



**HISTORIC DISTRICT REVIEW BOARD**  
**Joint Work Session with the Planning Commission**  
**Cape Charles Civic Center**  
**January 3, 2018**  
**6:00 p.m.**

At approximately 6:00 p.m., Chairman Bill Stramm, having established a quorum, called to order the Regular Meeting of the Planning Commission and the Joint Work Session with the Historic District Review Board. In addition to Chairman Stramm, present were Vice-Chair Joan Natali and Commissioners Dan Burke, Dennis McCoy, Sandra Salopek and Michael Strub. Commissioner Keith Kostek was not in attendance. Also in attendance were Town Planner Larry DiRe and Assistant Town Clerk Tracy Outten. There were two members of the public in attendance.

Chairman Joe Fehrer, having established a quorum, called to order the Historic District Review Board (HDRB) Joint Work Session with the Planning Commission. In addition to Joe Fehrer, present were Sandra Salopek and Terry Strub. John Caton and David Gay were not in attendance.

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

**CONSENT AGENDA**

**Motion made by Joan Natali, seconded by Michael Strub, to approve the agenda format as presented. The motion was approved by unanimous vote.**

The Commissioners reviewed the minutes from the December 5, 2017 Planning Commission Regular Meeting.

Joan Natali and Bill Stramm pointed out Joan Natali was listed twice and Dennis McCoy was not listed as being present in the first paragraph.

**Motion made by Michael Strub, seconded by Joan Natali, to approve the minutes from the December 5, 2017 Planning Commission Regular Meeting as amended. The motion was approved by unanimous vote.**

**REPORTS**

Larry DiRe stated that he did not have any additions to the monthly report included in the agenda packet. Bill Stramm asked if the number of permits in 2017 was correct. Larry DiRe stated the report showed permits that were issued.

**OLD BUSINESS**

*A. Joint work session with Historic District Review Board*

- *Proposed draft text amendment to Zoning Ordinance Article VIII.*

Larry DiRe explained the Historic District Overlay ordinance language adopted in 2001 and was a product of duplication from other localities. Some of the language did not pertain to our town, therefore it needed to be revised. The Commissioners and members of the HDRB reviewed the proposed text changes presented by Larry DiRe. The 1996 Cape Charles Preservation Plan was read into record. (Please see attached.) Larry DiRe requested public records about economic hardship and research found none. (Please see attached.)

Larry DiRe would be providing a revised copy without strikethroughs and new preamble wording for the Historic District Overlay Ordinance Article VIII at the Planning Commission Regular Meeting in February.

- *Vinyl siding per Zoning Ordinance Article III, Section 3.2.I.6 and Historic District Design Guidelines, sections Planning New Construction or Additions (page 23) and Synthetic Siding (page 57)*

Joe Fehrer explained the need for all documents to coordinate. There was much discussion regarding vinyl siding. Dan Burke did not think the Town should limit property owners to certain materials and mentioned this would be a hardship for lower income families.

**Motion made by Joan Natali, seconded by Dennis McCoy, to modify Zoning Ordinance Article III, Section 3.2.I.6 to not permit vinyl siding as recommended by the Historic District Review Board. The motion was approved by majority vote with Dan Burke opposed.**

**Motion made by Joan Natali, seconded by Bill Stramm, to adjourn the Planning Commission Regular Meeting and the Joint Work Session with the Historic District Review Board. The motion was approved by unanimous vote.**

The meeting adjourned at 7:12 p.m.

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Chairman Bill Stramm

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Assistant Town Clerk

The goal of a demolition-by-neglect ordinance is to save endangered buildings. The goal is stabilization and protection, not improving appearance. Stabilization and protection may be achieved in the most cost-effective manner and may result in a less than desirable exterior appearance—for instance, the use of asphalt roll roofing on a roof or exterior, plywood closure of door and window openings, or guy wires to stabilize deteriorated structural members. Retention of original historic fabric, even when deteriorated, should be a primary objective. Building fabric that is loose or has fallen from the building should be salvaged, tagged, and stored in the building.

Design Guidelines: Design guidelines have two purposes. The first is educational. Design guidelines educate property owners in the appreciation of their buildings, in appropriate maintenance techniques, and in making decisions regarding potential changes. The second purpose of design guidelines is for use in a design review process. Design guidelines represent the level of consensus that the community has reached with regard to physical change in the community. It outlines the framework and informs the judgments around which design decisions are made. It is not a set of rules. Rules are an easy way to gain compliance but are authoritarian, lack flexibility, and are counterproductive. In order to allow the maximum flexibility in accommodating change, design goals and principles should be established, not rules. Design guidelines outline and illustrate the desired goals and principles that will contribute toward, reinforce, and work with the character of a building or a neighborhood. The owner or designer are encouraged to exercise their creativity or personal preferences in determining how to achieve those goals and principles. Brief examples of kinds of issues which should be included in design guidelines for Cape Charles' residential neighborhoods are outlined below.

As discussed in Chapter Three, Preservation Approach, appropriate maintenance is the most important part of preserving significant buildings. The most important aspect of appropriate maintenance is preserving and rehabilitating original, historic building fabric. Doors and windows are particularly important to the architectural character of individual buildings. As moving parts, they are subject to hard and frequent use. When deterioration occurs, the first impulse of many homeowners is replacement. Replacement windows and doors are seldom of the long-term quality of the originals. They adversely affect the historical integrity of a building by destroying original, antique fabric. Furthermore, replacements usually change the visual character of a building. The rehabilitation of existing doors and windows is critical to the preservation of the character of individual buildings. In rehabilitating and maintaining existing buildings, it is recommended that original doors and windows be retained and repaired wherever possible. Where not repairable, replacement in-kind in size, profile, and configuration should be the goal. The installation of weatherstripping around existing wood sash is the

siding are not recommended because they trap moisture against the original wood siding of a house and hide deterioration that may be occurring. When aluminum or vinyl siding is installed, however, the width of the new siding should match that of the original wood siding and original wood trim and detailing should be retained. These and other design principles are the kinds of maintenance and rehabilitation issues that are outlined in design guidelines.

With regard to new structures, it is not the purpose of design guidelines to require "historical" designs or the adherence to a particular style, formula, or set of architectural elements. "Period architecture" and the strict quotation of architectural elements and details is distinctly not their intent. There is a wide range of building periods, styles, and types that contribute to the character of Cape Charles' residential neighborhoods. This diversity itself is a key element of the town's character. To walk in Cape Charles is to see virtually every architectural style from the town's founding in 1883 through the 1940s. There is no strictly "correct" style in Cape Charles. The slavish and literal copying of architectural styles and elements would trivialize and confuse the genuine historic architecture of the town. What is fascinating about the buildings in Cape Charles is that they are real, the genuine article, not copies. In order to contribute to the clarity of the town's history and development, new construction should appear to be at the end of the architectural continuum, and not mistaken to be somewhere in the middle. Contemporary architecture should be representative of the time in which it is created and should thus contribute to Cape Charles' architectural diversity for the appreciation of future generations.

New buildings, however, can be contemporary while at the same time being sympathetic and compatible with existing buildings and an existing historic context or character. This is achieved through compatible scale, massing, siting, orientation, materials, and forms. Because there are a variety of ways in which a new building can be compatible with existing buildings, there are no simple rules that can be written. This is why design guidelines and an informed design review process are the most flexible and fair way to achieve the intended goal of preserving neighborhood character.

Scale involves the size of a building. Cape Charles is comprised primarily of two- and three-story residential buildings. Low, horizontal ranch houses, long rows of townhouses, or large apartment buildings are out of scale with the residences in Cape Charles. Not only do they look out of place, but they destroy the character of the neighborhood. All are currently allowed by-right in the town. Massing of a building reflects the sense of lightness or weight, whether by the proportions of wings or projections of a building, or by solids and voids created by windows and porches. A

**From:** Libby Hume [<mailto:clerk@capecharles.org>]  
**Sent:** Wednesday, December 27, 2017 4:46 PM  
**To:** 'Larry DiRe' <[larry.dire@capecharles.org](mailto:larry.dire@capecharles.org)>  
**Subject:** RE: Public record request - applications\appeals to Town Council

Good afternoon, Larry.

I've reviewed the Town Council files regarding appeals to the Town Council and did not find any which were submitted under the economic hardship provision.

Thank you,  
Libby

*Libby Hume, MMC  
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**From:** Larry DiRe [<mailto:larry.dire@capecharles.org>]  
**Sent:** Friday, December 8, 2017 10:30 AM  
**To:** 'Libby Hume' <[clerk@capecharles.org](mailto:clerk@capecharles.org)>  
**Subject:** Public record request - applications\appeals to Town Council

Ms. Hume,

This is a request for public records pertaining to applications\appeals to Town Council under the economic hardship provision of zoning ordinance Article VIII, Section 8.23.C. This request is for the time period beginning December 12, 2001 through December 8, 2017. I understand this request may take more than the time as allowed for in the Code of Virginia, and grant you and your staff more than that time if needed.

Regards,  
Lawrence DiRe, M.A. M.P.A  
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