE

## OFFSTREET PARKING

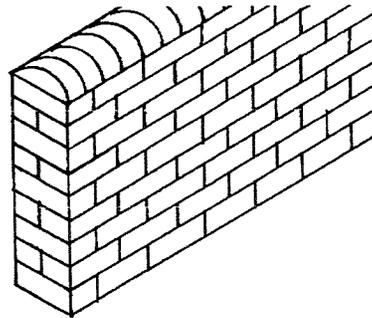
- 1** Avoid demolishing historic structures to provide areas for parking.
- 2** In traditional commercial areas, locate parking behind the buildings that define the street wall.
- 3** Landscape and screen parking lots to provide a buffer zone to the street. In large parking lots, provide landscaped traffic islands.
- 4** For nonhistoric commercial buildings that are set back from the street, locate parking areas at the sides and rear. Buffer the parking lot with landscaping and include landscaped islands in large parking lots.
- 5** Place residential parking areas such as drive-ways at the sides and rear. Do not provide parking in front of the house. Where possible, parking should be accessed via the alley.
- 6** Enhance pedestrian features. For example, define the sidewalk with a different paving material and control vehicular access with curb cuts.



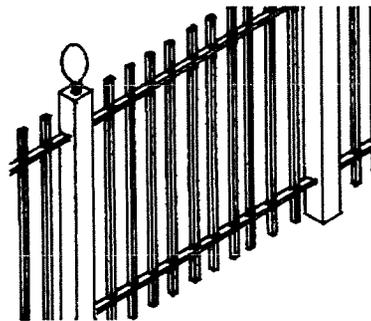
## SITE FEATURES

### Fences and Walls

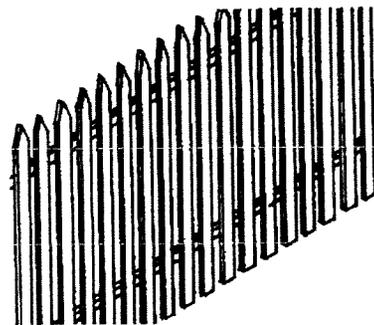
- 1** Retain traditional fences, walls, and hedges. When a portion of a fence needs replacing, salvage original parts for a prominent location. Match old fencing in material, height, and detail. If this is not possible, use a simplified design of similar materials and height.
- 2** For new fences and walls, choose a design that relates to designs and materials from nearby historic examples. Painted wooden pickets are a common fence type used in Cape Charles although many fences use a combination of traditional materials. Do not use chain-link fencing, split-rail fences, and concrete block walls where they would be facing the street. Avoid street-front fences or walls and in any case keep them below 48 inches in height.



Round-topped brick wall



Wrought-iron fence



Wooden picket fence

### Landscaping

- 3** Retain existing trees and plants that help define the character of the district. Replace diseased or dead plants and trees with the appropriate species.
- 4** Install new landscaping that is compatible with the existing neighborhood and indigenous to the area. (See Article IV of the Town Zoning Ordinance.)

### Driveways and Sidewalks

- 5** Retain existing historic paving materials such as brick. Replace damaged areas with materials that match the original paving.
- 6** Install traditional paving materials that are compatible with the character of the surrounding historic area. Brick in traditional patterns is appropriate.
- 7** If modern concrete is to be used, consider scored or exposed aggregate designs. Give strong consideration for pervious surface cover materials.

## SITE FEATURES

### Accessory Buildings

**8** Due to high wind considerations and flood zone elevations, pre-fab metal buildings are strongly discouraged.

### Outdoor Lighting

**9** In residential areas, use lighting fixtures that are understated and complement the historic style of the building while providing subdued illumination. Cape Charles requires “dark sky” compliant lighting.

**10** Coordinate lighting in private parking lots to match public light fixtures.

### Modern Features

**11** Place site appurtenances, such as overhead wires, fuel tanks, utility poles and meters, antennae including satellite dishes, exterior mechanical units, and trash containers, where they are least likely to detract from the character of the site. The size and location of satellite dishes shall conform to the regulations of the Town Zoning Ordinance. Screen with landscaping or fences.

