



Cape Charles Gazette

Publication Date: September 17, 2013

We hope that you will enjoy reading the Cape Charles Gazette which is the electronic newsletter published from time to time by the Town Manager on behalf of the municipal government of the Town of Cape Charles. The Gazette provides a variety of information that we believe will be useful to the citizens and businesses of Cape Charles as well as those who plan to travel to Cape Charles or have any interest in our Town or the Town's government. The Gazette provides information on actions being undertaken or being considered by the Town government, upcoming activities in the Town, important public safety and security issues and emergency announcements.

We welcome your responses which may be sent to gazette@capecharles.org, by regular mail to 2 Plum Street, Cape Charles, VA 23310 or by calling (757) 331-3259.

We also encourage you to visit the Town's website at www.capecharles.org where you will find up-to-date information about the operation of the Town government.



MAYOR'S MESSAGE TO CAPE CHARLES RESIDENTS AND BUSINESS OWNERS

Throughout the year you've probably seen VDOT crews cleaning out the storm drains and pipes and the Cape Charles Public Works crew cleaning the street gutters and sweeping the streets. Over the last several years, the Cape Charles Public Utilities crew raised and replaced manhole covers throughout the Town, cleared blockages, etc. One of the reasons that this is all being done is to help keep the streets and drains cleaned to reduce flooding. The process takes time and man power.

Also, we're in the midst of hurricane season and typically the storm activity picks up in the fall. The Town needs everyone's cooperation in making sure the storm drains are clear. There is a lot of concern regarding lawn contractors, homeowners and business owners blowing grass clippings and leaves into the street. Please do your part to keep grass clippings and leaves out of the street so they do not clog up our storm drains. Clogged storm drains lead to flooding that could severely damage personal property. Please pick up your cuttings and leaves and bag them for pickup.

Let's get this done together to protect our public infrastructure, private property and the fragile eco-system that makes this such a special place.

Thank you,

WASTEWATER TREATMENT PLANT

At the last Town Council meeting, Mayor Sullivan asked some questions concerning the capacity of the new wastewater treatment plant since there continues to be significant interest in why the monthly wastewater bill has increased. She also asked that the answers be published in the Gazette.

The Town previously addressed this in the June 12, 2013 edition of the Gazette:

The main driver of the increase in the wastewater rate is the debt service on the new treatment plant. A new plant needed to be built to both meet new nutrient discharge regulations and to replace the existing plant that was nearing the end of its service life. The total cost of this project was about \$19.2 million. The Town was fortunate to obtain two grants (Virginia Water Quality Improvement Fund and American Recovery and Reinvestment Act) to cover almost 73% (\$14 million) of the cost. The remaining amount is being financed by a twenty year, no-interest loan provided by the Commonwealth of Virginia. The debt service associated with this loan comprises most of the wastewater rate increase.

Since then, there has been much public commentary asserting that the reason for this increase is because the developer of Bay Creek Resort & Club did not pay the Town for their share of the cost of building the new plant as required by the Annexation Agreement. This is not accurate. The agreement requires the developer to pay the cost of expansion to accommodate the additional treatment demands of the annexed property beyond the limits of the Town's current permitted capacities. The capacity of our new plant is the same as our old plant, 250,000 gallons per day.

We started planning the replacement of our old plant in 2006 to meet the new state nutrient removal requirements as part of the plan to clean-up the Chesapeake Bay. The old plant was in poor condition and it was impractical to upgrade it with nutrient removal technology.

(Wastewater Treatment Plant – continued from page 1)

At that time, growth projections indicated that we would need a higher capacity than 250,000 gallons per day in the fairly near future, and an eventual capacity of about 750,000 gallons per day at full build-out. The state recognized this possibility and included a dual waste load allocation (250K and 500K) in their regulation if the new plant was on line by December 31, 2010. For these reasons, we set out to design and build a plant with a capacity of 500,000 gallons per day.

Since we were planning to build a plant with greater capacity than our current permitted capacity, we entered into discussions with the developer to pay their share under the Annexation Agreement. As these discussions progressed, the economy fell into deep recession and growth came to a virtual halt. As the recession persisted it became clear that the growth projections would need to be revisited after the economy recovered and the real estate market substantially improved. There was no longer a near term need for a larger plant. So, the design process was temporarily halted in late 2008 and the Council decided to build the smaller plant (250,000 gallons per day) in 2009 to minimize the risk of building expensive infrastructure that would be vastly underutilized.

Several things happened when we reduced the capacity:

1. We spent several millions of dollars less.
2. We gave up the potential 500,000 GPD waste load allocation.
3. The requirement for the developer to pay for a share of expansion was not triggered.

That is why we stopped billing Bay Creek for a share of the design costs. However, the terms of the Annexation Agreement require the developer to pay at some point in the future; i.e. when we need to expand the capacity of the new plant. This is also true for the future need to expand the capacity of our water treatment plant.

The Council approved revision of the connection charges in 2011 from about \$20,000 to \$12,350. The higher amount assumed no payment from the developer. The lower amount assumed a significant payment in the future, as well as the additional \$6 million grant we received under the ARRA. The March 10, 2011 staff report summarizing these factors is shown below for your information. Accumulation of connection charges in a reserve, coupled with a future payment from the developer, should be adequate to fund expansion of both water and wastewater capacity.

I hope this information will be useful in understanding a fairly complex issue. If you have any questions, I can be reached on 757-331-3259, X19.

Sincerely,



Please [click here](#) for additional information regarding water and sewer connection charges.

ARTS WALK CONCEPTUAL MASTER PLAN

As part of the National Endowment for the Arts Our Town project, the Town is planning an "Arts Walk" to link our primary outdoor performance venues. This would be incorporated as a revision to the Community Trail Master Plan if approved by Town Council.

A Steering Committee has been formed consisting of residents, business owners, property owners and the Business Association to represent the interests in the areas being considered for the Arts Walk. The Committee has met with our consulting firm, Land Studio, to exchange ideas. The consultants are now ready to present their recommendations based on that input.

A meeting of the Steering Committee is scheduled for October 2, 6:00 PM, in the conference room on the second floor of the Municipal Building to hear the recommendations. The public is invited and encouraged to attend this meeting to provide an opportunity for additional input to our consultants.

NEW LIBRARY ASSISTANT – GREG JONES



Please join us in welcoming Greg Jones, our new library assistant! Greg started on 7/29/13 and has jumped right in and has been a great help in the new Cape Charles Memorial Library.

Greg was born and raised on the Eastern Shore of Maryland and graduated from Wor Wic Tech Community College. He retired from the Eastern Correction Institution and was their Correctional Supply Supervisor. Greg is an avid reader, Master Gardener and enjoys the outdoors.

We all look forward to working with Greg. Please stop by the library and welcome him!

REAL ESTATE TAX BILLING

Treasurer Kim Coates would like to remind citizens that Northampton County and the Town of Cape Charles will send real estate tax bills 1 time in 2013 with a due date of 12/5/13. For 2014 billing, Northampton County plans to split their real estate tax bills into 2, with the first payment due in either June or July and the second payment being due in December. The Town of Cape Charles will continue to send 1 bill in 2014 with the full balance due on 12/5/14. This reminder is to let citizens know that they will owe their full 2013 bills in December 2013 and then they will need to make an additional payment to Northampton County in June or July 2014.

SIGNS IN VDOT RIGHT OF WAY

What is "right of way?"

The Virginia Department of Transportation (VDOT) owns and controls all the public roads in Cape Charles and Northampton County. Along every roadway, on either side of the road, is a state maintained right of way which must be kept clear for motorist safety and so road crews will have room to work.

VDOT provides permits for all roadside advertising and signage whether on public or private property. There are guidelines for sign size, space, lighting, location and other characteristics even without a permit.

Where is the right-of-way located?

There is not standard right of way distance for every road. Generally, the right of way ranges from 25-150 feet from the road's center line. Due to this side range, it's important to find out the exact right of way distance before installing a sign or object near a road.

How do I obtain a right of way permit?

Contact the VDOT Customer Service Center at 1-800-367-7623. If granted a permit, it will be sent directly to the applicant.

What will happen if I put my sign in the right of way without a permit?

Section 33.1-373 of the Highway Laws of Virginia states, in part, that:

"Any person who...puts, places, or affixes any advertisement upon or to any [item or place] within the limits of any highway shall be assessed a civil penalty of \$100. Each occurrence shall be subject to a separate penalty. Advertisements placed within the limits of the highway are hereby declared a public and private nuisance and may be forthwith removed, obliterated, or abated by the Commonwealth Transportation Commissioner or his representatives without notice."

It is **illegal** to place signs on state-maintained right of way without a permit, regardless of whether a locality has a three-day ordinance or other outdoor advertising law. VDOT is authorized to remove any signs that are in violation of the state law, especially if it interferes with roadside maintenance or presents a safety hazard to motorists. In addition, the agency can levy a \$100 fine per sign as needed. VDOT also works with localities and the Adopt-A-Highway program to help enforce this law.

In addition to the VDOT requirements for placing a sign in the right of way, Cape Charles requires a sign permit for the display and erection of any sign, with the exceptions of those listed in Section 4.1C(5) of the Town Zoning Ordinance. Section 4.1, Sign Regulations can be viewed here: <http://capecharles.org/documents/ZO-ArticleIV-GenRegsApplicabletoallDistricts-rev10-2011.pdf>. If you wish to erect a sign in town, please see the Town Planner, Rob Testerman, before doing so.

CLAM SLAM 2013 CORN HOLE TOURNAMENT



Pictured from left to right: Pete Williams, Jeff Wayman, Steve Lewis, Timmy Brady.

Thousands of people crowded the Cape Charles Town Harbor the weekend of August 3rd for the 2nd Annual Clam Slam event.

Many looked forward to seeing the Boat Docking Contest and even the Crab Pot Cork Race, but only a brave 38 people stuck around through the rain to participate in the Corn Hole Tournament held on Saturday. 19 teams of men and women competed in a double elimination tournament sponsored by Chapman Electric and coordinated by Jen Lewis.

After hours of stormy competition, the last bag was tossed and the Corn Hole champions were finally crowned. Pete Williams and Jeff Wayman took first place and were awarded a cash prize and a t-shirt from Chapman Electric. Coming in second were Steve Lewis and Timmy Brady and in third place were Mike Celli and Chris Stodgehill. All were awarded t-shirts from Chapman Electric.

The only thing Chapman Electric couldn't provide for the tournament was endless sunshine. Maybe they'll bring it for us at the 3rd Annual Clam Slam next year!

NORTHAMPTON COUNTY BOARD OF SUPERVISORS PUBLIC INFORMATION MEETING & PUBLIC HEARING

The Board of Supervisors has been working with the Eastern Shore of Virginia Public Service Authority (PSA) to study the issue of waste water needs throughout the County and over the last two years, has narrowed its focus to the southern end of the County in and around Cheriton and Cape Charles. Several variations of a waste water project were studied that included a full residential piece, however, support and finances were no sufficient to move that project forward. Support was expressed from certain commercial property owners that led to the proposal of a smaller waste water project focused on properties zoned commercial, industrial or other commercial-friendly zoning. Several funding scenarios were also developed, ranging from 100% paid by a special tax district to 25% paid by the tax district. After review, the Board of Supervisors and PSA selected a shared model where the tax district would pay 75% and the County would pay 25%.

An informal public information meeting was held on September 16, 2013, at the Cheriton Fire House where attendees were provided with more information regarding this project and the proposed special tax district.

A public hearing regarding the creation of the Southern Node Commercial Waste Water Tax District will be held on Monday, September 23, 2013, at 7:00 PM in the Board Room of the County Administration Building located at 16404 Courthouse Road in Eastville.

[Northampton County Board of Supervisors Notice to Property Owners](#)

BACKGROUND RE: THE TOWN AND THE PSA

At the request of the Virginia Secretary of Natural Resources, Mr. L. Preston Bryant, Jr., beginning in the fall of 2009, the Town had a series of discussions with state officials concerning the possibility of implementing a regional wastewater system to serve Cape Charles, Cheriton and the surrounding area of Northampton County. At that time, the conclusions were that i) The service area should be limited by existing and planned development; ii) The Cape Charles wastewater treatment plant (WWTP) should be the processing hub; iii) An effluent reuse component was desirable to reduce bay discharge; iv) Additional grant funding or private investment was needed to build collection, pumping and pipeline systems; and v) A mandatory connection ordinance was required in all jurisdictions.

On September 29, 2009, the Town Council held a Joint Work Session with the Northampton County Board of Supervisors (BOS), County Administrator Katherine Nunez, L. Preston Bryant, Jr., Delegate Lynwood Lewis, Jim Christian from Timmons Group, several representatives from Webster Investors and Christopher Lloyd from McGuire Woods Consulting. The discussions included i) A phased implementation – Cape Charles WWTP, collection systems, pumping and pipelines; ii) Potential funding sources; iii) Mandatory connection ordinances for the service area; iv) Preferred organizational structure of a Public Service Authority (PSA) which was existing but inactive; and v) Need for public involvement and education. All representatives agreed that this would be a reasonable approach but it would be critical that the Town Councils from the towns of Cheriton and Cape Charles and the BOS fully support the plan because of the considerable work necessary to make it happen.

In January 2010, at the request of the Virginia Secretary of Natural Resources, the Town formed a working group with Northampton County and Cheriton officials to explore the possibility of implementing a regional wastewater system to serve Cape Charles, Cheriton and the surround area of Northampton County. A similar working group was formed to address wastewater needs in the northern section of the County near Exmore and Nassawadox. The proposed service area was defined and the County Administrator laid the groundwork with the Virginia Department of Housing and Community Development (DHCD) and the USDA Rural Development (RD) for the grant and loan application process. The first step was to obtain a planning grant from DHCD for preliminary engineering for the sewer collection, pumping and pipeline systems and to confirm that use of the Cape Charles WWTP was the most cost effective approach. After completion of the preliminary engineering report (PER), application would be made to RD and DHCD for a grant/loan package for the final engineering and construction, followed by contract award. The existing PSA needed to be appropriately modified and the County and Cheriton would need to adopt mandatory connection ordinances. It was estimated that the regional system would add up to about 600 customers to the current Cape Charles customer base of 1,200 which could decrease the user rate by about 33%.

On February 3, 2010 a meeting was conducted by the County Administrator in Exmore to discuss the PSA concept. The BOS, representatives from the towns of Cape Charles, Cheriton, Exmore and Nassawadox and several consultants were in attendance. The consensus of the group was to form a coordinating committee to recommend the necessary modifications to the existing PSA. The committee would consist of a representative and an alternate from each of the four participating towns and the county. The final recommendation of the committee would be brought to each governing body for approval after appropriate public notice. On February 11, 2010, the Cape Charles Town Council designated Vice Mayor Chris Bannon for the committee and Bob Panek as the alternate.

Planning grants from the DHCD were received in spring 2010 to prepare a PER for the two regional systems. After completion of the PER, the application would be submitted to the USDA RD for the grant and loan package for final engineering and construction of the sewer collection, pumping and pipeline systems. Over the course of the next several months, the exploratory committee met seven times and reached a consensus on the membership structure of the PSA and initial project focus. The Town Council needed to consider several items to continue progress on reforming the PSA and securing the grant/loan package from USDA RD: i) Appoint the Town PSA Board member; ii) Appoint two community members to the Project Management Team; and iii) Conduct a joint meeting with the County BOS and the Town Councils of Cheriton, Exmore and Nassawadox to hear any public comments and to vote on the resolution adopting the revised PSA Articles of Incorporation.

(Background – continued from page 4)

On May 18, 2010 the Cape Charles Town Council appointed Bob Panek to serve as the Cape Charles representative to the PSA Board.

On June 24, 2010, the Town Council held a work session to review the preliminary map developed by the County of the areas considered for the regional wastewater for the North and South Nodes. Tower Hill and Kings Creek Landing were not included in the County's initial service area. The infrastructure would go by these two developments for possible inclusion in the future. The Town Council reached a consensus to move forward with discussions with the County and to join the PSA. A Joint Public Hearing and Special Meeting was held on June 28, 2010 with the County BOS and the Town Councils from Cape Charles, Cheriton, Exmore and Nassawadox.

On June 28, 2010, the Town Council adopted Ordinance 20100628 Re: Joinder of the Incorporated Town of Cape Charles to the Eastern Shore of Virginia Public Service Authority.

In September 2010, Bob Panek began providing bi-monthly updates regarding the PSA to the Town Council. In September, it was reported that the PER for the Southern Node had been completed and application for financial assistance (grant/loan) had been submitted to the Department of Environmental Quality (DEQ). The consulting team met with DEQ and USDA RD to explore blends of grants and loans to yield affordable rates. The first PSA Board Meeting was held on August 24, 2010 and the Board focused on organizational matters, previous efforts, the County's operation of the Bayview system and the relationship with the Towns and Counties Utility Project (T-CUP) Project Management Team. The Board elected Bob Meyers as Chairman and Bob Panek as Vice Chairman.

In spring 2011, the State Water Control Board (SWCB) approved a DEQ zero interest loan for the \$11M project. Because of community opposition, the PER was revised to reduce the service area, (and project cost) to remain within the boundaries of Cheriton. The Town of Cheriton adopted a resolution in support of the project, including mandatory connections if necessary, contingent on the monthly service fees not exceeding \$35. On March 15, 2011, the PSA Board i) established two committees to assume responsibility for the projects including preparation of financial assistance applications; and ii) the Chairman resigned effective March 16, 2011.

In summer 2011, the PSA surveyed some residential and commercial properties outside the boundaries of Cheriton and held an additional community meeting to gauge interest before finalizing the service area. Since an affordable service rate could not be achieved with the \$11M zero interest loan authorized by the SWCB, the BOS, as recommended by the PSA, withdrew the application for financial assistance. After the service area was finalized and the PER revised, the PSA would apply to both state and federal agencies for financial assistance. The PSA Board formed four committees: i) Medical Community; ii) Northern Node; iii) Southern Node; and iv) Economic Development.

By fall 2011, the PSA had surveyed about 300 residential and commercial properties outside the boundaries of Cheriton. The results were reviewed by the PSA Board and the consulting engineering firm completed an analysis that indicated that the grant/loan ratio would be more favorable if the initial service area was confined to Cheriton.

At their January 2012 meeting, the Cheriton Town Council passed a resolution to consider a mandatory connection ordinance at the usage rate specified by USDA RD. The PSA recommended to the BOS that no county area be included at this time.

In July 2012, Bob Panek updated the Town Council advising that limiting the service area to the Town of Cheriton would decrease the project cost to about \$7.5M. However, the funding agencies indicated that they could realistically fund only one large project in Northampton County. Therefore, the PSA decided to explore a more limited service area focused on the commercial properties around the U.S. 13/S.R. 184 intersection. The preliminary estimate for the project was between \$1.5M to \$2M. The objective would be to fund the first phase of the Southern Node primarily with private capital contributions from the commercial property owners. The PSA met with many of the commercial property owners on May 15, 2012 to explain this approach. The owners expressed some interest in establishing a special tax district to fund the project.

During the bi-monthly update of PSA activities at the July 12, 2012 Council Meeting, Councilman Wendell questioned the desirability of utilizing the Cape Charles plant to process the flow from the new service area. Since planning for the project was continuing, on July 18, 2012, the PSA requested confirmation that the Town was willing to provide treatment service for areas outside Town boundaries. Without confirmation that Cape Charles was still willing to provide the processing services, the PSA would need to seek other alternatives such as a stand-alone plant or pumping to the Bayview community plant. The Council, by majority vote, approved providing confirmation to the PSA of the Town's willingness to utilize the Cape Charles WWTP for areas outside the Town boundaries.

The PSA followed up with several of the property owners with operating businesses or near-term development plans in the fall of 2012. The PSA provided a presentation of financial options for implementing the system to the BOS on January 8, 2013. The BOS asked the PSA to provide a recommendation on the financing approach as well as estimates to extend the system to the Webster property and the Town of Cheriton. The Northern Node (Exmore and the Nassawadox medical community) project was put on hold until Riverside Hospital determined the disposition of the Nassawadox medical campus and the existing wastewater treatment plant.

In April 2013, the PSA provided estimates to extend the system to the Webster property at \$0.8M to \$1M and \$6.7M to include the Town of Cheriton. The PSA provided a recommendation to the BOS to construct a somewhat smaller system, still focusing on the core commercial properties, to be funded 75% through a Special Tax District and 25% through General Real Property Tax. Tax rates would be set to generate sufficient revenues to accommodate debt service for bonds issued to build the system.

(Background – continued from page 5)

The BOS considered the PSA's recommendation regarding a Special Tax District during their budget development process. The District tax rate would be about \$0.52 per \$100. The incremental portion of the general tax rate would be about \$0.0014 per \$100 and was accommodated in the County's FY 2014 rate. The County budget includes \$130K for engineering of the system and a debt service reserve.

The operations cost for the new system would include treatment at the Cape Charles WWTP, collection system maintenance and meter reading and billing. These costs would be included in service rates charged to customers in the District. On July 22, 2013, the BOS i) authorized County staff to set a public hearing for the proposed Service/Special Tax District; ii) requested the PSA to conduct a financial analysis of the Cape Charles sewer system and to draft an agreement to purchase service from Cape Charles; and iii) assigned the County contract with Hurt & Proffitt for engineering services to the PSA.

Town staff is working on an analysis to determine the portion of wastewater treatment costs to be allocated to the proposed service district, as well as a draft agreement on services to be purchase from the Town by the PSA. This will be provided to the Town Council for review and approval before submission to the PSA. It will then be reviewed and approved by the PSA Board before submission to the BOS. The PSA also made presentations to the Cape Charles Business Association and the Cape Charles Rotary Club summarizing the proposed system, tax affect, treatment plant capacity, benefit to Cape Charles, and development concerns. The Town and County will need to work together to encourage complementary development within the proposed Service District.

The Town Council also received a letter from the Cape Charles Business Association expressing their concerns regarding i) the lack of significant benefit to the Town from the proposed connection; ii) potential long-term downside for the Town in terms of the availability of future capacity. The addition of properties on Route 13 and perhaps Cheriton would speed up the need for expansion of the plant. A 10 to 20 year horizon is not a long time in the life of a town and their concern is that it could burden future generations financially; and iii) at some point there will be economic development activity in the County, additional residential development, and connection of existing residential units currently using septic systems, it would seem to be more cost effective to design an expandable county system that could better meet future needs. The letter also pointed out that the PSA's survey results showed minimal interest in pursuing a regional wastewater system.

Town staff is working on the financial analysis for review by Council to include price per gallon, billing and maintenance calls, description of services with a cost estimate for the services, connection charges, etc. Information is being gathered from other localities in the State who sell services to a PSA or a customer of a PSA. The Cape Charles Town Council Work Session is scheduled for Wednesday, September 25, 2013, to review the analysis performed by staff and to discuss the concerns expressed by the Cape Charles Business Association.

COMPREHENSIVE PLAN UPDATE

Town Manager Heather Arcos and Planner Rob Testerman met with Elaine Meil, Executive Director of the Accomack-Northampton Planning District Commission (ANPDC). The ANPDC is working on a proposal to work with the Cape Charles Planning Commission on the Comprehensive Plan review and update. The cost savings are expected to be significant with a potential decrease of 50% vs. using the services of a consulting firm. If selected, the ANPDC would be able to begin working with the Town staff and Planning Commission in January 2014. A recommendation will be presented to the Town Council in October. Currently, the Planning Commission is reviewing sections of the Comprehensive Plan to provide their recommendation on areas needing to be reviewed further and/or updated.

NORTHAMPTON COUNTY DEVELOPMENT TOUR

Eastern Shore Land Company (ESLAND) has invited the Cape Charles Town Council, the County BOS, and other officials on a development tour on September 19, 2013. The tour will begin at the Bay Creek Beach Club and Cassatt Cottage, followed by a tour of the Charles Yacht Center, lunch at Mimosa Farm and ending in Oyster.

HARBOR REDEVELOPMENT UPDATE

Harbor Master Plan:

The Harbor Master Plan was adopted in 2007 and the Town will be updating the Harbor Master Plan to include the improvements made in the Harbor area over the last several years such as the new floating slips, the bath house, The Shanty restaurant, Cape Charles Yacht Center, etc. The new proposed Harbor Master Plan will be reviewed by the Town Council at an upcoming work session and will also be provided to the Harbor stakeholders for their review.

Cape Charles Harbor Access Road:

The Northampton County BOS had previously adopted the County's Secondary Roads Six-Year Plan for FY 2013-2014 and Improvement Priorities List for FY 2012-2013 which designated the upgrade of Route 642 (Old Cape Charles Road). On February 14, 2013, the BOS approved the construction and implementation of the Cape Charles Harbor Access Road Project as a more efficient use of existing resources than the upgrade of Route 642 as currently designated. On February 21, 2013, the Town Council adopted Resolution 20130221 Supporting

(Harbor Redevelopment Update – continued from page 6)

the Cape Charles Harbor Access Road Project. This access road would provide much needed highway access connecting the sea-lane shipping/rail-based shipping facilitated by the railroad and deep water harbor with the U.S. 13 highway corridor. An integrated transportation system is essential to attracting potential businesses to the area.

In June 2013, notification was received that the Governor's Transportation Bill which detailed project funding for FY 2014 was finalized. Route 642 was funded for a projected \$6.2M for FY 2014 through FY 2019. This project was included as Northampton County's #1 priority and would benefit Bayshore Concrete, South Port and the Harbor and would have a very positive impact on the Town's economic development.

Harbor Breakwaters:

The Town has constructed 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 \$500K grant from the VPA in 2012 to begin work on the next phase of the project as part of the Harbor Redevelopment Master Plan. The estimated cost for each of the three remaining breakwater segments is approximately \$800K, for a total of about \$2.4M. The Town has not been 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 requested, a carryover of the \$500K was granted by the VPA as the Town studied alternatives to protect the harbor.

The recent funding to construct the Cape Charles Harbor Access Road will open up many opportunities to grow the Town 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 \$5M, for a vessel maintenance and repair facility. The Town has been working in partnership with South Port Investors on a way to provide better protection for assets owned by the Town, South Port, the U.S. Coast Guard, Bayshore Concrete Products, 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.

As this is critical to continued economic development and job creation in the Town of Cape Charles and Northampton County, earlier this month, a letter was sent to Delegate Lynwood Lewis, with copies to Delegate Barry Knight, Senator Ralph Northam, United States Senators Tim Kaine and Mark Warner, United States Representative Scott Rigell, Governor Robert McDonnell, Thelma Drake – Director of the Department of Rail and Public Transportation, and Aubrey Layne, Jr. of the Commonwealth Transportation Board – Hampton Roads District, requesting their assistance to work with the Town to seek additional economic development funding in order to complete the construction of the remaining breakwaters.

BAYSHORE CONCRETE PRODUCTS

Bayshore Concrete Products has submitted a joint permit application to the U.S. Army Corps of Engineers for up to 250' encroachment into the Federal Channel to construct two concrete piers to support a 250 ton travel lift which would enable them to obtain larger contracts. There would be a \$2.2M investment for the travel lift and wave break to protect the travel lift and harbor basin. The land improvements are estimated at approximately \$4.5M. The Town and other developments around the Harbor are supportive of the project. Representatives from Bayshore Concrete will be at the September 19, 2013 Town Council meeting to give a presentation to Council regarding their plans.

WATER QUALITY REPORT

A letter was received from the Commonwealth of Virginia Department of Health Office of Drinking Water notifying the Town of the results of the total trihalomethane (TTHM) and haloacetic acids (HAA5) from water samples taken on August 7, 2013. The results of the TTHM analyses indicate the water sample contained 0.070 mg/l. The current running annual average is 0.073 mg/l, which is below the Primary Maximum Contaminant Level of 0.080 mg/l. The results of the HAA5 analyses indicate the water sample contained 0.016 mg/l. The current running annual average is 0.012 mg/l, which is below the Primary Maximum Contaminant Level of 0.060 mg/l.

The next samples to be analyzed for TTHM and HAA5 are due the fourth quarter of 2013.



October 11 – 13, 2013, Cape Charles Fire Hall
Please click the logo above for details.

UPCOMING MEETINGS & NOTICES

- Tuesday, September 17, 2013:
Historic District Review Board Public Hearing & Meeting starting at 4:30 PM at the Town Hall. [AGENDA](#)
- Thursday, September 19, 2013:
Town Council Regular Meeting starting at 6:00 PM at the Cape Charles Volunteer Fire Company. **Please note the change in location due to a conflict with another event at the St. Charles Parish Hall.** [AGENDA](#)
- Monday, September 23, 2013:
Wetlands & Coastal Dune Board Public Hearing & Meeting starting at 4:00 PM at the Town Hall. [Public Hearing Ad & Information](#)
- Tuesday, September 24, 2013:
Board of Zoning Appeals Public Hearing & Meeting starting at 4:00 PM at the Town Hall. [Public Hearing Ad & Information](#)
- Wednesday, September 25, 2013:
Town Council Work Session starting at 5:30 PM at the Town Hall.
- Tuesday, October 1, 2013:
Planning Commission Regular Meeting starting at 6:00 PM at the Town Hall.
- Wednesday, October 2, 2013:
Town Council Tour of the Chesapeake Bay Bridge Tunnel.
- Thursday, October 3, 2013:
Town Council Work Session starting at 6:00 PM at the Town Hall.

If you are interested in serving on any of the Town's boards or Planning Commission, please complete the [Cape Charles Boards & Commission Application](#) and return it to Libby Hume at the Town Hall or send by email to clerk@capecharles.org. Please [click here](#) for information on the various Boards and Commission.



The Town offices will be closed on Monday, October 14, 2013, in observance of the Columbus Day Holiday.

DEPARTMENT REPORTS

The regular Department Reports are included in the [Town Council Regular Meeting Agenda Packet](#).

UPCOMING EVENTS IN CAPE CHARLES

- 9/21: **Cape Charles Town Yard Sale**. Contact Dora Sullivan at Sullivan's Office Supply to sign up.
- 10/11 – 10/13: [21st Annual Birding and Wildlife Festival](#).
- 10/12: **Cape Charles Fall Festival**, 10:00 AM – 5:00 PM, along Mason Avenue. Sponsored by the Cape Charles Business Association.
- 10/19: **Cream of the Crop 2013 – Annual Harvest Dinner & Auction**, Arts Enter. Contact the Arts Enter Cape Charles for details. All proceeds benefit the Arts Enter and the Historic Palace Theatre.
- **Save the Dates:**
 - 10/24 – 10/28: **Tall Ship Godspeed** in Cape Charles.
 - 10/26: Trunk-or-Treat & Haunted Harbor.
 - 11/30: Cape Charles Historical Society 16th Annual Oyster Roast.
 - 12/6: 18th Annual Holiday Progressive Dinner Tour – A Victorian Christmas of Yore
 - 12/7: Cape Charles Central Park Grand Illumination.

We welcome your feedback. Please send your comments to gazette@capecharles.org.

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Municipal Corporation of Cape Charles
2 Plum Street, Cape Charles, VA 23310
www.capecharles.org