



Town Council Public Hearing & Regular Meeting

August 19, 2026 at 6:00 PM

Cape Charles Civic Center - 500 Tazewell Avenue

Agenda

- 1. Call to Order**
 - A. Roll Call
 - B. Establish Quorum
- 2. Moment of Silence and Pledge of Allegiance**
- 3. Public Hearing: (3 minutes per speaker)**
 - A. Conditional Use Permit Application 2026-02 from the Cape Charles Rosenwald School Restoration Initiative
 - B. Eastern Shore Rail Trail Ordinance
- 4. Close Public Hearing**
- 5. Recognition of Visitors / Presentations / Recognitions**
- 6. Public Comments (3 minutes per speaker for topics not subject to this evening's public hearing)**
- 7. Consent Agenda**
 - A. Approval of Agenda Format
 - B. Approval of Minutes
 - C. Approval of Financial Reports
- 8. Unfinished Business:**
- 9. New Business:**
 - A. Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative
 - B. Eastern Shore Rail Trail Ordinance
 - C. Professional Review Fee Policy
 - D. Reappointment of Building Code Board of Appeals Member
- 10. Town Manager Comments**
- 11. Mayor & Council Comments (5 minutes per speaker)**
- 12. Announcements**
 - A. August 22, 2026 - Concert in Central Park - USAF Full Spectrum
 - B. August 29, 2026 - Concert in Central Park - Celeste Kellogg
 - C. September 2, 2026 - Town Council Work Session - *tentative*

- D. September 5, 2026 - LOVEFEST & Concert in Central Park - The English Channel
- E. September 7, 2026 - Town Offices Closed for Labor Day Holiday
- F. September 12, 2026 - Concert in Central Park - Captain Mike & the Shipwrecked
- G. September 16, 2026 - Town Council Regular Meeting

13. Adjournment

The Cape Charles Town Council will hold a public hearing on Wednesday, August 19, 2026, at 6:00 pm, in the Cape Charles Civic Center, 500 Tazewell Avenue, to receive comment on the following:

- A. Conditional Use Permit Application (CUP) 2026-02: from the Cape Charles Rosenwald School Restoration Initiative for the review of a comprehensive sign plan as part of a conditional use permit application in the commercial district (C-1), per Cape Charles Town Code Chapter 32, Article V, Section 32-112 (f). This application is available for public review on our website at www.capecharles.org, under Agendas and Minutes > Upcoming Meetings. Please contact the Interim Zoning Administrator, Rick Keuroglan, at (757)-331-2979, or by email at rick.keuroglan@capecharles.org if you have any questions or need additional information.

The Cape Charles Town Council will hold a public hearing on Wednesday, August 19, 2026, at 6:00 pm, in the Cape Charles Civic Center, 500 Tazewell Avenue, to receive comment on the following:

- B. Ordinance No. 20260819 – Adding new section 28-8 to the Cape Charles Town Code to designate the Eastern Shore Rail Trail as a public nonmotorized transportation facility and recreational shared-use path, to prohibit the use of the Eastern Shore Rail Trail by motorized vehicles unless expressly permitted, to establish other rules governing use of the Eastern Shore Rail Trail, and to provide civil penalties for violations. The proposed ordinance is available to public review on our website at www.capecharles.org, under Agendas and Minutes / Upcoming Meetings / August 19, 2026 Town Council Public Hearing & Regular Meeting, or in the Town Clerk's office located at 412 Tazewell Avenue.



DRAFT
TOWN COUNCIL
Executive Session
Town Manager's Office, 412 Tazewell Avenue
July 16, 2026, 5:00 PM

CALL TO ORDER

Mayor Charney called the Executive Session of the Cape Charles Town Council to order at 5:00 p.m.

ROLL CALL

Council members in attendance: Mayor Charney, Vice Mayor Buchholz, Councilmen Butta, Grossman and Newman, and Councilwomen Ashworth and Holloway. A quorum was established.

Staff in attendance: Town Manager Rick Keuroglian, Projects Manager Bob Panek, Treasurer Marion Sofield, Assistant Treasurer Adrian Oei.

Others in attendance: David Rose and Harit Patel from Davenport & Company.

Motion made by Councilman Grossman, seconded by Councilman Newman, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia, Paragraph 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, and Paragraph 6: Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected. The motion was approved by unanimous vote.

Specifically: Discussion of Potential Acquisition of Canonie Property, and Financial Plan for all Capital Projects

Members of the public were asked to leave the room.

Council went into executive session at 5:02 p.m.

Motion made by Vice Mayor Buchholz, seconded by Councilman Grossman, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 5:49 p.m. There were no members of the public waiting to return to the meeting.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 5:51 p.m.

Adam Charney, Mayor

Libby Hume, Town Clerk

DRAFT



DRAFT
TOWN COUNCIL
Regular Meeting
Cape Charles Civic Center, 500 Tazewell Avenue
July 16, 2026, 6:00 PM

CALL TO ORDER

Mayor Adam Charney called the Regular Meeting of the Cape Charles Town Council to order at 6:00 p.m..

ROLL CALL

Council members in attendance: Vice Mayor Buchholz, Councilmen Butta, Grossman and Newman, Councilwomen Ashworth and Holloway. A quorum was established.

Staff in attendance: Town Manager Rick Keuroglian, Project Manager Bob Panek, Treasurer Marion Sofield, Assistant Treasurer Adrian Oei, Inspector Casey Quilter, Officer Jordan Yee, Business License Specialist Katie Lewis, Finance Assistant Jessica Upshur, Town Clerk Libby Hume.

There were four (4) members of the public in attendance.

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Council observed a moment of silence followed by the Pledge of Allegiance.

Public Comments

Shirley Galloway, resident

Ms. Galloway addressed Council on behalf of First Baptist Church regarding ongoing parking and accessibility concerns adjacent to the church at the corner of Madison and Nectarine Streets. She explained that a nearby resident routinely parked two vehicles and, at times, a trailer directly adjacent to the church's handicapped-accessible entrance. Although the vehicles were legally parked on public streets, their location frequently obstructed convenient access to the church's wheelchair ramp, creating difficulties for several members with mobility impairments. She advised Council that she had personally discussed the matter with the resident approximately 18 months earlier, but the accommodation was short-lived. She further stated that her son had previously submitted a request to Council and Town staff seeking assistance and was requesting an update regarding any actions that had been taken. Ms. Galloway also requested an update regarding her son's previous proposal to recognize long-time resident Thomas Godwin by naming the small street where he resided in his honor. She stated that Mr. Godwin had made significant contributions to the Town throughout his lifetime and hoped Council would continue considering the request.

There was some discussion regarding Ms. Galloway's comments as follows: i) Vice Mayor Buchholz inquired whether a designated handicapped parking space existed adjacent to the church ramp. Ms. Galloway explained that while there were two handicap spaces near the church entrance, neither was located immediately adjacent to the accessibility ramp; ii) Town Manager Rick Keuroglian advised Ms. Galloway and Council that both requests had already been submitted to the Virginia Department of Transportation (VDOT) for review. He explained that VDOT had been evaluating numerous requests submitted by the Town and stated he would follow up regarding the status of the church parking concerns and the proposed street naming request.

Ms. Galloway also raised concerns about vehicles blocking the church driveway during Town events held in the adjacent park, preventing deliveries and restricting ingress and egress. She requested guidance regarding whether the church could install temporary "Do Not Block Driveway" signage.

There was discussion as follows: i) Councilwoman Holloway shared that neighboring residents had experienced similar issues and suggested using temporary signs similar in size to real estate signs when needed. She also recommended placing a traffic cone at the driveway entrance during events and noted that police could issue citations if vehicles blocked the driveway; ii) Rick Keuroglan recommended the church utilize temporary signage and contact the Police Department's non-emergency line if vehicles continued blocking the entrance; iii) Councilman Newman observed that Council's authority over the public roadway was limited and emphasized that VDOT approval would ultimately determine any permanent parking modifications; iv) Rick Keuroglan further explained that VDOT had indicated willingness to consider designated church parking signage if formally requested by Council through resolution. He stated that staff had referenced similar accommodations already approved elsewhere within Town and anticipated bringing a recommendation to Council after receiving VDOT's guidance.

Ms. Galloway thanked Council and staff for their assistance and expressed appreciation for the follow-up.

There were no other comments to be heard, nor any submitted in writing prior to the meeting.

RECOGNITION OF VISITORS / PRESENTATIONS / RECOGNITIONS

- A. *Live Demonstration of New Business License Software – John Reynolds, President of Civic Review*
Treasurer Marion Sofield, who provided background regarding the Town's implementation of Civic Review, the online software platform selected to modernize the Town's business license, special event permitting, and related application processes. She explained that the software was designed to streamline the customer experience by allowing businesses to complete applications electronically, submit required documentation online, and pay fees securely by credit card. Staff would continue accepting cash and check payments to accommodate customers preferring in-person service.

John Reynolds, President and Founder of Civic Review, joined the meeting remotely to demonstrate the software. Mr. Reynolds explained that Civic Review replaced traditional paper-based applications with an electronic workflow that routed applications through the appropriate review process. Rather than circulating paper documents among departments, staff members reviewed applications electronically, communicated directly with applicants through an online portal, requested additional information if needed, approved applications, collected payments, and licenses were issued electronically. The demonstration illustrated how applicants could complete business license applications online, monitor application status in real time, receive notifications throughout the review process, and print approved licenses after payment was received.

There was some discussion as follows: i) Councilman Butta asked whether additional Town applications could eventually utilize the same platform. Town Clerk Libby Hume advised that the Town had already implemented online special event permit applications and facility reservation forms within the system and noted that additional forms could be incorporated as needs evolved. Marion Sofield added that Civic Review also offered modules for building permits and planning & zoning applications, which could be evaluated in the future should the Town wish to expand the platform; ii) Mayor Charney observed that the system represented a significant improvement over the previous manual process and noted that simultaneous routing among reviewing departments would substantially improve efficiency; iii) Councilwoman Ashworth asked when the software would become available to the public. Marion Sofield reported that staff anticipated launching the new system on August 1, 2026, following completion of internal training.

Council expressed appreciation to staff and Mr. Reynolds for the presentation and the work completed to modernize the Town's business licensing process.

B. *Mid-Year Short-Term Rental Program Update*

Inspector Casey Quilter presented a comprehensive mid-year update regarding the Town's Short-Term Rental (STR) management software and regulatory program. (Please see attached.) He explained that while the first 6 months of implementation had presented numerous challenges for both staff and property owners, significant progress had been achieved. He stated that staff had continued refining the software while educating STR owners on its use and improving the customer experience based upon feedback received throughout the implementation process. Casey Quilter demonstrated the public-facing website, which included an interactive map displaying all currently certified short-term rentals within the Town. The portal provided property information, complaint reporting features, non-emergency contact information, instructional materials, quarterly tax reporting guidance, and educational resources designed to assist property owners throughout the application and reporting process. He highlighted several resources now available, including step-by-step application instructions, frequently encountered troubleshooting guidance, Transient Occupancy Tax (TOT) reporting scenarios, and the newly added Accessory Dwelling Unit affidavit. He explained that the software provided staff with extensive compliance tools by monitoring online rental advertisements across multiple booking platforms, allowing staff to identify licensed and unlicensed rentals, verify occupancy activity, investigate complaints, and improve enforcement efforts. He reported that staff initially investigated approximately 39 potentially unlicensed rentals, ultimately issuing 16 first violation notices. Continued compliance efforts reduced that number to 8 second violations, while 9 additional property owners voluntarily submitted applications following enforcement actions. As of the meeting date, staff had reduced the number of potentially unlicensed STRs to only 2 or 3 properties.

Council discussed the effectiveness of the compliance program and expressed appreciation for the significant reduction in unlicensed operations.

Casey Quilter also summarized inspection activity, reporting that approximately one-third of inspected rentals initially failed inspection. Most deficiencies involved smoke detectors, fire extinguishers, occupancy compliance, deck safety, and guardrail issues. More than 160 corrective actions required follow-up inspections before certificates could be issued. He further reported that only a small number of complaints had been received during the current season, primarily involving trash collection and one public safety incident. He noted that the Town's required 24-hour emergency contact responded promptly and resolved the issue before further enforcement became necessary. He requested refinement of the ordinance to better define "local" emergency contacts noting that approximately 50% of the STRs were managed by local property managers, but the other 50% were managed by the property owners who were not local.

Council discussed improving future software functionality, expanding virtual training opportunities for nonresident property owners, and continuing to evaluate the software's return on investment through increased compliance and improved tax reporting. Council members commended Casey Quilter and Town staff for their perseverance throughout the software implementation process and acknowledged the considerable effort required to successfully transition the Town's STR program.

C. *Coast Guard Appreciation Proclamation*

Mayor Charney presented Proclamation #20260716, recognizing August 1, 2026, as Coast Guard Appreciation Day in the Town of Cape Charles.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adopt Proclamation #20260716 recognizing August 1, 2026, as Coast Guard Appreciation Day. The motion was approved by unanimous vote.

CONSENT AGENDA

- A. *Approval of Agenda Format*
- B. *Approval of Minutes*
 - June 4, 2026 Town Council Public Hearing & Special Meeting
 - June 18, 2026 Town Council Executive Session
 - June 18, 2026 Town Council Regular Meeting
- C. *Approval of the April and May 2026 Financial Reports*

Motion made by Vice Mayor Buchholz, seconded by Councilman Grossman, to approve the Consent Agenda as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS

There was no unfinished business to review.

NEW BUSINESS

- A. *Municipal Building Construction Phase Services*

Project Manager Bob Panek presented a request for Council authorization to execute a change order to the Town's existing contract with HBA Architecture and Interior Design for construction phase services associated with the new Municipal Building project. He explained that the requested amendment represented the second major contract action related to the project and would provide professional architectural and engineering support throughout construction. He advised Council that the proposed contract amount of \$140,504.25 was consistent with the project estimates developed during the design phase. Although slightly higher than the preliminary estimate prepared approximately 2 years ago, the increase reflected inflation and represented slightly more than 2% of the overall construction value, which he characterized as reasonable for a project of this size and complexity. Bob Panek further clarified that the requested action did not modify the previously awarded construction contract but instead amended the Town's professional services agreement with HBA to provide the architectural oversight necessary during construction.

Councilwoman Ashworth asked whether the overall cost of the Municipal Building project was increasing as a result of the request. Bob Panek explained that the construction contract itself remained unchanged. He noted that the overall project budget had always anticipated several contracts beyond the primary construction agreement, including construction administration services, emergency generator installation, parking lot lighting, and other related project components. Collectively, those anticipated costs remained within the approximately \$7 million total project budget previously presented to Council.

Vice Mayor Buchholz observed that because of the extended design timeline, the project had also been required to comply with updated building code requirements that had changed since the project was originally initiated several years earlier. Bob Panek confirmed that the project had been under development for approximately 3 years and acknowledged that code revisions occurring during that period had required modifications to the design.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to authorize the Town Manager to execute the HBA contract change order for construction services in the amount of \$140,504.25, together with approval of a 5% contingency reserve of \$7,075. The motion was approved by unanimous vote.

- B. *Town Harbor Engineering Services*

Bob Panek next presented a recommendation regarding engineering services for the Town Harbor. He explained that the Town had worked successfully with Langley and McDonald under a continuing engineering services agreement for more than a decade, during which the firm had assisted with numerous harbor planning, engineering, and capital improvement projects. Bob Panek advised Council that principal engineer Tom Langley was retiring and no longer wished to continue providing engineering services. For several years, however, McPherson Design Group had served as Langley and McDonald's engineering subconsultant and had completed much of the technical design work associated with the Town's recent harbor improvement projects. To ensure continuity and avoid disruption to ongoing projects, staff recommended assigning the existing engineering services agreement directly to McPherson Design Group. Bob Panek noted that the Town's Fiscal Year 2026–2027 Budget included funding to complete engineering design for replacement of the Inner Harbor fixed dock with a floating dock system. Completing that design work would allow the Town to pursue future Virginia Port Authority grant funding for construction.

Councilman Grossman asked whether McPherson Design Group was located in Virginia Beach. Bob Panek confirmed that the firm was based in Virginia Beach and was thoroughly familiar with the Town's harbor facilities and ongoing capital improvement plans through its previous work under Langley and McDonald.

Motion made by Councilman Grossman, seconded by Vice Mayor Buchholz, to authorize assignment of the engineering services contract for harbor improvements from Langley and McDonald, Inc. to McPherson Design Group, Inc. The motion was approved by unanimous vote.

C. Resolution Changing the Day of Future Town Council Meetings

Mayor Charney introduced consideration of **Resolution #20260716**, proposing to change the Town Council's regular meeting day from **Thursday evenings** to **Wednesday evenings**. He explained that Council members had previously discussed the proposal and generally agreed that Wednesday meetings would better accommodate Council schedules and avoid conflicts that had increasingly arisen on Thursdays.

Motion made by Councilwoman Holloway, seconded by Vice Mayor Buchholz, to adopt Resolution #20260716 Changing the Regular Meeting Day of the Cape Charles Town Council. The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

TOWN MANAGER COMMENTS

Rick Keuroglan commented as follows:

- i) He provided Council with updates on several operational matters, beginning with the recent Virginia American Water (VAW) sewer overflow and the Town's emergency response efforts. He had remained in regular communication with VAW representatives, including Matt Elliott, regarding the incident and the utility's ongoing corrective actions. Rick Keuroglan advised that VAW would attend the August 5th Work Session to provide Council with a comprehensive review of the event, the emergency response undertaken by the utility, coordination with Town staff, corrective measures already implemented, and additional improvements planned to reduce the likelihood of similar incidents in the future. VAW prepared a public statement explaining the incident, which was shared with the community. He emphasized that both the Town and the utility recognized the importance of improving communication with residents during emergency situations. Following the incident, Town staff conducted an internal debrief to evaluate the response and identify opportunities for improvement. As a result, the Town had strengthened its internal notification procedures by designating additional backup personnel capable of issuing emergency notifications to ensure timely communication between the Town and residents. Addressing questions that had been raised, Rick Keuroglan clarified that responsibility for

notifying regulatory agencies rested with VAW, and he confirmed that the Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Health were promptly notified by the utility, conducted the required inspections, reviewed the proposed remediation measures, and verified that the corrective actions were completed in accordance with applicable requirements. He further reported that routine beach water quality monitoring continued throughout and following the incident. Testing conducted before and after the incident indicated no significant impact on water quality, and bacterial levels remained well below thresholds requiring beach advisories. He noted that while it was impossible to determine precisely how much wastewater ultimately entered the Bay, Public Works personnel responded immediately to minimize impacts. He specifically commended **Public Works Director Ralph Bowen**, who quickly deployed heavy equipment to construct a temporary sand berm, helping contain the discharge and preventing a potentially more significant environmental event. Mr. Keuroglian also reminded Council that routine beach water monitoring would continue throughout the summer season and that the Town would post public notices if elevated bacterial levels were identified.

Councilwoman Holloway suggested that the Town explore methods of communicating emergency information more effectively to visitors staying in short-term rental properties. She noted that while several local property management companies and the Vacation Rental Homeowners group voluntarily assisted in notifying guests during the recent incident, establishing a more formal notification protocol would improve future emergency communications. She asked whether the Town's short-term rental program could accommodate sending notifications to the public. Rick Keuroglian responded that he would ask whether guest notification capabilities could be incorporated into the system.

Rick Keuroglian went on to express appreciation to Town staff, emergency responders, VAW personnel, and Council members for their cooperation throughout the incident. He stated that although the event presented significant operational challenges, it also provided valuable lessons that would strengthen the Town's emergency preparedness, interagency coordination, and public communication procedures moving forward.

- ii) He had spent the majority of his time involved in the Planning & Zoning department. He had authorized over 200 STR permits and over 20 building permits for zoning review. It was a lot of work to do, on top of his daily responsibilities. He was working as best as he could. The Berkley Group was working on recruitment of the Planning & Zoning Director.
- iii) He announced Bob Panek's planned retirement, adding that the job posting had been advertised and interviews would begin upon his return from training.
- iv) Personnel: 1) 2 new seasonal employees were hired in Public Works – Tavon Owens, who was a former employee, and Andi Hernandez who just returned from military deployments overseas. Unfortunately, the Public Works employee that we just promoted to full-time was no longer with Town; 2) A new Planning & Zoning Technician, Damion Geist, was hired to replace Jack Steinmayer who recently left for another position. Damion had a lot of experience and was currently the Chairman of the Exmore Planning Commission.
- v) Training: 1) Library Manager Sharon Silvey completed Finance and Budgeting for Library Staff from the American Library Association; 2) Jodi Outland was completing a Public Policy and Ethics class through the Public Sector Human Resources Association (PSHRA); 3) Libby Hume completed several classes through the Virginia Risk Sharing Association – Active Listening, De-Escalation Techniques, and Avoiding Phishing Attempts; 4) PSHRA had asked him to be a speaker at their conference in September; v) On June 17th, all staff attended Harassment 101: Staying Compliant with Federal EEO Laws. On June 24th, all supervisors attended Best Practices: Recruiting, Interviewing & Hiring. On June 26th, all supervisors attended Legal Training with Jeff Wilson from Pender & Coward regarding the Americans with Disabilities Act, the Family and Medical Leave Act, Progressive discipline and documentation.

Councilman Butta stated that the organization that conducted the Certified Planning Commission training program also offered a course which would be beneficial for the Historic District Review Board (HDRB). He felt it would be beneficial to enroll our HDRB members in this training program.

- vi) He made a zoning determination for a new restaurant, Local Ketch, to approve a fence for outdoor seating. He went through the guidelines to determine its appropriateness, with the condition that it be stained to match or compliment the dark windows of the establishment.

Vice Mayor Buchholz noted that Council had been striving to simplify the process for minor improvements such as this so the owner would not have to go through the HDRB process. This was a perfect example of what we were trying to do.

MAYOR & COUNCIL COMMENTS

Councilman Grossman informed Council that the Northampton County Board of Supervisors had adopted an ordinance related to enforcement ability on the Rail Trail since it was on private property. Without an ordinance, the police department could not enforce any laws. He spoke to the County attorney and Eastern Shore Rail Trail Executive Director Ron Wolff and they agreed that the Town needed to adopt a similar ordinance. Councilwoman Holloway suggested that the August 5th meeting be a special meeting so Council could vote on an ordinance.

Councilman Butta asked if we could find out how many residents were subscribed to the Town's Nixle system, adding that we needed to get more people to sign up. Libby Hume stated that she would get the numbers and send them to Council via email. Libby Hume went on to explain that the Nixle system was under the Everbridge "umbrella" and was designed for small towns and police departments. It was being phased out and we would be migrating to Everbridge 360 in the near future. All current subscribers would be transitioned to Everbridge 360 as well. Rick Keuroglian added that Everbridge 360 would allow staff to post advisories using an app rather than having to use a computer, which would make it much easier to access.

Mayor Charney commented as follows: i) He requested that a sign stating "No Golf Carts Beyond This Point" be installed heading out of town just past the Cape Charles Brewing Company, as he had seen golf carts traveling in and out of town. This had been discussed in the past, but no signage had yet been installed; ii) He asked when the "silver bullet" portable restroom would be moved to the beach so the current rented porta-potties could be removed. Rick Keuroglian stated that he would contact the Public Works staff about relocating the unit, adding that the department was stretched thin with the increased demand. The beach comber had just been repaired and Ralph Bowen cleaned the beach this past Tuesday beginning at 1:00 a.m. He recommended assigning 2 or 3 staff to work only on the beach, but Ralph Bowen preferred to cross-train all of his staff.

Councilwoman Ashworth thanked all of the volunteers who help with SailFest. It was a great success. The numbers showed that there were about 17K people in town over the course of the weekend with over 6K just in the harbor area. The marketing and planning worked. She heard from businesses that they ran out of food and goods to sell. Everyone was happy, and the fireworks were spectacular. Councilwoman Holloway added that it was nice to have music during the fireworks.

Councilwoman Holloway stated that because of the emergency over the July 4th weekend, no credit was given to the staff who pulled off an great 4th of July event without a hitch. It was one of the hottest days of the year and everyone worked so hard. She was so appreciative to the staff. Mayor Charney added that it was another unbelievable fireworks show.

Councilman Newman noted that the beach pavilion was being painted this week.

ANNOUNCEMENTS

- July 18, 2026 – Concert in Central Park – Roberta Lea
- July 25, 2026 – Concert in Central Park – Good Shot Judy
- August 1, 2026 – Salsa Night in Central Park – Salsa Night with Kadencia
- August 5, 2026 – Town Council Special Meeting
- August 8, 2026 – Concert in Central Park – Full Moon Fever
- August 15, 2026 – Concert in Central Park – Brasswind
- August 19, 2026 – Town Council Public Hearing and Regular Meeting

ADJOURNMENT

Motion made by Councilman Newman, seconded by Councilwoman Ashworth, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.

The meeting was adjourned at 7:36 p.m.

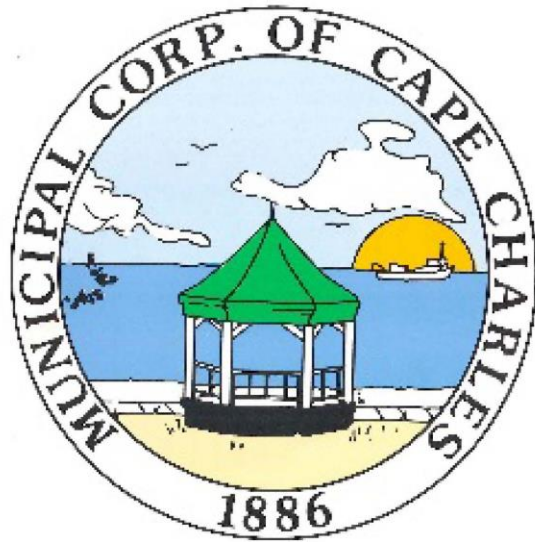
Adam Charney, Mayor

Libby Hume, Town Clerk

DRAFT

Cape Charles STR Compliance Update

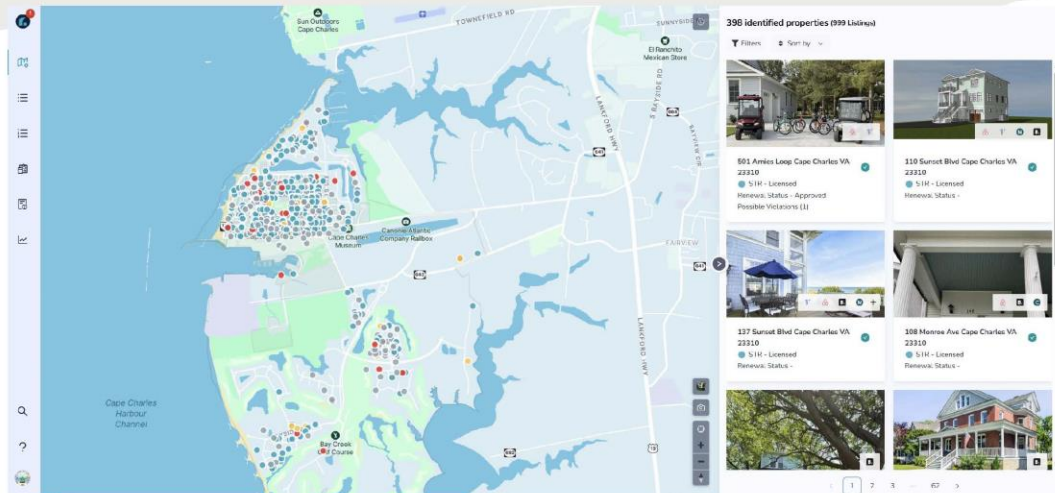
July 2026



Purpose

1. To re-introduce the Short-Term Rental (STR) webpage at CapeCharles.org
2. To re-introduce the STR Public Portal, STR Customer Portal, Inspection Portal and Rentalscape since it has been populated with Town information
3. To share new data with the Town on STR's





3.

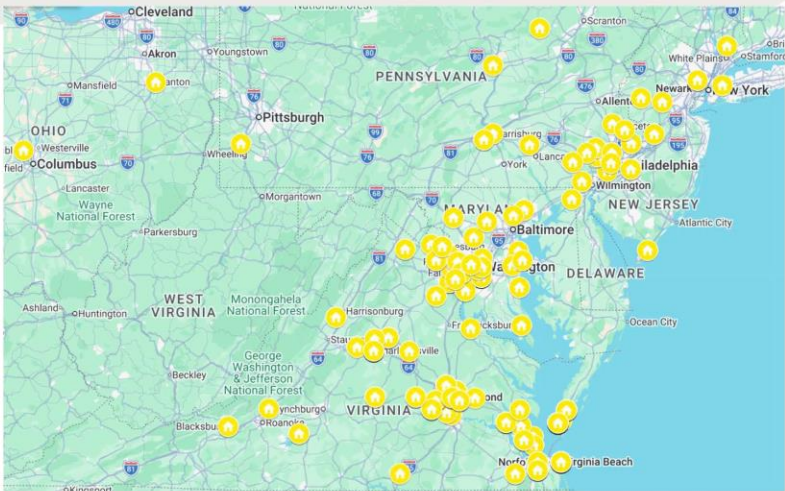


STR Data

- 334 applications
- 308 certifications
- 4 Accessory Dwelling Units (ADU)
- 24% of all STR's are locally owned
- 1/3 of all inspections Fail
 - Safety Corrections
 - Occupancy Corrections (Code Amendments 2024)
- 19 BOSTR Permits
- 26 Additional Off-Street Parking Spaces
- Compliance
 - Complaints
 - 39 STR's investigated
 - Violations
 - TOT
- 2025 STR TOT & Revenue Tracking
- 2027 Changes
 - #1 – Turn Around Time



Who Own's CC STR's?



3.



STR Data

- 334 applications
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 - #1 – Turn Around Time



STR Inspections – Safety First

inspections.deckard.com

Customer Portal Bookings Search-Form-Browser... Inspection Portal

Town of Cape Charles Inspection Portal Inspector@capecharles.org Logout

STR Health & Safety Inspection
240 MONROE AVE CAPE CHARLES VA 22310

Exterior Elements

Interior Elements

Exterior Doors Working Condition
The exterior door is in proper working condition and can be unlocked from the inside without a key or special knowledge. 2 images, 10 MB each

Pass ☐ Needs Correction ☐

Windows Operable No Damage
We must see operable window frame and view of opening, including air conditioning. 2 images, 10 MB each

Pass ☐ Needs Correction ☐

Stairways and Surfaces Safe
All stairways, ramps, landings and other walking surfaces are maintained in safe working condition. 2 images, 10 MB each

Pass ☐ Needs Correction ☐

Handrails and Guards Safe Support Loads
All handrails and guards are capable of supporting normally imposed loads. 2 images, 10 MB each

Pass ☐ Needs Correction ☐

Bedrooms Egress to Hall
All bedrooms require egress to a hall without going through another bedroom. 2 images, 10 MB each

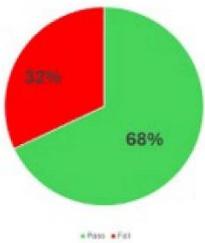
Pass ☐ Needs Correction ☐

Bedrooms Emergency Egress
There is egress from every bedroom free from obstructions in case of emergency (Egress must be 5' x 10' on 1st floor and 5' x 7' on other floors with a sill no higher than 44"). 2 images, 10 MB each

Pass ☐ Needs Correction ☐

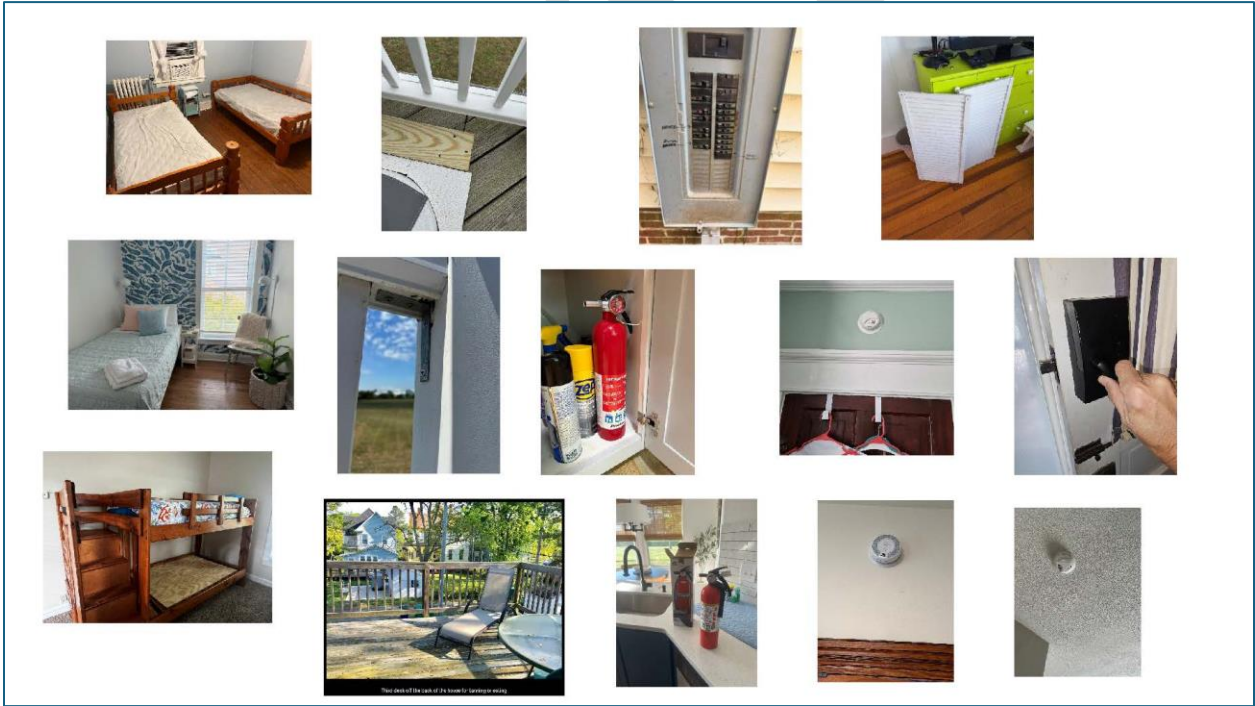
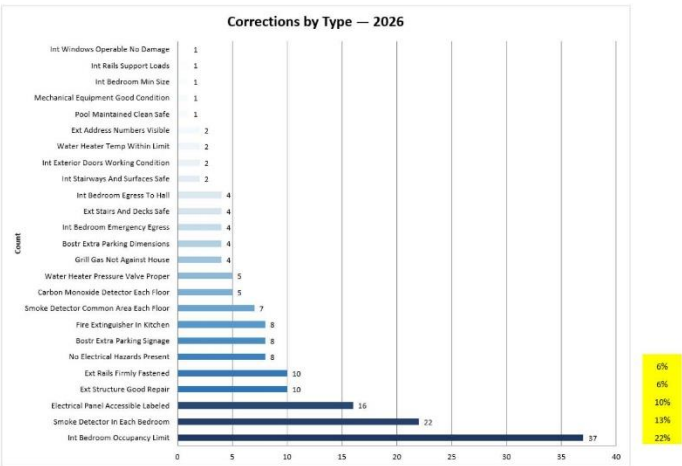
Randomness Minimum Size 100%

STR Inspection Pass Rate %



STR Inspections – Safety First

2026 Inspection Corrections Report	
Total Inspections	Failed
Correction Item	Count
Int Bedroom Occupancy Limit	37
Smoke Detector In Each Bedroom	22
Electrical Panel Accessible Labeled	16
Ext Structure Good Repair	10
Ext Rails Firmly Fastened	10
No Electrical Hazards Present	8
Bostr Extra Parking Signage	8
Fire Extinguisher In Kitchen	8
Smoke Detector Common Area Each Floor	7
Carbon Monoxide Detector Each Floor	5
Water Heater Pressure Valve Proper	5
Grill Gas Not Against House	4
Bostr Extra Parking Dimensions	4
Int Bedroom Emergency Egress	4
Ext Stairs And Decks Safe	4
Int Bedroom Egress To Hall	4
Int Stairways And Surfaces Safe	2
Int Exterior Doors Working Condition	2
Water Heater Temp Within Limit	2
Ext Address Numbers Visible	2
Pool Maintained Clean Safe	1
Mechanical Equipment Good Condition	1
Int Bedroom Min Size	1
Int Rails Support Loads	1
Int Windows Operable No Damage	1
Total Corrections	169



3.



STR Data

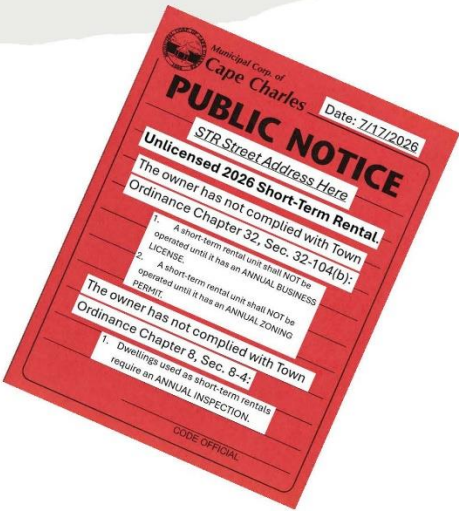
- 334 applications
- 308 certifications
- 4 Accessory Dwelling Units (ADU)
- 24% of all STR's are locally owned
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 - Safety Corrections
 - Occupancy Corrections (Code Amendments 2024)
- 19 BOSTR Permits
- 26 Additional Off-Street Parking Spaces
- Compliance
 - Complaints
 - 39 STR's investigated
 - Violations
 - TOT
- 2025 STR TOT & Revenue Tracking
- 2027 Changes
 - #1 – Turn Around Time



3.

Compliance

- **16 First Time Violations**
- **8 Second Time Violations**
- **9 New Applications in the last 14 days**
- **2-3 Placards for Unlicensed STR's**



TOT Compliance

Town of Cape Charles, VA
TOT reporting period is Now open.

This is a courtesy reminder to file and make full payment for the Jan-Mar 2026 period. The due date is 20 April 2026.

File and pay early to avoid penalties and interest (if applicable). If you have already submitted your monthly return, thank you.

[Click here to pay now](#)

License(s) due for reporting:

License No.	Payment Period
STR-26-00500	Jan-Mar 2026
STR-26-00787	Jan-Mar 2026

For More Information

Please contact us by email at str@capecharles.org, by phone at (757) 331-3259 ext. 42, or visit www.capecharles.org for additional information.



TOWN OF CAPE CHARLES, VA
TOT REPORTING OVERDUE

This is a courtesy reminder to file and make full payment for the Jan-Mar 2026 period. The due date is 20 April 2026.

Penalties and interest will continue to accrue until payment is received (if applicable).

The Jan-Mar 2026 period reporting is **7 days overdue**

[Click here to pay now](#)

3. STR Data

- 334 applications
- 308 certifications
- 4 Accessory Dwelling Units (ADU)
- 24% of all STR's are locally owned
- 1/3 of all inspections Fail
 - Safety Corrections
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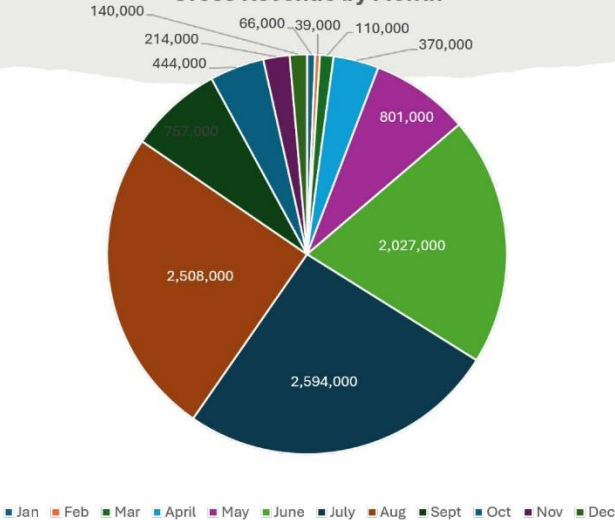


2025 STR Revenue Tracking

TRANSIENT OCCUPANCY TAX

		TRANSIENT OCCUPANCY TAX																					
Street Address		Rooms	Oct-25						Nov-25						Dec-25								
			Dated Filed by 20th of subseque ent month	Gross Receipts	Lodging Tax Due (4% of Gross Receipts)	# of Nights	Per Night Fee (\$4 per night)	Paid by?	Dated Filed by 20th of subseque ent month	Gross Receipts	Lodging Tax Due (4% of Gross Receipts)	# of Nights	Per Night Fee (\$4 per night)	Paid by?	Dated Filed by 20th of subseque ent month	Gross Receipts	Lodging Tax Due (4% of Gross Receipts)	# of Nights	Per Night Fee (\$4 per night)	Paid by?	Total Annual STR Gross Receipts		
Amber's Loop	314		5	4225	\$ 169.00	3	\$ 12.00	Other	2	775	\$ 31.00	1	\$ 4.00	Other	5	0	\$ -	0	\$ -	Other	\$ 30,654.00		
Amber's Loop	501		15	2950.11	\$ 118.00	4	\$ 16.00	Airbnb		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 32,544.66		
Bahama Road	3		10	1428.00	\$ 57.16	3	\$ 12.00	VRBO	15	0	\$ -	0	\$ -	Other	15	0	\$ -	0	\$ -	Other	\$ 35,113.12		
Bahama Road	5	3	3	0	\$ -	0	\$ -	Other	16	0	\$ -	0	\$ -	Other		\$ -	\$ -		\$ -		\$ 16,385.00		
Bay Avenue	4		4	\$ -	\$ -		\$ -			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ -		
Bay Avenue	14		14	0	\$ -	0	\$ -	Other	2	0	\$ -	0	\$ -	Other	6	0	\$ -	0	\$ -	Other	\$ 40,969.54		
Bay Avenue	106		106	2541.8	\$ 101.67	5	\$ 20.00	Other		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 35,449.51		
Bay Avenue	204			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ -		
Bay Avenue	212		16	7085	\$ 283.40	8	\$ 32.00	VRBO	9	5265	\$ 210.60	7	\$ 28.00	Airbnb	12	6285	\$ 251.40	0	\$ 32.00	VRBO	\$ 110,226.50		
Bay Avenue	408		408	4851.90	\$ 192.08	5	\$ 20.00	Other		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 31,550.08		
Bayshore Road	1011		19	3350	\$ 134.00	12	\$ 48.00	Other		\$ -	\$ -		\$ -		1450	\$ 58.00	\$ 26.00	\$ 26.00	Other	\$ 45,570.00			
Bayshore Avenue	303		5	0	\$ -	0	\$ -	Other	2	0	\$ -	0	\$ -	Other	5	0	\$ -	0	\$ -	Other	\$ 19,241.00		
Bayshore Avenue	313		5	0	\$ -	0	\$ -	Other	2	0	\$ -	0	\$ -	Other	5	0	\$ -	0	\$ -	Other	\$ 8,150.00		
Bayshore Avenue	505		5	0	\$ -	0	\$ -	Other	2	413	\$ 16.52	1	\$ 4.00	Other	5	0	\$ -	0	\$ -	Other	\$ 29,141.00		
Bayshore Avenue	509			0	\$ -	0	\$ -	Other		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 5,517.00		
Bayshore Avenue	511		10	947.98	\$ 37.92	5	\$ 20.00	Airbnb		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 14,119.25		
Brass Ring Circle	509		5	0	\$ -	0	\$ -	Other	2	0	\$ -	0	\$ -	Other	5	0	\$ -	0	\$ -	Other	\$ 25,686.00		
Bridgerton Drive	34			\$ -	\$ -		\$ -		16	0	\$ -	0	\$ -	Other	9	0	\$ -	0	\$ -	Other	\$ 7,966.20		
Captain Chris Browne	310			\$ -	\$ -		\$ -		16	0	\$ -	0	\$ -	Other		\$ -	\$ -		\$ -		\$ 1,519.50		
Captain Chris Browne	404		1	1740	\$ 69.60	4	\$ 16.00		16	0	\$ -	0	\$ -	Other	8	0	\$ -	0	\$ -	Other	\$ 45,954.84		
Captain Chris Browne	410		5	2563	\$ 102.52	4	\$ 16.00	Other	2	0	\$ -	0	\$ -	Other	5	0	\$ -	0	\$ -	Other	\$ 21,914.39		
Carlissa Dr.	12			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 1,199.83		
Carousal Place	602		10	0	\$ -	0	\$ -	Other		\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ 42,963.22		
Carousal Place	614			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -			\$ -	\$ -		\$ -		\$ -		

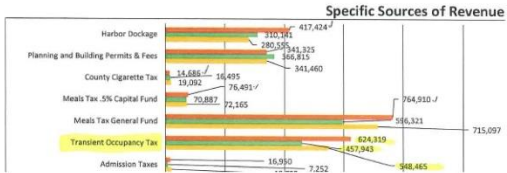
2025 STR Gross Revenue by Month



2025 TOT Reporting

Total Annual STR Gross Receipts	Total Lodging Tax Due (4% of Gross Receipts)	Total Nights	Total Per Night Fees Due (\$4 per night)	Total All Taxes Due (Paid by Owner and/or 3rd Party)
\$ 10,155,155.19	\$ 435,565.13	21,671.00	\$ 86,469.48	\$ 543,705.61

\$469/night



3.



STR Data

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- 308 certifications
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DRAFT

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
June 30, 2026

Cash on Hand	5/31/2026	6/30/2026	Increase/ (Decrease)
Atlantic Union Bank Checking Account	\$76,580	\$73,693	-\$2,887
Atlantic Union Bank Money Market Account	\$15,349	\$15,378	\$30
LGIP Account 1 - 0565 - Unrestricted	\$124,869	\$125,256	\$387
LGIP Account 2 - 0195 - Unrestricted	\$396,895	\$398,125	\$1,229
Virginia Investment Pool Liquidity Unassigned - 5003	\$17,258,411	\$17,312,061	\$53,650
Virginia Investment Pool 1-3 Year Unassigned 0001	\$1,141,738	\$1,142,338	\$600
Taylor Bank Operating Cash Account	\$332,651	\$498,385	\$165,733
Taylor Bank Sweep Account	\$1,377,166	\$1,179,047	-\$198,119
Total Cash On Hand	\$20,723,659	\$20,744,283	\$20,624

Restricted and Reserved Cash Balances	5/31/2026	6/30/2026	Increase/ (Decrease)
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,120	\$30,120	\$0
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$0	\$0	\$0
Total Cash Held in Reserve	\$30,551	\$30,551	\$0

Total Cash - All Accounts	\$20,754,210	\$20,774,834	\$20,624
----------------------------------	---------------------	---------------------	-----------------

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
June 30, 2026

REVENUE VS. EXPENDITURES

FUND	CURRENT MONTH	CURRENT YEAR-TO-DATE	ANNUAL BUDGET	% REALIZED/ EXPENDED FY25
GENERAL Fund				
REVENUE	\$382,048	\$6,095,265	\$5,916,265	103.03%
EXPENDITURES	\$366,039	\$4,673,143	\$5,916,265	78.99%
NET	\$16,009	\$1,422,122	\$0	
GENERAL Capital Fund				
REVENUE	\$10,180	\$1,656,670	\$6,837,456	24.23%
EXPENDITURES	-\$16,414	\$3,258,222	\$6,837,456	47.65%
NET	\$26,594	(\$1,601,552)	\$0	
GENERAL Debt Service Fund				
REVENUE	\$0	\$1,595,121	\$1,655,121	96.37%
EXPENDITURES	\$0	\$1,517,784	\$1,655,121	91.70%
NET	\$0	\$77,337	\$0	
GENERAL Special Activities Fund				
REVENUE	\$0	\$0	\$0	0.00%
EXPENDITURES	\$0	\$0	\$0	0.00%
NET	\$0	\$0	\$0	
PUBLIC UTILITIES Fund				
REVENUE	\$0	\$83,658	\$80,000	104.57%
EXPENDITURES	\$0	\$80,042	\$80,000	100.05%
NET	\$0	\$3,617	\$0	
HARBOR Fund				
REVENUE	\$180,789	\$1,417,324	\$1,108,331	127.88%
EXPENDITURES	\$177,921	\$1,056,754	\$1,108,331	95.35%
NET	\$2,868	\$360,570	\$0	
SANITATION Fund				
REVENUE	\$1,051	\$292,861	\$361,177	81.09%
EXPENDITURES	\$33,869	\$393,921	\$361,177	109.07%
NET	(\$32,817)	(\$101,060)	\$0	

Note: Net YTD revenues over expenditures shown above reflect accounting entries posted as of the report date. Certain budgeted or authorized interfund transfers, year-end revenue accruals, reappropriations, and other closing entries have not yet been recorded. Accordingly, the reported NET amounts should not be interpreted as the Town's final operating surplus/(deficit) or change in available fund balance.

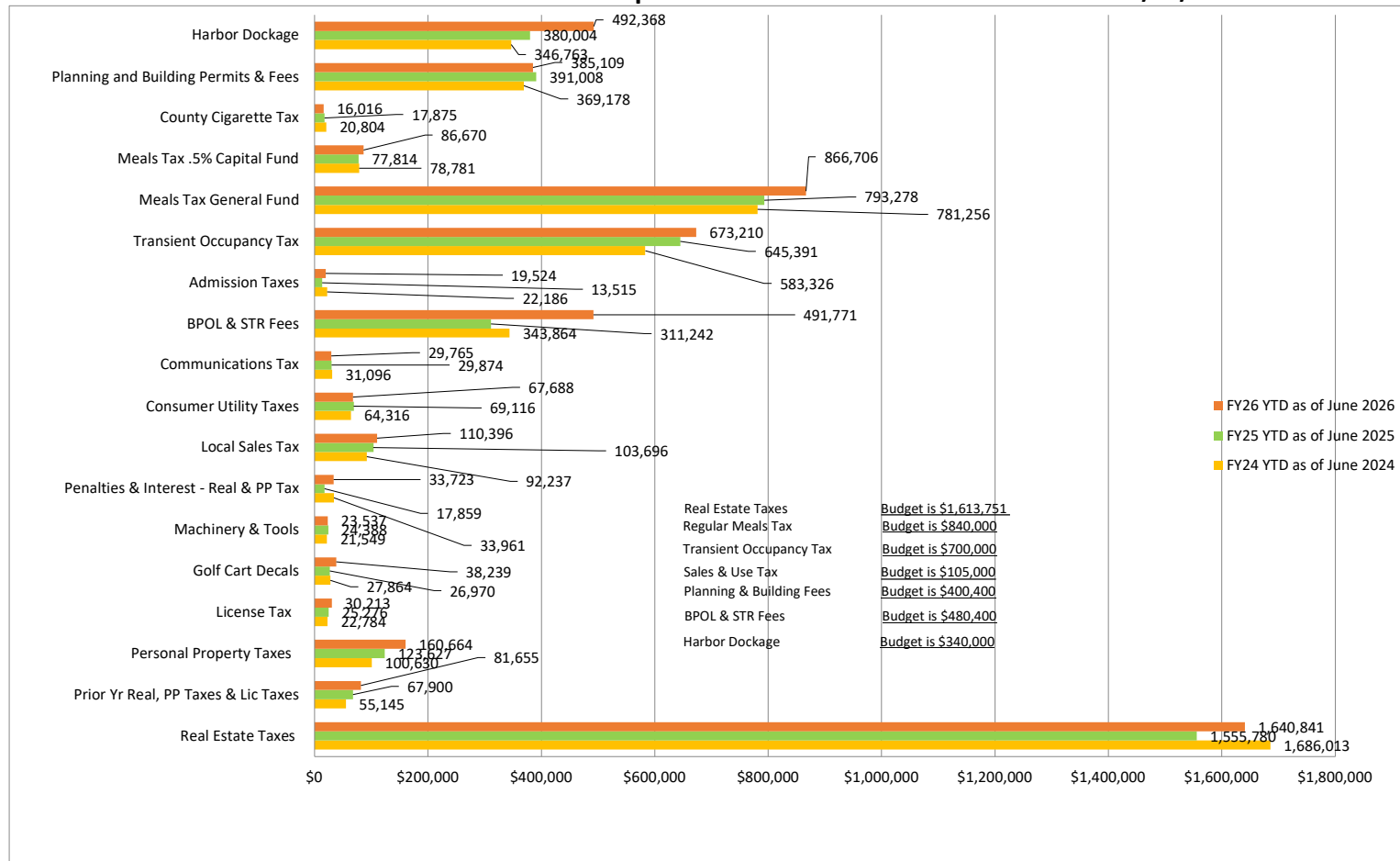
Note: Sanitation Fund revenue over expenditures does not represent the final quarter of Fiscal Year 2026. The due date of this billing was July 31, 2026, after the date of this report.

FY 26 Capital Improvement Project Tracking Report

As of:
6/30/2026

	<u>% of Current Year Budget</u>	<u>FY26 Budgeted</u>	<u>QTR 1 Expended</u>	<u>QTR 2 Expended</u>	<u>QTR 3 Expended</u>	<u>QTR 4 Expended</u>	<u>FY26 YTD Expended</u>	<u>(Over)/Under Budget</u>
<u>General Capital Fund</u>								
Municipal Space Replacement	4%	\$3,087,981.00	\$ 2,004	\$ 23,753	\$ 53,490	\$ 37,810	\$ 117,056	\$ 2,970,925
ADA Parking	62%	\$47,400.00	\$ 5,667	\$ 2,710	\$ 21,000	\$ -	\$ 29,377	\$ 18,023
Library Repair & Renovation	107%	\$ 330,000	\$ 610	\$ 5,369	\$ 289,324	\$ 59,431	\$ 354,734	\$ (24,734)
Beachfront Revitalization	0%	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,000
Beach Restroom/Bathhouse	0%	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000
Sidewalk Infill	99%	\$ 103,000	\$ -	\$ -	\$ 102,077	\$ -	\$ 102,077	\$ 923
Mason Ave. Electrical	72%	\$ 126,000	\$ -	\$ -	\$ 336	\$ 90,061	\$ 90,397	\$ 35,603
Keck Wells Water Line Return	19%	\$ 565,000	\$ -	\$ 105,000	\$ -	\$ -	\$ 105,000	\$ 460,000
7 Strawberry Public Restroom	0%	\$ 5,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,100
Mason Ave ADA Ramps	11%	\$ 35,000	\$ -	\$ -	\$ -	\$ 3,962	\$ 3,962	\$ 35,000
Subtotal		\$ 4,329,381.00	\$ 8,281	\$ 136,832	\$ 466,227	\$ 191,263	\$ 798,642	\$ 3,070,739
<u>Harbor Fund</u>								
Fuel Tank Improvements	96%	\$ 34,000	\$ -	\$ -	\$ -	\$ 32,662	\$ 32,662	\$ 1,338
Replace Boardwalk With Synthetic Decking	100%	\$ 162,000	\$ 11,785	\$ 13,988	\$ 136,132	\$ -	\$ 161,905	\$ 95
Subtotal		\$ 196,000	\$ 11,785	\$ 13,988	\$ 136,132	\$ 32,662	\$ 194,567	\$ 1,433
TOTAL		\$ 4,525,381	\$ 20,066	\$ 150,820	\$ 602,359	\$ 223,926	\$ 993,209	\$ 3,072,172

Specific Sources of Revenue as of 6/30/2026



	Agenda Title:	Agenda Date:
	Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative	August 19, 2026
	Subject/Proposal/Request:	
	Planning Commission Recommendation on Proposed Comprehensive Sign Plan as Part of a Conditional Use Permit Application to allow the installation of six freestanding interpretative kiosk signs and one freestanding historical marker on the Cape Charles Rosenwald School property.	
Town of Cape Charles	Attachments:	For Council:
	1) Planning Commission Staff Report dated July 7, 2026 2) Zoning Clearance Application, Conditional Use Permit Application and Article V of the Cape Charles Zoning Ordinance – Signs	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Tracy Outten, Planning & Zoning Deputy	Rick Keuroglan, Town Manager

Background & Narrative of Conditional Use Permit Application:

The applicant, Cape Charles Rosenwald School Restoration Initiative, is requesting a Conditional Use Permit (CUP) for a comprehensive sign plan consisting of six freestanding interpretive kiosk signs – three measuring 36 inches by 24 inches and three measuring 60 inches by 36 inches – and one freestanding historical marker measuring 36 inches by 48 inches.

The Planning Commission held a public hearing on Tuesday, July 7, 2026, and the Town Council is holding their public hearing on this application this evening and discussing and reaching a decision on CUP2026-02.

Item Specifics and Ordinance Requirements:

The Cape Charles Town Code Chapter 32, Article V, Section 32-112 (f) states:

Special exceptions. Comprehensive Sign Plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts, and as part of a subdivision approval for three lots or greater in all zoning districts. The comprehensive plan shall establish the time, manner, and placement of signs; the frequency of message changes; the materials; the hours of lighting; the height of the signs; the total number of square feet of

sign surface; and the number of signs to be placed on a site. The height of signs shall not be modified above the height permitted in the zoning ordinance.

The Cape Charles Town Code Chapter 32, Article IV, Section 32-92 (b) states:

Conditions for Issuance. Conditional Use Permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts, provided that the Town Council, upon recommendation from the Planning Commission, shall find that, after a duly advertised public hearing, the use will not:

- (1) Adversely affects the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use, or adversely affects other land uses within the particular surrounding neighborhood.*
- (2) Be detrimental to public welfare or injurious to property or improvements in the neighborhood.*
- (3) Be in conflict with the purpose of the comprehensive plan of the town.*

In granting any Conditional Use Permit, the Town Council shall designate such conditions as it determines to carry out the intent of this ordinance.

Additionally, approval of a Conditional Use Permit shall be valid only for the specific use and location designated, for one year after approval by the Town Council and completion of the additional permit process requested in the application. The applicant shall apply for or have applied for additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of approval by the Town Council. If the applicant fails to apply for any such permit within this period, the Conditional Use Permit shall be effective as of this date, thirty (30) days after Town Council approval, unless Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the Conditional Use Permit shall become null and void, unless an extension of the time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

Planning Commission Public Hearing

On July 7, 2026, the Planning Commission heard a proposed comprehensive sign plan as part of a Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative to allow for six freestanding interpretive kiosk signs – three measuring 36 inches by 24 inches and three measuring 60 inches by 36 inches – and one freestanding historical marker measuring 36 inches by 48 inches. The staff report was provided to the Planning Commission.

The public hearing was held, and there were no written or verbal comments offered; the hearing was closed.

After deliberating, the Planning Commission made the following recommendation on the proposed Conditional Use Permit Application by the Cape Charles Rosenwald School Restoration Initiative.

Planning Recommendation: The motion was made by Commissioner Holloway and seconded by Commissioner Newman to recommend to the Town Council to approve the application for a Conditional Use Permit (CUP) 2026-02 for the installation of six

freestanding interpretive kiosk signs and one freestanding historical marker at the Cape Charles Impact Center; the vote was unanimous.

Town Council Information:

Following your public hearing, the Town Council can take one of two actions:

1. Vote to **accept the recommendation from the Planning Commission and approve CUP 2026-02**
2. Vote to **accept the recommendation from the Planning Commission and approve CUP 2026-02 with conditions.**
3. Vote to **deny CUP 2026-02 with stated reasons.**



Planning Commission Staff Report

Agenda Title: Cape Charles Rosenwald School Restoration Initiative – CUP Application

Agenda Date: July 7th, 2026

Prepared by: Jack Steinmayer, Zoning Compliance Officer

Reviewed By: Rick Keuroglan, Town Manager

Date: June 1st, 2026

Type of Application: Conditional Use Permit Application

Applicant: Cape Charles Rosenwald School Restoration Initiative

Site Address 1500 Old Cape Charles Road

Tax Map: 83A3-A-14D

Zoning: Commercial-1 (C-1)

Proposal: Allow for the installation of six freestanding interpretative kiosk signs and one freestanding historical marker on the Cape Charles Rosenwald School property.

Legal Deadline Requirements

Date Application Received:

Date Application Deemed Complete:

For Planning Commission:

For Town Council
(Directory, not Mandatory) Can act upon receipt of recommendation from Planning Commission; if PC fails to provide recommendation within the prescribed deadlines, it is deemed a favorable recommendation by the PC. Town Council max time frame is 12 months from when referred to the Planning Commission:

Narrative of Proposal

The applicant, Cape Charles Rosenwald School Restoration Initiative, is requesting a Conditional Use Permit (CUP) for a comprehensive sign plan consisting of six freestanding interpretive kiosk signs – three measuring 36 inches by 24 inches and three measuring 60 inches by 36 inches – and one freestanding historical marker measuring 36 inches by 48 inches.

Aerial of Property



Zoning Ordinance Requirements

The Cape Charles Town Code Chapter 32, Article V, Section 32-112 (f) states:
Special exceptions. Comprehensive Sign Plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts, and as part of a subdivision approval for three lots or greater in all zoning districts. The comprehensive plan shall establish the time, manner, and placement of signs; the frequency of message changes; the materials; the hours of lighting; the height of the signs; the total number of square feet of sign surface; and the number of signs to be placed on a site. The height of signs shall not be modified above the height permitted in the zoning ordinance.

The Cape Charles Town Code Chapter 32, Article IV, Section 32-92 (b) states:
Conditions for Issuance. Conditional Use Permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts, provided that the Town Council, upon recommendation from the Planning Commission, shall find that, after a duly advertised public hearing, the use will not:

- (1) Adversely affects the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use, or adversely affects other land uses within the particular surrounding neighborhood.*
- (2) Be detrimental to public welfare or injurious to property or improvements in the neighborhood.*
- (3) Be in conflict with the purpose of the comprehensive plan of the town.*

In granting any Conditional Use Permit, the Town Council shall designate such conditions as it determines to carry out the intent of this ordinance.

Additionally, approval of a Conditional Use Permit shall be valid only for the specific use and location designated, for one year after approval by the Town Council and completion of the additional permit process requested in the application. The applicant shall apply for or have applied for additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of approval by the Town Council. If the applicant fails to apply for any such permit within this period, the Conditional Use Permit shall be effective as of this date, thirty (30) days after Town Council approval, unless Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the Conditional Use Permit shall become null and void, unless an extension of the time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

Staff Analysis:

The applicant, Cape Charles Rosenwald School Restoration Initiative, is requesting a Conditional Use Permit (CUP) for a comprehensive sign plan consisting of six freestanding interpretive kiosk signs and one freestanding historical marker on the Cape Charles Rosenwald School property. The proposed signage is intended to provide educational and historical information regarding the Rosenwald School and its significance to the Town of Cape Charles.

After review, the staff has found that the application presented to the Planning Commission by the Cape Charles Rosenwald School Restoration Initiative for approval of a comprehensive sign plan that allows for 6 freestanding interpretive kiosk signs and 1 freestanding historical marker has demonstrated consistency and adherence to the requirements laid out in *Article V, Section 32-112 (f)*.

Recommendation to the Planning Commission

I am recommending that the Planning Commission recommend to the Town Council to approve the application for a Conditional Use Permit for the installation of 6 freestanding interpretive kiosk signs and 1 freestanding historical marker, at the Cape Charles Impact Center, for all the reasons contained herein.

Depending on the comments received and heard during the public hearing, the Planning Commission may need to consider additional factors when developing its motion.

Attachments:

Attachment 1 – Conditional Use Permit Application (2026-02)

Attachment 2 – Application for Zoning Clearance

Attachment 3 – *Article V: Signs* of the Cape Charles Town Code



Comprehensive Sign Plan Site Interpretation Signs 1500 Old Cape Charles Rd

The C-1 zoning district limits the number of signs to one per property. While this is sufficient for the more densely populated and smaller lot sizes of most commercial properties of Cape Charles, the Impact Center at 1500 Old Cape Charles Road has a more rural feel and is a site of 8.8 acres in size. In addition, The Impact Center is recognized as a 501c3 nonprofit with a focus on education. We would like to take every opportunity to educate our visitors. This includes signage on the grounds of our property.

Our wish to provide museum quality site interpretation signage around the historic, culturally significant school has long been a part of the overall redevelopment plan of the historic Cape Charles Elementary School – a Washington Rosenwald school, approved by Town Council and Staff in the spring of 2024. However, the exact details of the quantity and size of this signage couldn't be established until the final stages of construction. We needed to know how much money would be left in our budget for the signage, and we needed to wait to see what other historical information would come forth for inclusion. Our original permit approval noted that CCRSRI would have to submit landscaping, signage, and any additional exterior lighting plans to staff for review. Landscaping was submitted and approved in October/November 2025. We are hereby submitting the signage plan. There will be no additional exterior lighting on the site. This will be the final submittal regarding this permitted redevelopment project, which received its certificate of occupancy this past winter.

There will be (1) 2-sided 36 w x 48 h bulletin case sign, (3) 36 w x 24 h signs, and (3) 60 w x 36 tall single sided signs for a total of 87 sf of signage. None will be along the road frontage. Signage will be placed in the rear and side yards of the school property. Our Conditional Use permit application contains a map of the proposed locations as well as renderings of the signs and information from the manufacturer regarding the construction.

The purpose of the signs is to provided information regarding the history of the Impact Center, the Rosenwald School Building Program, and the Cape Charles Elementary community for visitors to learn more about this important historic building which is listed on the National Register of Historic Places. The addition of this signage will add another point of interest for visitors and locals alike and another reason for people to spend time in Cape Charles.



Conditional Use Permit Application

Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310
757-331-3259 x31
planningtech@capecharles.org

Revised 02/2026	
Taxes	✓ up to date
Violations	—
Fee	exempt
Decision	

Budget Code: LANDF 100-3100-1050

PART 1: APPLICATION NOTES	
Certain land uses, by nature, can have a potentially unfavorable impact on or be incompatible with other uses of land within a given zoning district. These uses may be permitted within designated districts under controls, limitations, and regulations of a conditional use permit. The Town Council has the responsibility to evaluate the impact and the compatibility of each use and to stipulate conditions and restrictions to assure the proposed use is compatible with the neighborhood in which it is located. The Council can deny the use as not being in accordance with the adopted comprehensive plan or as being incompatible with the surrounding neighborhood. <u>In addition to the information required in this application, all items from this checklist must be submitted before it can be evaluated.</u> ☒ Zoning Clearance Application ** ☒ Site Plan/Survey showing existing conditions and proposed changes ** see below Owner signature: <u>William Kelly</u> Date: 5/19/26	
PART 2: PROPERTY INFORMATION	
Property Address: 1500 Old Cape Charles Rd - Cape Charles, VA 23310	
Tax Map #: 83A3-A-14D	Zoning District: C
Current use: Community Center	Proposed use: NA
PART 3: PROPERTY OWNER INFORMATION	
If owner is not the applicant, an Owner's Permission Affidavit must be attached.	
PART 4: APPLICANT INFORMATION	

**CCRSRI has an open permit with the Town of CC that includes the zoning clearance and site survey. We have attached a smaller site map showing the proposed sign locations.

PART 5: PROJECT INFORMATION

A. Neighborhood

1. What are the current uses and characteristics of the neighborhood? vacant land and sewage treatment plant
2. How would this proposed use fit in with the neighborhood? As the Impact Center is the only other building on the quiet street, besides the sewage treatment plant, adding culturally important site interpretation should be a nice addition. The Town of Cape Charles has been aware since the beginning of this project that museum quality site interpretation signs would be established on the property. At the time of original submission of permit application, CCRSRI was unaware of the scope of that signage. We are hereby submitting the details as conditioned in our site plan approval letter.
3. Describe the effects that any noise or odor from the proposed use might have on the neighborhood. None

B. In the Commercial and Harbor Districts, a conditional use permit is required for residential use above 1st floor commercial use.

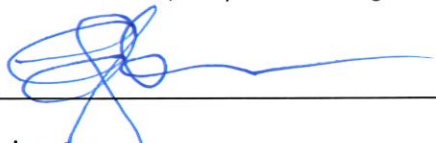
Number of residential floors NA Number of residential units per floor NA
 Number of parking spaces on premises _____ Number of parking spaces on street _____ deeded off-site _____
 Amenities provided _____

C. Description of Use **Current use - no change as a result of this application.**

Days of Operation 7 days/week Number of full-time staff? 1 Part-time? 2
 Hours of Operation 8+/day If foodservice, will there be alcohol sales on premises? n
 Hours of Delivery NA

D. Site plan must also include Primary and any accessory structures (size & setbacks), Trash location, screening, fencing, lighting, utilities, landscaping, and parking if required. **Previously Submitted. See attached signange location diagram.**

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 Codes, including fire, sewer and water codes, and private building restrictions, if any, which may be imposed on the property by deed.

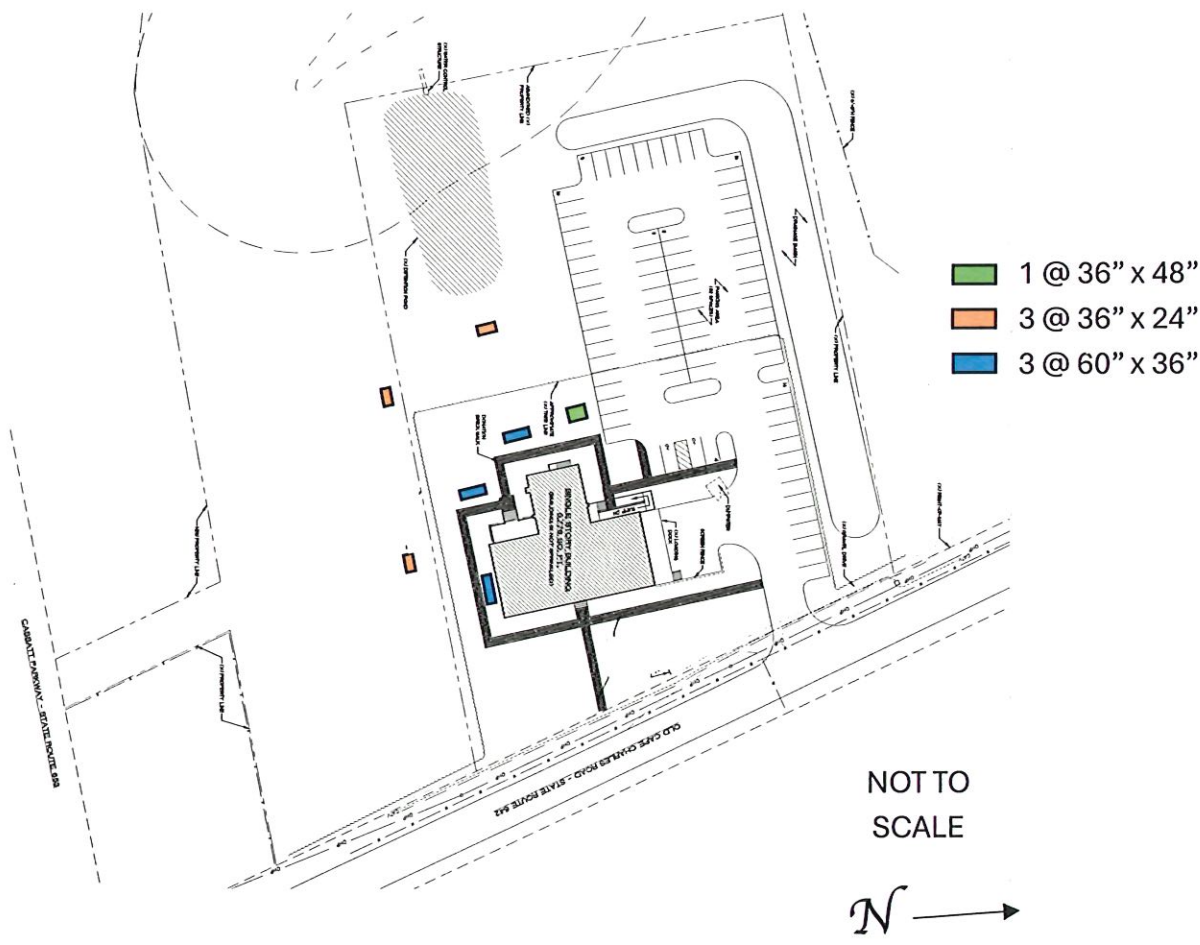
Applicant's signature: 

Date: 5/19/26

Zoning Administrator's signature: _____

Date: _____

CCRSRI/IMPACT CENTER
1500 Old Cape Charles RD
PROPOSED HISTORIC SITE INTERPRETATION SIGNAGE





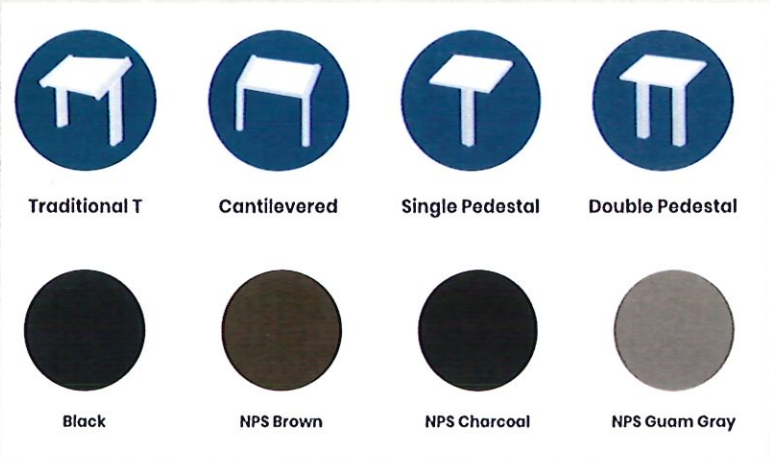
Quantity	Description	Unit Price	Extended Price
3	36"w x 24"h x .090 Fiberglass Embedded (FE) Panels. Single-faced. Matte finish. Square cut. No holes.	\$319.00	\$957.00
3	Aluminum Double Pedestal Exhibit Bases for 36"w x 24"h Panels at a 45-degree angle. Visual area will be 35"w x 23"h. Includes (2) 3" x 3" x 57" posts for direct embedment. Powder coated NPS Brown, NPS Charcoal, NPS Guam Gray or Black with a textured finish.	\$610.00	\$1,830.00
1	Aluminum Upright Double Inline Exhibit Base for (2) 36"w x 48"h Bulletin Cases. Visual area will be 30.875"w x 43.125"h. Includes (3) 2" x 3" x 108" posts for direct embedment. Contains 3/8" neoprene rubber inside the cases. Powder coated a standard NPS Brown, NPS Charcoal, NPS Guam Gray or Black with a textured finish.	\$3,550.00	\$3,550.00
1	6"w x 12"h - Aluminum Brochure Holder with 3/16" Acrylic clear front. Maximum literature size is 5.5"w x 8.5"h. Powder coated a standard NPS Brown, NPS Charcoal, NPS Guam Gray or Black with a textured finish.	\$280.00	\$280.00
3	60"w x 36"h x .090 Fiberglass Embedded (FE) Panels. Single-faced. Matte finish. Square cut. No holes.	\$525.00	\$1,575.00
3	Aluminum Triple Pedestal Exhibit Bases for 60"w x 36"h Panels at a 45-degree angle. Visual area will be 59"w x 35"h. Includes (3) 3" x 3" x 57" posts for direct embedment. Powder coated a standard NPS Brown, NPS Charcoal, NPS Guam Gray or Black with a textured finish.	\$1,010.00	\$3,030.00
1	Pannier to provide final layout for (6) 36"w x 24"h panels and (4) 8"w x 10"h panels. Customer to supply final text in a Word document and digital high resolution images, at 150ppi at full size. Files and text should be organized in separate folders, per panel.	\$3,050.00	\$3,050.00

Sale Amount: \$14,272.00
 Estimated Shipping to 23310: \$580.00
 Total Amount: \$14,852.00

OR

Pannier Graphics

www.panniergraphics.com



Proposed interpretive marker
Theme: Booker T. Washington's
Legacy in Cape Charles
(through the Rosenwald and Jeanes Funds)





Sign Permit Application

Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310
757-331-3259 x32

planningadmin@capecharles.org

Revised 0	Section 9, Item A.
Taxes	<i>Due in late</i>
Violations	_____
Fee	_____
Decision	<i>Approved RK</i>

Permit #		Budget Code: SIGNP-100-3100-1570	
PART 1: APPLICATION NOTES			
Use this form to request permission to display or erect any sign. No sign can be placed in, or overhang in, the public right-of-way, nor shall they be attached to any utility pole, light standard, or street tree. Additional requirements can be found in Cape Charles Town Code Chapter 32, Article V.			
- No application shall be granted unless taxes on the real estate in question are paid in full as of the date of the application. - No application shall be granted if there is an outstanding zoning violation on the real estate in question. - If the applicant is not the owner, an Owner Affidavit must be submitted.			
PART 2: PROPERTY INFORMATION			
Property Address: 1500 Old Cape Charles Rd			
Contractor: Impact Center Staff to install - fabrication by Pannier Graphics			
Address: N/A			
Email: [REDACTED]			
PART 3: PROPERTY OWNER INFORMATION			
[REDACTED]			
If the tenant is not the property owner, an Owner Affidavit for Permission to Represent must be completed and submitted with this request.			
PART 4: PROJECT INFORMATION			
Estimated Cost: \$15,000		Sign: Material: Fiberglass and powder coated aluminum	
Advertisement (description): N/A - these are museum quality educational/informational site interpretation signs			

PART 5: PROJECT INFORMATION

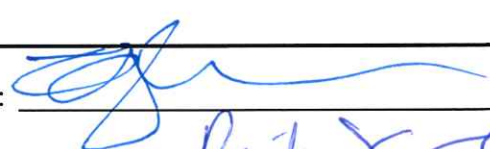
Location of Signs	# Signs Permitted Please refer to the CCTC Section listed.	Sign Type Proposed	Sign Dimension and Area
☐ R-1 ☐ R-2 ☐ R-3	Section 32-120	☐ Flags ☒ Freestanding	___ft height ___ft width ___sq ft
☐ CR ☒ C-1 ☐ C-2	Section 32-121	☐ Wall Signs*	___ft height ___ft width ___sq ft
☐ C-3	Section 32-121	☐ Temporary Moveable Signs	Multiply number of signs x height x width to get area
☐ HARB-C ☐ HARB-LI	Section 32-122	☐ Other: _____	
☐ M-2	Section 32-122	7 Number of Signs	
Front Footage of Lot ~450 LF sq ft		*How is the sign affixed to the building? 87 SF Total - 2 @ 3'x4' + 3 @ 3' x 2' + 3 @ 5' x 3')	
Front Footage of Building ~100 LF sq ft			

Attached proposed rendering and an outline of the proposed sign using dashed lines to indicate distances to other buildings and all property lines. Include the exact sign type from Sections 32-120, 32-121, or 32-122.

The Impact Center property is an 8.8 acre lot that sits in a more rural area between the Cape Charles historic district and Bay Creek Golf Resort. The Virginia American Water sewage treatment facility sits to the north and is approximated 230 ft from the nearest proposed sign. There is an overgrown, derelict one story brick structure to the south, approximately 200 ft from the nearest proposed sign. There are currently no other structures nearby. There is a buffer of trees between the Impact Center and the adjacent properties listed above. The nearest sign is approximately 120 ft from Old Cape Charles Rd. most signs are located behind the school building, though one sign will be installed on the south side of the building, close to the structure.

A site plan showing the entire lot can be found with our original permit application. A smaller not to scale site map showing approximate locations of the proposed new signs is attached to our condition use permit application.

CCRSRI/The Impact Center proposes to install 7 museum quality site interpretation signs to explain the historic and cultural significance of the former Cape Charles Elementary School - a Washington-Rosenwald School. All signs will be freestanding, ground mounted, with no illumination. Six signs will be constructed of single-faced fiberglass embedded panels mounted at 45 degrees on black powder coated aluminum bases that sit on (2) 3" x 3" x 57" post embedded in the ground at least 18". Three will be 36" wide by 24". Three others will be 60" wide by 36" tall. One additional sign will be 2 sided - 2 back to back mounted 36" wide by 48" high bulletin cases mounted vertically on 2" x 3" x 108" posts mounted in the ground at least 24".

Applicant's signature: 	Date: <u>6/5/26</u>
Zoning Administrator's signature: <u>Rich X</u>	Date: <u>6/8/26</u>



Application for Zoning Clearance

Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310
757-331-3259 x31
planningtech@capecharles.org

Revised 011/2025	
Taxes	✓ up to date
Violations	_____
Fee	_____
Decision	Approved Rk 6/8/2026

Fee \$150 unless a residential building permit

Budget Code: MISPL 100-3100-1070

Budget Code for VIOLATIONS: PERMZ 100-3100-1370

PART 1. APPLICATION NOTES			
Use this form to request zoning clearance for all new construction, alteration of existing structures, additions, or demolitions within the Town of Cape Charles * <i>The applicant is responsible for confirming and obtaining all necessary building permits after approvals.</i>			
In addition to the information required in this application, all items from this checklist must be submitted before it can be evaluated.			
☒ Photos of existing area ☒ Site Plan ☐ Owner Affidavit			
Owner/Applicant signature: 		Date: 6/5/26	
PART 2: PROPERTY INFORMATION			
Property Address: 1500 Old Cape Charles Rd		Tax Map #: 083 A3 A14D	
Zoning District if not located in Bay Creek:			
☐ R-1	☐ R-2	☐ R-3	☐ CR
☐ M-2	☐ HARB-C	☐ HARB-LI	☒ C-1 ☐ C-2 ☐ C-3
Zoning District if located in Bay Creek: ☐ Located on Bay Creek property, but not in a current subdivision			
Subdivision Name	Zoning Designation	Subdivision Name	Zoning Designation
☐ Bayside Village	PUD Village	☐ Muirfield Village	PUD Village
☐ Bay Vista	PUD R-3	☐ New Quarter	PUD R-2
☐ Fairways	PUD R-3	☐ Plantation Pointe	PUD R-1
☐ Heron Pointe	PUD R-2	☐ The Colony	PUD R-3
☐ Kings Bay	PUD R-2	☐ The Hollies	PUD R-2
☐ Marina Resort	PUD R-2	☐ The Signature	PUD R-2
☐ Marina Village East	PUD R-2	☐ The Villas at Magnolia Park	PUD Village

PART 3: PROPERTY OWNER INFORMATION**PART 4: APPLICANT INFORMATION**

☐ Check here if the applicant is the owner. (If applicant is not the property owner, an Owner's Permission Affidavit must be attached.)

Name and/or Company:

Mailing Address:

Phone Number:

Email:

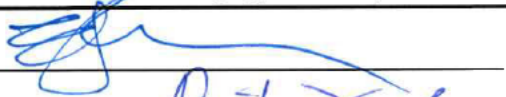
PART 5: PROJECT INFORMATION – DESCRIBE PROPOSED WORK IN DETAIL

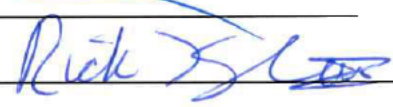
See attached Comprehensive Sign Plan and Conditional use permit with attached map and graphics.

PART 6: ADDITIONAL INFORMATION

Category of work	☐ Residential	☒ Commercial	☐ Industrial
Type of work	☐ New (landscape plan needed)	☐ Renovations	☐ Repairs
(Check all that apply)	☐ Demolition _____ Full _____ Partial _____ ft ²		
	☐ Addition	☐ Accessory structure _____ ft ²	
	☐ Fence	☐ Pool	
	☐ Roof	☐ Solar Panels	
	☐ Elevator		
	☒ Other (specify) Adding signage above limit of 1		

Are trees going to be removed? ☒ No ☐ Yes If yes, please complete a Tree Permit Application.

Applicant's signature:  Date: 6/5/26

Zoning Administrator's signature:  Date: 6/8/26

	Agenda Title:	Agenda Date:
	Eastern Shore Rail Trail Ordinance	August 19, 2026
	Subject/Proposal/Request:	
	Consideration of Ordinance No. 20260819 to add a new section to the Cape Charles Town Code to designate the Eastern Shore Rail Trail as a public nonmotorized transportation facility and recreational shared use path, and establishing rules governing use	
Town of Cape Charles	Attachments:	For Council:
	Ordinance 20260819	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Libby Hume, Town Clerk	Rick Keuroglan, Town Manager

Background:

The Eastern Shore Rail Trail (ESRT) is a multipurpose public path created along the historic Eastern Shore railroad corridor. Upon completion it will cover 49 miles for walking and biking to be used as a public nonmotorized transportation facility and recreational shared-use path.

The first phase of construction is from Cape Charles to Cheriton and is expected to be completed by mid-August.

Item Specifics:

Section 46.2-904.1 of the Code of Virginia authorizes localities to adopt ordinances prohibiting the operation of certain electric power-assisted bicycles on shared-use paths if it finds that such a restriction is necessary for public safety or compliance with other laws. The ordinance may be adopted after proper notice and the scheduling of a public hearing.

The Northampton County Board of Supervisors adopted their Ordinance 2026-003 at their July 14, 2026 meeting. The Ordinance designated the ESRT as a public nonmotorized transportation facility and recreational shared-use path, prohibited the use of the ESRT by the majority of motorized vehicles, established rules governing the use of the ESRT and provided civil penalties for violations.

It was advised that the Town also adopt an ordinance to establish similar rules and penalties for violation. An ordinance and Town Code language has been drafted and is attached for Council review. A public hearing was held earlier this evening.

Recommendation:

Staff recommends Council review Ordinance 20260819 and proposed Town Code language, and if deemed appropriate, adoption of the Ordinance by roll call vote.

ORDINANCE 20260819

ADDING NEW SECTION 28-8 TO THE CAPE CHARLES TOWN CODE TO DESIGNATE THE EASTERN SHORE RAIL TRAIL AS A PUBLIC NONMOTORIZED TRANSPORTATION FACILITY AND RECREATIONAL SHARED-USE PATH, TO PROHIBIT THE USE OF THE EASTERN SHORE RAIL TRAIL BY MOTORIZED VEHICLES UNLESS EXPRESSLY PERMITTED, TO ESTABLISH OTHER RULES GOVERNING USE OF THE EASTERN SHORE RAIL TRAIL, AND TO PROVIDE PENALTIES FOR VIOLATIONS

WHEREAS, the Eastern Shore Rail Trail Foundation is constructing, and will manage and maintain, the Eastern Shore Rail Trail (“the Trail”) in Northampton and Accomack Counties; and

WHEREAS, the Trail will consist of approximately 49.1 miles of a paved shared use path extending from the Town of Cape Charles, Northampton County, to the Town of Hallwood, Accomack County; and

WHEREAS, the Trail will serve as a multi-use recreational and alternate transportation facility for general public usage; and

WHEREAS, the Board of Supervisors for Northampton County (“Board of Supervisors”) has expressed its support for the Trail and took action to ensure the safety of its users by adoption of Ordinance 2026-003 at their July 14, 2026 meeting; and

WHEREAS, the Trail comes into the Town of Cape Charles, ending at the corner of Fig Street and Mason Avenue, and

WHEREAS, the Cape Charles Town Council (“Town Council”), along with the Board of Supervisors, intends for the Trail to function as a nonmotorized alternate transportation facility and recreational shared-use path open to public use and subject to the jurisdiction of the Town and County; and

WHEREAS, Section 46.2-904.1 of the Code of Virginia authorizes localities to adopt ordinances prohibiting the operation of certain electric power-assisted bicycles on shared-use paths over which it has jurisdiction; and

WHEREAS, the Town Council wishes to prohibit the use of the Trail by motor vehicles, including but not limited to golf carts, motorized skateboards, motorized scooters, and Class Three electric power-assisted bicycles; and

WHEREAS, the Town Council wishes to allow use of the Trail by Class One and Class Two power-assisted bicycles, motorized vehicles used by emergency personnel, and motorized vehicles used by an individual with mobility disabilities.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cape Charles, that the Cape Charles Town Code be amended to add a new Section 28-8 as attached,

BE IT FURTHER ORDAINED that this ordinance shall be in force and effect upon adoption.

Adopted by the Town Council of the Town of Cape Charles on August 19, 2026.

By: _____
Adam Charney, Mayor

ATTEST:

Libby Hume, Town Clerk

Sec. 28-8. Designation of Eastern Shore Rail Trail

- (a) Upon opening to the public, in whole or part, the Eastern Shore Rail Trail (“ESRT”), shall be, and is hereby, designated as a public nonmotorized alternate transportation facility and recreational shared-use path.
- (b) Prohibited uses, exceptions
 - (1) Except as expressly permitted in subsection (2) below, motorized vehicles are prohibited from using the ESRT, including, without limitation, the following as defined in Va. Code Ann. § 46.2-100: motor vehicles, motorcycles, off-road motorcycles, replica vehicles, farm utility vehicles, farm tractors, trailers, mopeds, all-terrain vehicles, utility vehicles, golf carts, and Class Three electric power-assisted bicycles, and motorized skateboards and scooters.
 - (2) Notwithstanding the foregoing, the following motorized vehicles shall be permitted on the ESRT:
 - a. Class one and Class two electric-power assisted bicycles, as defined in Va. Code Ann. § 46.2-100;
 - b. Wheelchairs or wheelchair conveyances, as defined in Va. Code Ann. § 46.2-100, or other power-driven mobility devices by or for disabled individuals;
 - c. Motorized vehicles operated by law-enforcement officers conducting official duties or firefighters and emergency medical services agency personnel when responding to an emergency;
 - d. Authorized ESRT maintenance vehicles, including the Town’s Public Works equipment and vehicles; and
 - e. Other motorized vehicles expressly permitted to use shared-use paths under Virginia law.
- (c) Rules for ESRT Use

Rules posted for use of the ESRT shall include the following: (1) users shall be courteous to others at all times; (2) users shall keep right and always pass other users on the left; (3) users of bicycles, including Class One and Class Two power-assisted bicycles, shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian; (4) all users shall give audible warnings when passing other users; (5) all pets shall be securely leashed; (6) all users aged fourteen (14) years or younger shall wear protective helmets when riding or being carried on a motorized vehicle of any type, other than power-driven mobility devices by or for disabled individuals; and (7) users shall immediately clean up after their pets.
- (d) Enforcement; penalty

This section shall be enforced by the Cape Charles Police Department and any other law enforcement agency having jurisdiction. Pursuant to Va. Code Ann. § 46.2-904, a violation of any provision of this section shall be punishable by a civil penalty of not more than \$50.00.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Professional Review, Consultant Cost Recovery & Escrow Policy		AGENDA DATE: Aug 19, 2026
	SUBJECT/PROPOSAL/REQUEST: Seeking Approval for recovering the costs associated with outside professional services		ITEM NUMBER:
	ATTACHMENTS: Professional Review, Consultant Cost Recovery, and Escrow Policy and Resolution		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Rick Keuroglan, Town Manager	REVIEWED BY: Rick Keuroglan, Town Manager	

PURPOSE:

The proposed Professional Review, Consultant Cost Recovery & Escrow Policy establishes a consistent process for recovering the costs associated with outside professional services required to review complex development applications.

Currently, when specialized expertise is needed beyond the capability or capacity of Town staff, the Town must absorb those costs using public funds. This policy shifts those costs to the applicant whose project creates the need for the additional review, ensuring that taxpayers do not subsidize private development.

ITEM SPECIFICS:**Why is this Policy Needed?**

Many development applications require specialized technical review that cannot be adequately performed by existing staff. Examples include:

- Engineering reviews
- Environmental and wetlands analysis
- Stormwater and floodplain evaluations
- Traffic impact studies
- Legal review of development agreements
- Historic preservation consultation
- Architectural or structural review
- Survey and appraisal review
- Other specialized professional services

These services often represent significant costs that are currently borne by the Town.

What the Policy Does

The proposed policy:

- Authorizes the Town to retain qualified outside professionals when necessary.
- Requires applicants to reimburse the Town for reasonable and necessary consultant costs directly related to their application.
- Allows the Town to require escrow deposits before consultant work begins.
- Provides procedures for replenishing escrow accounts and refunding unused balances.
- Allows application processing to be suspended until required deposits or reimbursements are received.
- Provides applicants written notification whenever outside professional review is required.
- Establishes an administrative appeal process regarding consultant costs.
- Clarifies that payment of review costs does not guarantee project approval.

Benefits to the Town

- Protects taxpayer resources.
- Ensures applicants pay for the additional costs generated by their projects.
- Improves the quality and defensibility of development decisions.
- Provides staff access to specialized expertise when needed.
- Creates consistency, transparency, and fairness for all applicants.
- Reduces financial risk to the Town.
- Aligns Cape Charles with common practices used by many Virginia localities.

Fiscal Impact

The policy is not intended to generate revenue. Its purpose is solely to recover the Town's actual costs associated with professional review of complex applications.

Administrative Fee & Escrow Schedule

Shows:

Type of Review	Initial Escrow
Minor Review	\$500
Moderate Review	\$1,500
Major Development	\$5,000
Engineering Review	Actual Cost
Environmental Review	Actual Cost
Legal Review	Actual Cost

This can be amended administratively without changing the policy.

RECOMMENDATION:

Staff recommends adoption of the Professional Review, Consultant Cost Recovery & Escrow Policy and the accompanying Resolution to establish a clear, equitable, and fiscally responsible process for recovering consultant review costs associated with private development applications.

Administrative Policy No.2026-01

Professional Review, Consultant Cost Recovery, and Escrow Policy

Purpose

The purpose of this policy is to ensure that the Town of Cape Charles recovers costs incurred when outside professional expertise is required to review, evaluate, analyze, or advise on development applications, land use requests, construction permits, or other matters administered by the Planning & Zoning Department.

1616/365This policy is intended to protect public resources by ensuring that applicants, rather than taxpayers, bear the costs associated with specialized professional reviews that are necessary due to the nature, complexity, or impact of a proposed project or application.

Policy Statement

It is the policy of the Town of Cape Charles that applicants proposing development requiring specialized technical review shall bear the reasonable costs of that review. The Town's responsibility is to provide fair, objective, and technically sound review of development proposals while protecting public funds from subsidizing costs that are attributable to individual applicants.

Definitions

A. Applicant

Applicant means the property owner, contract purchaser, authorized agent, developer, engineer, architect, business entity, or other person or entity submitting, requesting, or benefiting from an application, permit, approval, review, or development activity administered by the Town.

B. Application

Application means any request, petition, permit, approval, plan, plat, certificate, variance, rezoning, conditional use permit, subdivision, site plan, building permit, floodplain permit, land disturbance permit, development agreement, or other submission requiring review or approval by the Town.

C. Complex Application

Complex Application means any application that, in the judgment of the Town, requires specialized technical, engineering, environmental, planning, architectural, legal, financial, or other professional expertise beyond the ordinary capabilities or available resources of Town staff in order to adequately evaluate the application and protect the public health, safety, and welfare.

D. Consultant

Consultant means any licensed or qualified professional, firm, agency, or organization retained by the Town to provide technical review, analysis, inspection, evaluation, recommendations, or professional services related to an application covered by this policy.

Consultants retained under this policy act solely as advisors to the Town and do not represent the applicant.

E. Escrow Deposit

Escrow Deposit means money deposited with the Town by an applicant for the purpose of paying actual costs associated with professional review, consulting services, inspections, or other authorized expenses incurred during the review of an application.

F. Professional Review

Professional Review means any technical evaluation, analysis, inspection, consultation, recommendation, report, or review performed by qualified Town staff or by an outside consultant to determine compliance with applicable laws, ordinances, regulations, engineering standards, environmental requirements, planning principles, or public safety considerations.

Professional review may include, but is not limited to, planning, engineering, environmental, surveying, architectural, historic preservation, legal, transportation, utility, stormwater, floodplain, wetlands, coastal resiliency, or other specialized services.

G. Reasonable and Necessary Costs

Reasonable and Necessary Costs means the actual costs incurred by the Town that are directly attributable to the professional review of a specific application and that are appropriate for the scope, complexity, and technical requirements of the project. Such costs shall not exceed those reasonably required to complete the review.

H. Reimbursement

Reimbursement means repayment by an applicant to the Town for actual professional review costs incurred by the Town under this policy.

I. Town

Town means the Town of Cape Charles, Virginia, including its departments, officers, employees, boards, commissions, consultants, agents, and authorized representatives acting within the scope of their official duties.

J. Town Manager

Town Manager means the Town Manager of the Town of Cape Charles or the Town Manager's authorized designee.

K. Outside Professional Services

Outside Professional Services means services provided by consultants or professionals who are not Town employees and who possess specialized expertise required to evaluate or review an application. Such services may include, but are not limited to, engineering, planning, legal, environmental, surveying, architecture, geotechnical analysis, traffic engineering, coastal resiliency, appraisal, historic preservation, or other technical disciplines.

L. Cost Recovery

Cost Recovery means the Town's collection of actual, reasonable, and necessary expenses incurred in providing professional review services associated with a private development application. The purpose of cost recovery is to ensure that expenses attributable to a specific applicant are borne by that applicant rather than by the Town's general taxpayers.

Section 1. Authority

This policy is adopted pursuant to the authority granted to the Town of Cape Charles under its Charter, including but not limited to Sections 2.1, 2.2, 3.10, and 4.5, and pursuant to the applicable provisions of Title 15.2 of the Code of Virginia authorizing local governments to regulate land use, administer permitting processes, protect the public health, safety, and welfare, and recover reasonable costs associated with development review and professional consulting services.

Section 2. Applicability

A. Applicability:

This policy shall apply to any application, permit, approval, review, or development activity submitted to or administered by the Town of Cape Charles Planning & Zoning Department, including but not limited to:

- Rezoning applications
- Conditional Use Permits
- Special Exception requests
- Subdivision plats
- Site plans
- Building permits
- Floodplain development permits
- Environmental permits or reviews
- Variance applications
- Comprehensive Plan amendments
- Annexation or development agreements
- Large-scale development proposals
- Any application requiring technical review beyond ordinary staff capacity

B. Applicant

“Applicant” shall mean the property owner, contract purchaser, authorized agent, developer, engineer, architect, business entity, or representative submitting or benefiting from an application or approval.

Section 3. Professional Review Services

The Town may require review, consultation, or analysis by qualified outside professionals when deemed necessary by the Town Manager, Planning & Zoning Director, Zoning Administrator, Building Official, Town Engineer, Town Attorney, or other authorized Town official.

The Town shall retain sole discretion in selecting, assigning, and managing outside consultants or professional reviewers.

All outside consultants retained under this policy shall act solely as advisors to the Town and shall not establish any contractual relationship with the applicant. Consultant recommendations shall be advisory only and final decisions shall remain with the Town in accordance with applicable law.

Outside consultants retained by the Town shall disclose any known conflicts of interest related to the application under review. The Town reserves the right to select an alternate consultant whenever a conflict may impair independent review.

Professional services may include, but are not limited to:

A. Planning Services

- Land use analysis
- Comprehensive planning review
- Traffic or parking review
- Urban design review
- Development impact analysis

B. Engineering Services

- Civil engineering review
- Stormwater analysis
- Utility infrastructure review
- Drainage review

- Roadway or access review
- Floodplain analysis

C. Environmental Services

- Wetlands analysis
- Environmental impact review
- Chesapeake Bay compliance review
- Shoreline stabilization review
- Hazard mitigation review

D. Legal Services

- Review of development agreements
- Easement or title review
- Zoning interpretation
- Code enforcement support
- Legal analysis of applications or disputes

E. Other Specialized Services

- Architectural review
- Structural review
- Appraisal services
- Survey review
- Historic preservation consulting
- Coastal resiliency review
- Third-party inspections

Section 4. Complex Application Review Threshold

The Town reserves the right to determine when an application, permit request, development proposal, or land use matter exceeds ordinary staff review capacity and requires outside professional review or consultation.

An application may be deemed a “Complex Application” based on factors including, but not limited to:

- Size or scale of the proposed development
- Potential impacts to public infrastructure or utilities
- Environmental sensitivity or Chesapeake Bay compliance concerns
- Floodplain or coastal resiliency considerations
- Stormwater management complexity
- Traffic, parking, or access concerns
- Legal complexity or need for specialized legal analysis
- Historic district or architectural review issues
- Requests involving variances, rezoning, conditional use permits, or development agreements
- Applications involving multiple parcels, phased development, or mixed-use projects
- Potential for significant public impact
- Technical issues requiring specialized expertise not available through Town staff
- Applications requiring coordination with outside agencies, consultants, or regulatory bodies
- Incomplete, inconsistent, or technically deficient submissions requiring substantial additional review
- Any project determined by the Town Manager, Planning & Zoning Director, Zoning Administrator, Building Official, Town Engineer, or Town Attorney to require specialized professional review in order to protect the public health, safety, and welfare

The determination that an application qualifies for outside professional review shall be made administratively and in the best interest of the Town. Such determination shall not be considered a

denial of the application, but rather a procedural requirement necessary to complete an adequate review.

The Town may require escrow deposits, reimbursement agreements, or direct payment arrangements prior to commencement of professional review services. Failure to provide required deposits or reimbursements may result in suspension of application processing or withholding of approvals until all outstanding obligations are satisfied.

Section 5. Applicant Responsibility for Costs

Any costs incurred by the Town for outside professional review or consulting services associated with an application or project shall be the responsibility of the applicant. All consultant and professional review costs charged to an applicant shall be reasonable, necessary, and directly related to the review of the application or project.

The applicant shall reimburse the Town for all reasonable and necessary costs associated with such reviews.

These costs may include:

- Consultant hourly fees
- Engineering fees
- Legal fees
- Administrative processing costs
- Meeting attendance costs
- Site visit expenses
- Publication or recording costs

Section 6. Escrow Deposits

The Town Manager may establish administrative escrow schedules based upon the anticipated complexity, scale, and expected professional review costs of the application. Escrow amounts may be adjusted during review if actual consultant expenses exceed the original estimate.

A. Initial Escrow

The Town may establish an initial escrow amount based on the anticipated complexity of the project.

B. Replenishment

If escrow funds become depleted, the applicant shall replenish the escrow account upon request before additional review work continues.

C. Refunds

Any unused escrow balance shall be refunded to the applicant upon completion of the review process.

The Town Manager may establish administrative procedures, fee schedules, escrow amounts, and implementation guidelines consistent with this policy.

The Town Manager is authorized to adopt administrative procedures necessary to implement this policy, including:

- Escrow schedules
- Consultant engagement procedures
- Billing procedures
- Cost recovery procedures
- Refund procedures
- Standard application language
- Administrative forms

Section 7. Withholding of Approvals

The Town may withhold issuance of any of the following until all outstanding consultant or professional review fees have been paid in full:

- Building Permit
- Land Disturbance Permit
- Site Plan Approval
- Subdivision Approval
- Certificate of Occupancy
- Final Inspection Approval
- Utility Connection Authorization
- Business License related to the project
- Any other final development approval

The Town may also suspend further processing of an application until outstanding balances are satisfied.

Any statutory or administrative review timeline may be suspended until outstanding escrow deposits or consultant invoices are paid in full.

Failure to provide requested information, deposits, reimbursements, or materials necessary for professional review may result in suspension or delay of application processing.

No final action requiring consultant review shall be scheduled for a public hearing, Planning Commission recommendation, Board action, or Town Council consideration until all required escrow deposits have been received and all outstanding consultant invoices have been paid, unless expressly authorized by the Town Manager.

Any unpaid consultant fees or reimbursements owed under this policy shall constitute a debt owed to the Town and may be collected through any lawful means available to the Town.

Section 8. Notification to Applicant

Applicants shall be notified in writing when outside professional review services are required. The notice shall include:

- The nature of the review
- The reason the review is necessary
- Estimated costs, if available
- Escrow requirements, if applicable

Section 9. Appeals

Any dispute regarding the necessity or reasonableness of consultant costs may be appealed in writing to the Town Manager within ten (10) business days of notification.

The Town Manager shall review the administrative determination for abuse of discretion, mathematical error, or inconsistency with this policy. The Town Manager's decision shall be final unless otherwise provided by law.

Section 10. Non-Waiver

Failure of the Town to require reimbursement in one instance shall not waive the Town's right to require reimbursement in future cases.

Section 11. No Vested Rights

Payment of consultant fees, escrow deposits, or reimbursement costs shall not guarantee approval of any application, permit, or development proposal, nor shall such payment create any vested rights or entitlement.

Section 12. Effective Date

This policy shall become effective upon adoption by the Town Council of the Town of Cape Charles.

Section 13. Severability

If any provision of this policy is determined by a court of competent jurisdiction to be invalid or unenforceable, the remaining provisions shall continue in full force and effect.

**A RESOLUTION ADOPTING THE TOWN OF CAPE CHARLES PROFESSIONAL
REVIEW, CONSULTANT COST RECOVERY & ESCROW POLICY**

WHEREAS, the Town Council of the Town of Cape Charles recognizes that certain development applications, land use requests, permits, plats, site plans, and other matters require specialized technical, engineering, environmental, planning, architectural, surveying, legal, or other professional review beyond the expertise or capacity of Town staff; and

WHEREAS, the Town Council finds that it is in the public interest to ensure that the costs associated with such professional review are borne by the applicant whose project necessitates those services rather than by the taxpayers of the Town of Cape Charles; and

WHEREAS, the Town Council further finds that establishing a uniform administrative policy promotes fairness, transparency, fiscal responsibility, consistency in development review, and sound stewardship of public resources; and

WHEREAS, the Town Charter and the Code of Virginia authorize the Town to regulate land development, administer permitting and zoning functions, protect the public health, safety, and welfare, and recover reasonable costs associated with development review and related professional services; and

WHEREAS, the Town Council desires to establish a clear administrative framework governing the retention of outside professional consultants, the recovery of consultant costs, the administration of escrow deposits, and the reimbursement of professional review expenses incurred during the review of qualifying applications;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Cape Charles, Virginia, that the **Professional Review, Consultant Cost Recovery & Escrow Policy**, attached hereto as **Exhibit A**, is hereby adopted.

BE IT FURTHER RESOLVED that the Town Manager is authorized to administer and implement this Policy, including establishing administrative procedures, application forms, escrow agreements, internal operating procedures, and fee schedules consistent with the provisions of the Policy and applicable law.

BE IT FINALLY RESOLVED that this Resolution shall become effective immediately upon adoption.

Adopted by the Town Council of the Town of Cape Charles on August 19, 2026.

By: _____
Adam Charney, Mayor

ATTEST:

Libby Hume, Town Clerk

	Agenda Title:	Agenda Date:
	Reappointment of Building Code Board of Appeals Member	August 19, 2026
	Subject/Proposal/Request:	
	Reappointment of a member on the Building Code Board of Appeals	
Town of Cape Charles	Attachments:	For Council:
	None	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Libby Hume, Town Clerk	Rick Keuroglan, Town Manager

Background:

The Building Code Board of Appeals hears appeals concerning the Uniform Statewide Building Code and meets only as needed. The Board consists of five positions, but two of the positions are currently vacant. Each member serves a five-year term.

Item Specifics:

Mr. Matthew Brown currently serves on the Building Code Board of Appeals and his term will be expiring on September 10, 2026. Mr. Brown has expressed his interest in continuing his service on the Board for another term.

Recommendation:

Staff recommends Council reappoint Mr. Matthew Brown to the Building Code Board of Appeals for another five-year term.