

Old School Cape Charles filed a Notice of Appeal of the Historic District Review Board decision of August 20 to provide a Certificate of Appropriateness to allow Charon Ventures to begin work on the historic school in Central Park. The appeal was given to the clerk in a timely manner to be handled according to town code. Town staff has taken it upon themselves to make legal determinations about standing and who is an aggrieved party in this matter. That is not their job.

Town Code Section 8.15 says, "In all cases the decisions of the Zoning Administrator may be appealed to the Historic District Review Board, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County."

Section 8.34 say about appeals, "An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved by said decision . . ."

Old School Cape Charles is aggrieved by the decision to grant a Certificate of Appropriateness for this property in what appears to be an effort by the developer and town staff to truncate the discussion of the Historic District Guidelines that advise the Historic District Review Board. That was obvious to those who attended the August 20, Board meeting where the vote was taken to approve the items requested by the developer and ignore other concerns raised by members of the Board.

Old School Cape Charles has two appeals actively under consideration by the Virginia Supreme Court. If we did not have an interest in this important town property, we would not have taken the matter to court.

We respectfully request that Town Council hear our appeal according the requirements of town code.