

Wetlands Board Agenda

July 17, 2023



VIRGINIA BEACH WETLANDS BOARD

PUBLIC HEARING PROCEDURES & AGENDA

A Public Hearing of the Virginia Beach Wetlands Board will be held on **Monday, July 17, 2023** at 10:00 a.m. in the New Council Chamber - 2401 Courthouse Drive, Building 1, Second Floor, Virginia Beach, VA.

An informal session will be held the same day at 9:00 a.m. in room 2034, City Manager's Conference Room - 2401 Courthouse Drive, Building 1, Second Floor, Virginia Beach, VA. During the informal session, Staff briefs the Board on agenda items. All interested persons are invited to attend. There is no opportunity for citizenry to speak at the briefing session; however, the public is invited to speak at the formal Wetlands Board Public Hearing that follows. For information or to examine copies of proposed plans, ordinances or amendments call (757) 385-4621 or go to virginiabeach.gov/wetlands or visit the Department of Planning and Community Development, 2875 Sabre Street, Suite 500, Virginia Beach, Virginia by appointment. Citizens may also submit comments to the Wetlands Board prior to the public hearing via email to waterfront@vb.gov or via United States Mail to Waterfront Operations, 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452.

The Staff reviews some or all of the items on the agenda and suggests that certain conditions be attached for deliberation by the Wetlands Board. However, it should not be assumed that those conditions constitute all the conditions that will ultimately be attached to the project. Staff agencies may impose further conditions and requirements during administration of applicable City Ordinances. The administrative comments contained in the attached Staff reports constitutes Staff recommendations for each application and are advisory only. Final determination of the application is made by the Virginia Beach Wetlands Board at the public hearing.

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING

(If you have any questions, please contact Staff via email at waterfront@vb.gov or call The Department of Planning & Community Development at 757-385-4621)

- 1. WITHDRAWALS AND DEFERRALS:** The first order of business is the consideration of withdrawals or requests to defer an item. The Board will ask those in attendance at the hearing if there are any requests to withdraw or defer an item that is on the agenda. PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.
 - a.** An applicant may WITHDRAW an application without the Boards' approval at any time prior to the commencement of the public hearing for that item. After the commencement of the hearing, however, the applicant must request that the Wetlands Board allow the item to be withdrawn.
 - b.** In the case of DEFERRALS, the Board's policy is to defer the item FOR AT LEAST 60 DAYS. Although the Board allows an item to be deferred upon request of the applicant, the Board will ask those in attendance if there are any objections to the request for deferral. If you wish to oppose a deferral request, let the Board know when they ask if there is anyone in attendance who is opposed to the deferral. PLEASE confine your remarks to the deferral request and do not address the issues of the application – in other words, please let the Board know why deferring the application is unacceptable rather than discussing what your specific issue is with the application.

- 2. REGULAR AGENDA:** The Board will then proceed with the remaining items on the agenda, according to the following process:
- a. The applicant or applicant's representative will have 10 minutes to present the case.
 - b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
 - c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
 - d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
 - e. The applicant or applicant's representative will then have 3 minutes for rebuttal of any comments from the opposition.
 - f. There is then discussion among the Board members. No further public comment will be heard at that point. The Board may, however, allow additional comments from speakers if a member of the Board sponsors them. Normally, you will be sponsored only if it appears that new information is available, and the time will be limited to 3 minutes.
 - g. The Board does not allow slide or computer-generated projections other than those prepared by the Planning Department Staff.

The Board asks that speakers not be repetitive or redundant in their comments. Do not repeat something that someone else has already stated. Petitions may be presented and are encouraged. If you are part of a group, the Board requests, in the interest of time, that you use a spokesperson, and the spokesperson is encouraged to have his or her supporters stand to indicate their support.

If you require reasonable accommodation for this meeting due to a disability, please call the Department of Planning and Community Development at (757) 385-4621. If hearing impaired, you may contact Virginia Relay at 711 for TDD services.



WETLANDS BOARD AGENDA

Public Hearing Date **July 17, 2023**

9:00 AM INFORMAL STAFF BRIEFING OF PUBLIC HEARING AGENDA ITEMS.

10:00 AM FORMAL REVIEW OF PUBLIC HEARING AGENDA ITEMS.

Please be advised that copies of the proposed plans, ordinances, amendments and/or resolutions associated with this public hearing are also on file and may be examined by appointment at the Department of Planning & Community Development located at 2875 Sabre St, Suite 500, Virginia Beach, VA 23452 or online at virginiabeach.gov/wetlands. For information call (757) 385-4621.

OLD BUSINESS - WETLANDS

1. 2021-WTRA-00128

Don Myers [Applicant & Owner]

EXTENSION OF TIME

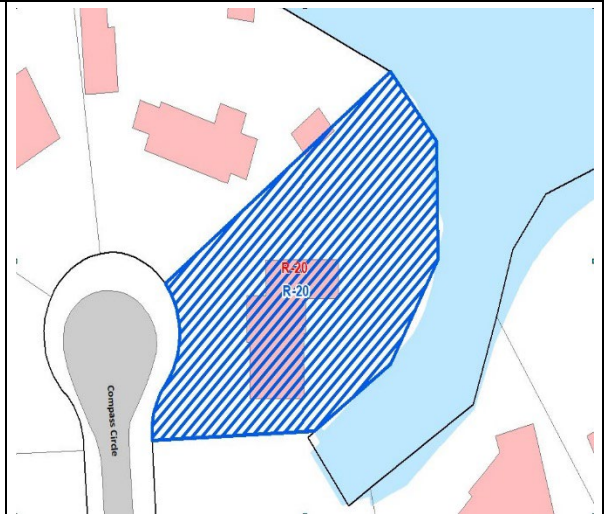
2004 Compass Circle

GPIN 2409-09-6220

City Council District: District 8,
formerly Lynnhaven

Waterway – Canal to Broad Bay
Subdivision – Bay Island

Request - To construct a bulkhead and rip rap
involving wetlands.



NEW BUSINESS - COASTAL PRIMARY SAND DUNE/BEACH

2. 2023-WTRA-00137

3548 Sandfiddler LLC [Applicant & Owner]

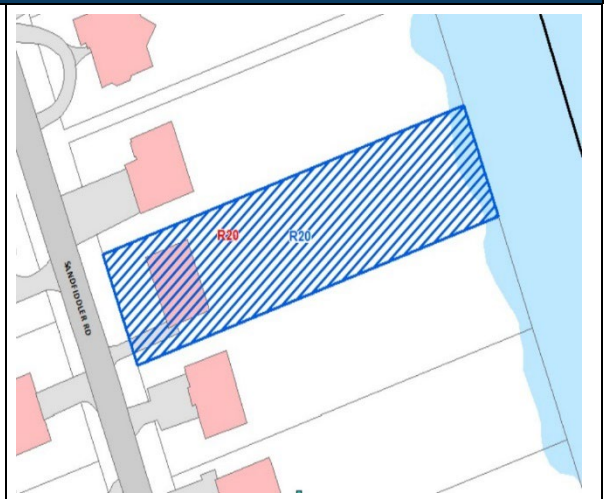
3548 Sandfiddler Road

GPIN 2432-75-0908

City Council District: District 2,
formerly Princess Anne

Waterway – Atlantic Ocean
Subdivision – South Sandbridge

Request: To construct a bulkhead, return walls,
and excavate sand involving a Coastal Primary
Sand Dune/Beach.



NEW BUSINESS - WETLANDS

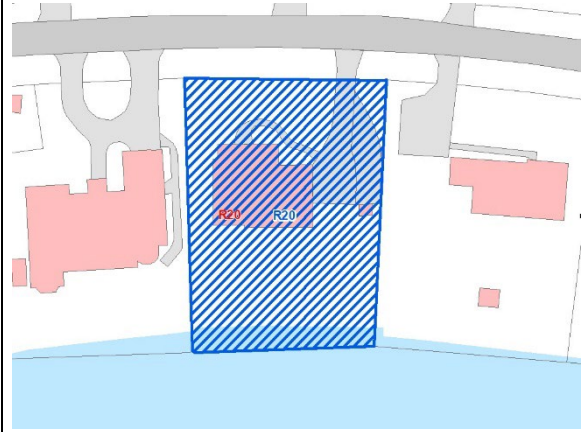
3. 2023-WTRA-00091

David M. Lawhorn & Emily S. Schmid
[Applicants & Owners]

2337 Leeward Shore Drive
GPIN 2500-00-1010
City Council District: District 8, formerly Lynnhaven

Waterway – Canal to Long Creek
Subdivision – Bay Island

Request: To dredge involving wetlands.



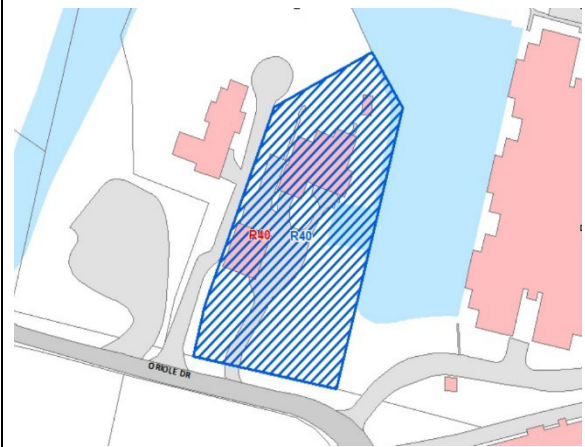
4. 2023-WTRA-00133

Charles E. Falk Jr. & Susan M. Falk
[Applicants & Owners]

724 Oriole Drive
GPIN 2418-61-8861
City Council District: District 6, formerly Lynnhaven

Waterway – Little Neck Creek
Subdivision – Birdneck Point

Request: To construct a bulkhead, rip rap revetment, and plant vegetation involving wetlands.



5. 2023-WTRA-00134

Andrew B. Kellam Revocable Trust & Courtney K. Kellam Revocable Trust
[Applicants & Owners]

904 Winwood Drive
GPIN 2418-00-8857
City Council District: District 6, formerly Lynnhaven

Waterway – Linkhorn Bay
Subdivision – Linlier

Request: To construct a bulkhead, rip rap revetment, groin wall, and dredge involving wetlands.



NW BUSINESS – WETLANDS (CONTINUED)

6. 2023-WTRA-00135

James M. & Marjorie L. Cromwell
[Applicants & Owners]

1528 E Bay Shore Drive
GPIN 2419-21-1286
City Council District: District 6, formerly Lynnhaven

Waterway – Rainey’s Gut
Subdivision – Bay Colony

Request: To construct a rip rap revetment involving wetlands.



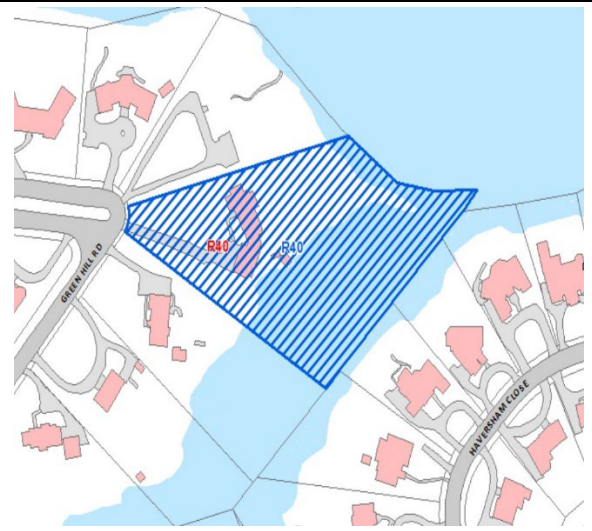
7. 2023-WTRA-00136

Chelsea Waterway Associates, Inc.
[Applicant]
Marlyn B. Fabrizio Revocable Trust
[Owner]

1825 Green Hill Road
GPIN 1499-86-9178
City Council District: District 8, formerly Lynnhaven

Waterway – Broad Bay
Subdivision – Green Hill Farm

Request: To maintenance dredge involving wetlands.



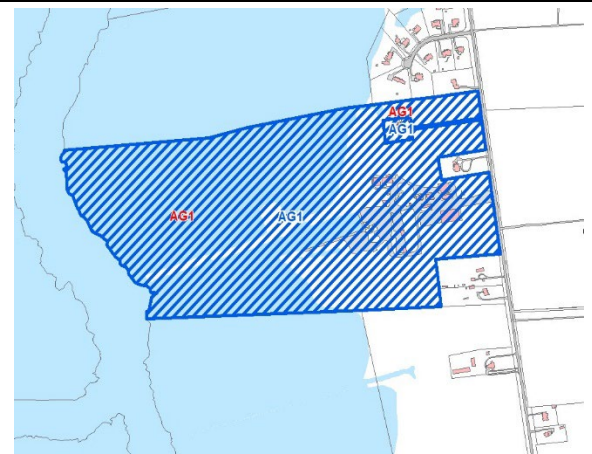
8. 2022-WTRA-00233

JHS GST Trust
[Applicant & Owner]

781 and 809 Princess Anne Road
GPINs 2309-37-6009 and 2309-48-1216
City Council District: District 2,
formerly Princess Anne

Waterway – Canal to North Landing River
Subdivision – Pungo

Request: To dredge involving wetlands.



1. 2021-WTRA-00128

Don Myers

[Applicant & Owner]

EXTENSION OF TIME

2004 Compass Circle

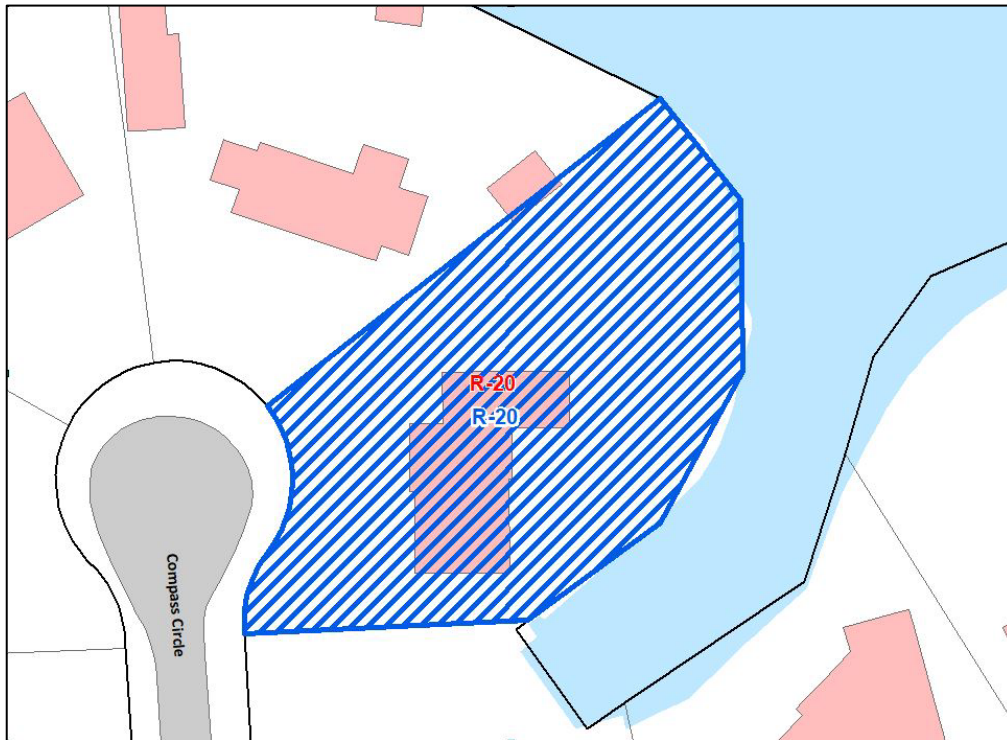
GPIN 2409-09-6220

City Council District: District 8,
formerly Lynnhaven

Waterway – Canal to Broad Bay

Subdivision – Bay Island

Request - To construct a bulkhead and rip rap involving wetlands.



Heaven L. Manning

From: Heaven L. Manning
Sent: Thursday, June 29, 2023 4:00 PM
To: Robert Simon; Paul J. Scully; Whitney K. McNamara; Cole S. Fisher; Christopher J. Berggren; dmyers@myersplumbingandheating.com
Subject: RE: 2021-WTRA-00128 Don Myers

Bob,

Per our discussion on the phone, I have added your request for a one-year extension to the agenda for July.

Thank you,

Heaven Manning, PWS
PLANNING & COMMUNITY DEVELOPMENT
Environmental Planner

757-385-8594 | hmanning@vbgov.com
<https://planning.virginiabeach.gov/>

2875 Sabre Street, Suite 500 | Virginia Beach, VA 23452



From: Robert Simon <bob@waterfrontconsulting.net>
Sent: Wednesday, June 28, 2023 5:53 PM
To: Paul J. Scully <PScully@vbgov.com>; Whitney K. McNamara <WMcNamar@vbgov.com>; Cole S. Fisher <CSFisher@vbgov.com>; Heaven L. Manning <HManning@vbgov.com>; Christopher J. Berggren <CBerggren@vbgov.com>; dmyers@myersplumbingandheating.com
Subject: 2021-WTRA-00128 Don Myers

CAUTION: This email originated from outside of the City of Virginia Beach. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To all,

We are requesting a 2 year extension of time for Mr. Myers to complete his wetlands project. Due to the time it took to secure the Real Estate Encroachment and the current backlog with marine contractors, Mr. Myers has not been able to complete the project.

Please call me if you have any questions.

--

Kind Regards

Robert E Simon, VP
Waterfront Consulting, Inc.
Phone: (757) 619-7302

2. 2023-WTRA-00137
3548 Sandfiddler LLC
[Applicant & Owner]

3548 Sandfiddler Road
GPIN 2432-75-0908
City Council District: District 2,
formerly Princess Anne

Waterway – Atlantic Ocean
Subdivision – South Sandbridge

Request: To construct a bulkhead, return walls, and excavate sand involving a Coastal Primary Sand Dune/Beach.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name 3548 Sandfiddler LLC

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Robert Simon - Waterfront Consulting, Inc.

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

Michael J. Landy and Susan Landy

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes **No**

- If **yes**, identify the financial institutions.
None
-

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
None
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Sean E. Green, P.E. of Stone Green Consulting, LLC

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

DocuSigned by:  DocuSigned by: 

Applicant Signature

3548 Sandfiddler LLC by Michael J. and Susan Landy

Print Name and Title

6/1/2023 6/1/2023

Date

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 23-1280

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<i>Check all that apply</i>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>				
County or City in which the project is located: Virginia Beach				
Waterway at project site: Atlantic Ocean				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
 3548 Sandfiddler LLC Home () _____
 3824 Ridgetop Lane Work () _____
 Plano, TX 75074 Fax () _____
 Cell (214) 708-9834
 e-mail sheplandy@hotmail.com

State Corporation Commission Name and ID Number (if applicable) _____

2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:
 Home () _____
 Work () _____
 Fax () _____
 Cell () _____
 e-mail _____

State Corporation Commission Name and ID Number (if applicable) _____

3. Authorized agent name* and complete mailing address (if applicable): Contact Information:
 Waterfront Consulting, Inc. Home () _____
 2589 Quality Court, Ste. 323 Work (757) 425-8244
 Virginia Beach, VA 23454 Fax (757) 425-8244
 Cell (757) 619-7302
 e-mail bob@waterfrontconsulting.net

State Corporation Commission Name and ID Number (if applicable) 047-4381-1

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

The project is to grade approximately 9,600 SF of sand beach, spread approximately 7,215 SF of beach nourishment, and construct approximately 77 LF of vinyl bulkhead with (2) 60 LF return walls as shown in the permit drawings.

The bulkhead will use (31) Class B timber piles that will all be augered and driven in via an excavator on land.

Part 1 - General Information (continued)

- 5. Have you obtained a contractor for the project? ___ Yes* No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address: _____

Contact Information:
 Home () _____
 Work () _____
 Fax () _____
 Cell () _____
 email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

- 6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address: _____ Telephone number _____
 Virginian Pilot (757) 622-1455
 150 W. Brambleton Avenue
 Norfolk, VA 23510

- 7. Give the following project location information:
 Street Address (911 address if available) 3548 Sandfiddler Road
 Lot/Block/Parcel# Lot 25, Section 2, Tract D, Sandbridge Beach
 Subdivision Sandbridge
 City / County Virginia Beach ZIP Code 23456
 Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
 36.70373 / -75.92788 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

The project is located on public roads.

- 8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

Primary Purpose: Storm Protection

Part 1 - General Information (continued)

9. Proposed use (check one):
 Single user (private, non-commercial, residential)
 Multi-user (community, commercial, industrial, government)
10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*
There will be no wetlands impacts associated with this project.
11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 200,000.00
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 0
13. Completion date of the proposed work: Approximately 1 year from permit date - _____
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

Donna A. Mooney
Kyser Living Trust

3544 Sandfiddler Road
3254 Orchard Glen Court

Virginia Beach, VA 23456
Herndon, VA 20171

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

3548 Sandfiddler LLC

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:
Susan Landy

Applicant's Signature

(Use if more than one applicant)

6/1/2023

Date

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), 3548 Sandfiddler LLC, hereby certify that I (we) have authorized Waterfront Consulting, Inc.
(Applicant’s legal name(s)) (Agent’s name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Robert E. Simon, V.P.

(Agent’s Signature)

(Use if more than one agent)

6/1/2023

(Date)

DocuSigned by:

Susan Landy

70E02880B73473

(Applicant’s Signature)

(Use if more than one applicant)

6/1/2023

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), 3548 Sandfiddler LLC, have contracted _____
(Applicant’s legal name(s)) (Contractor’s name(s))

to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor’s name or name of firm

Contractor’s or firms address

Contractor’s signature and title

Contractor’s License Number

Applicant’s signature

(use if more than one applicant)

Date

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

- Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

The project is to grade approximately 9,600 SF of sand beach, spread approximately 7,215 SF of beach nourishment, and construct approximately 77 LF of vinyl bulkhead with (2) 60 LF return walls as shown in the permit drawings.

There will be no aquatic impact and no fill placed below the plane of MHW.

- What is the maximum encroachment channelward of mean high water? 0 feet.
 Channelward of mean low water? 0 feet.
 Channelward of the back edge of the dune or beach? 0 feet.

- Please calculate the square footage of encroachment over:
 - Vegetated wetlands 0 square feet
 - Non-vegetated wetlands 0 square feet
 - Subaqueous bottom 0 square feet
 - Dune and/or beach 7,215 square feet

- For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes ✓ No.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Bulkhead - Vinyl Sheet Piles, Marine Grade timber piles and walers, H.D. galvanized hardware, Upland Fill

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:

Core (inner layer) material 75-150 pounds per stone Class size 1 & A1
 Armor (outer layer) material 75-150 pounds per stone Class size 1 & A1

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material

0	cubic yards channelward of mean low water
250	cubic yards landward of mean low water
0	cubic yards channelward of mean high water
250	cubic yards landward of mean high water

- Area to be covered

0	square feet channelward of mean low water
7,215	square feet landward of mean low water
0	square feet channelward of mean high water
7,215	square feet landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): 95% sand, 5% organics
- Method of transportation and placement: Skidsteer and machine grading
- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 3548 Sandfiddler Road

APPLICANT'S NAME: 3548 Sandfiddler LLC

APPLICANT'S ADDRESS: 3824 Ridgetop Lane

Plano, TX 75074

ENGINEER OF RECORD: Sean E. Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR

CERTIFYING PROJECT

CONSTRUCTION: Bulkhead

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.


SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION _____ DATE _____

Sean E. Green, P.E.
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

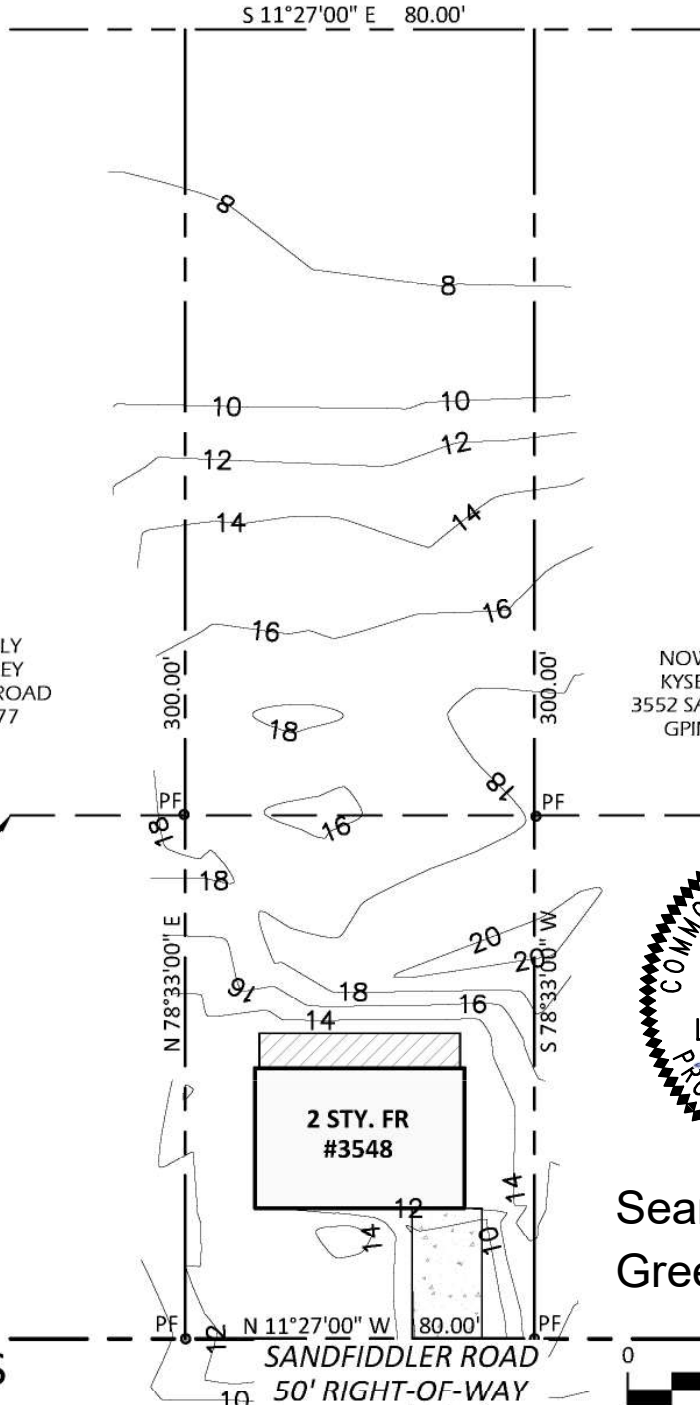
DocuSigned by:

SIGNATURE OF APPLICANT _____ DATE 6/1/2023

SIGNATURE OF COASTAL ZONE ADMINISTRATOR _____ DATE _____

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____



APO #1
NOW OR FORMERLY
DONNA A. MOONEY
3544 SANDFIDDLER ROAD
GPIN: 2432-66-9077

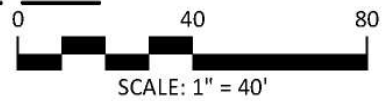
APO #2
NOW OR FORMERLY
KYSER LIVING TRUST
3552 SANDFIDDLER ROAD
GPIN: 2432-75-0993

PUBLIC BEACH
EASEMENT PER
M.B. 305, PG. 57



Sean E. Green
Digitally signed by:
Sean E. Green
Date: 2023.06.13
21:34:02 -05'00'

EXISTING
CONDITIONS



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PURPOSE: STORM PROTECTION
DATUM: NAVD 88
APOS:
1. DONNA A. MOONEY
2. KYSER LIVING TRUST



WATERFRONT
CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: BULKHEAD
IN: ATLANTIC OCEAN
AT: 3548 SANDFIDDLER ROAD
VIRGINIA BEACH, VA 23456
APPLICATION BY:
3548 SANDFIDDLER LLC

SHEET: 1 OF 6
DATE: MAY 31, 2023



M.B. 67 PG. 50

ACCESSWAY = 24,000 SF
AREA IS APPROXIMATE

NOTE: NO SAND WILL BE
REMOVED FROM THE
PUBLIC BEACH EASEMENT

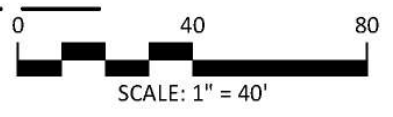
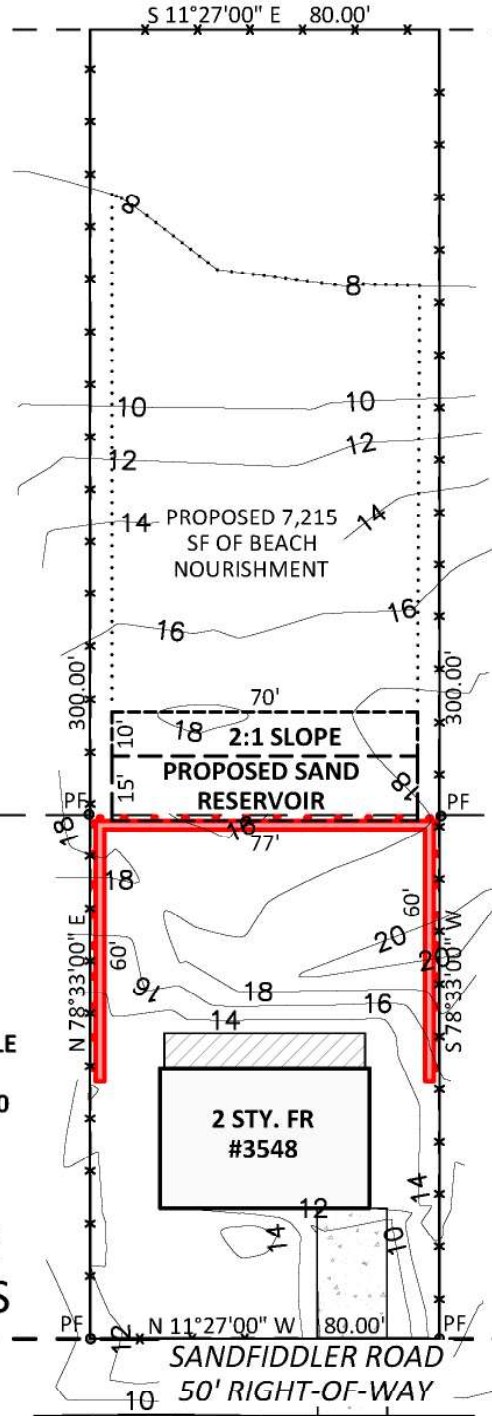
APO #1
NOW OR FORMERLY
DONNA A. MOONEY
3544 SANDFIDDLER ROAD
GPIN: 2432-66-9077

APO #2
NOW OR FORMERLY
KYSER LIVING TRUST
3552 SANDFIDDLER ROAD
GPIN: 2432-75-0993

PUBLIC BEACH
EASEMENT PER
M.B. 305, PG. 57

PROPOSED 77 LF OF PILE
SUPPORTED VINYL
BULKHEAD WITH (2) 60
LF RETURN WALLS

PROPOSED SITE
IMPROVEMENTS



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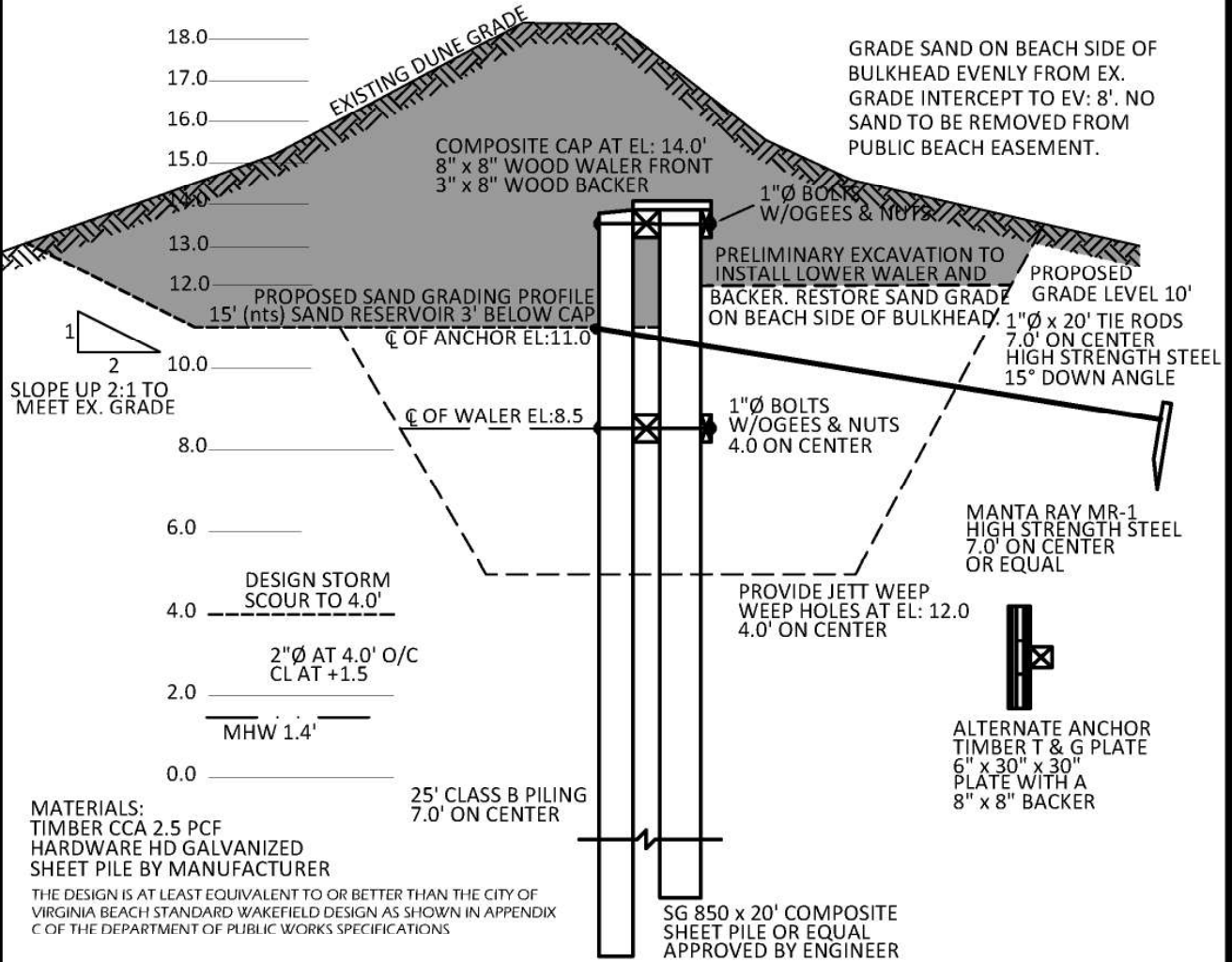
PURPOSE: STORM PROTECTION
DATUM: NAVD 88
APOS:
1. DONNA A. MOONEY
2. KYSER LIVING TRUST

WCI WATERFRONT CONSULTING, INC.
 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
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IN: ATLANTIC OCEAN
AT: 3548 SANDFIDDLER ROAD
VIRGINIA BEACH, VA 23456
APPLICATION BY:
3548 SANDFIDDLER LLC

SHEET: 2 OF 6
DATE: MAY 31, 2023

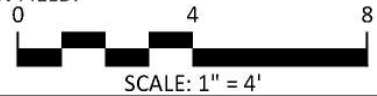
PROPOSED BULKHEAD CROSS SECTION



MATERIALS:
 TIMBER CCA 2.5 PCF
 HARDWARE HD GALVANIZED
 SHEET PILE BY MANUFACTURER

THE DESIGN IS AT LEAST EQUIVALENT TO OR BETTER THAN THE CITY OF VIRGINIA BEACH STANDARD WAKEFIELD DESIGN AS SHOWN IN APPENDIX C OF THE DEPARTMENT OF PUBLIC WORKS SPECIFICATIONS

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR BULKHEAD TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.



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PURPOSE: STORM PROTECTION
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 APOS:
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WATERFRONT CONSULTING, INC.

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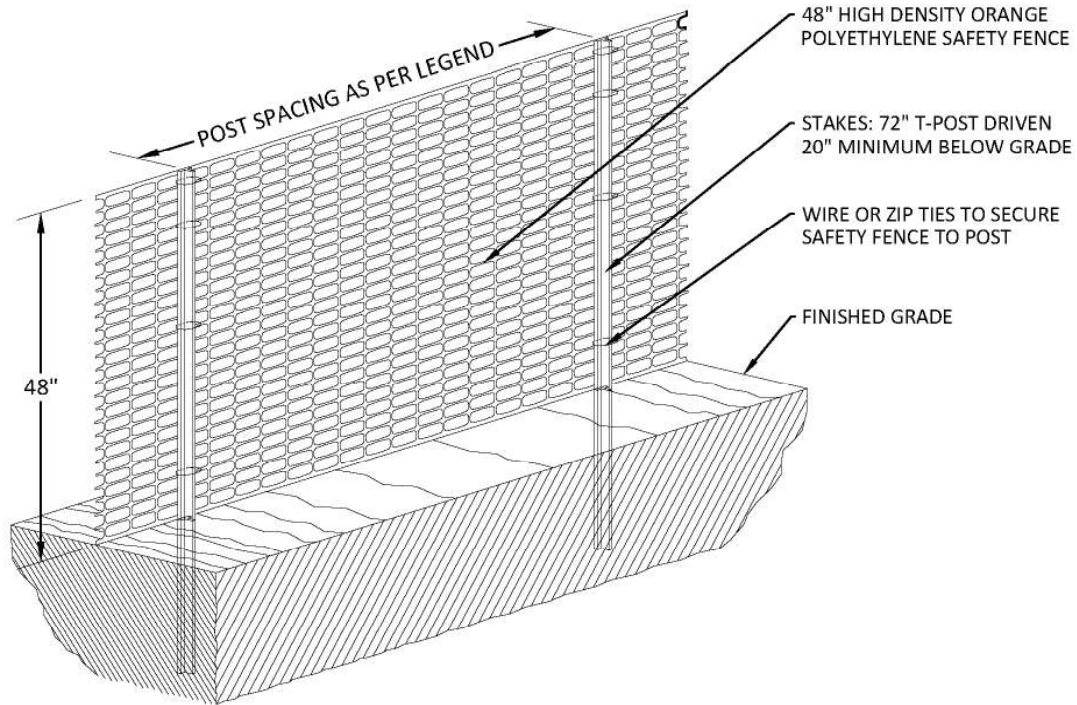
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PROPOSED: BULKHEAD
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 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 3 OF 6
 DATE: MAY 31, 2023

48" ORANGE SAFETY FENCE, 72" T-POSTS SENSITIVE AREA / TREE PROTECTION

LEGEND	
SAF12	48" ORANGE FENCE, 12 FEET ON CENTER
SAF11	48" ORANGE FENCE, 11 FEET ON CENTER
SAF10	48" ORANGE FENCE, 10 FEET ON CENTER
SAF9	48" ORANGE FENCE, 9 FEET ON CENTER
SAF8	48" ORANGE FENCE, 8 FEET ON CENTER
SAF7	48" ORANGE FENCE, 7 FEET ON CENTER
SAF6	48" ORANGE FENCE, 6 FEET ON CENTER



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PURPOSE: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



**WATERFRONT
 CONSULTING, INC.**

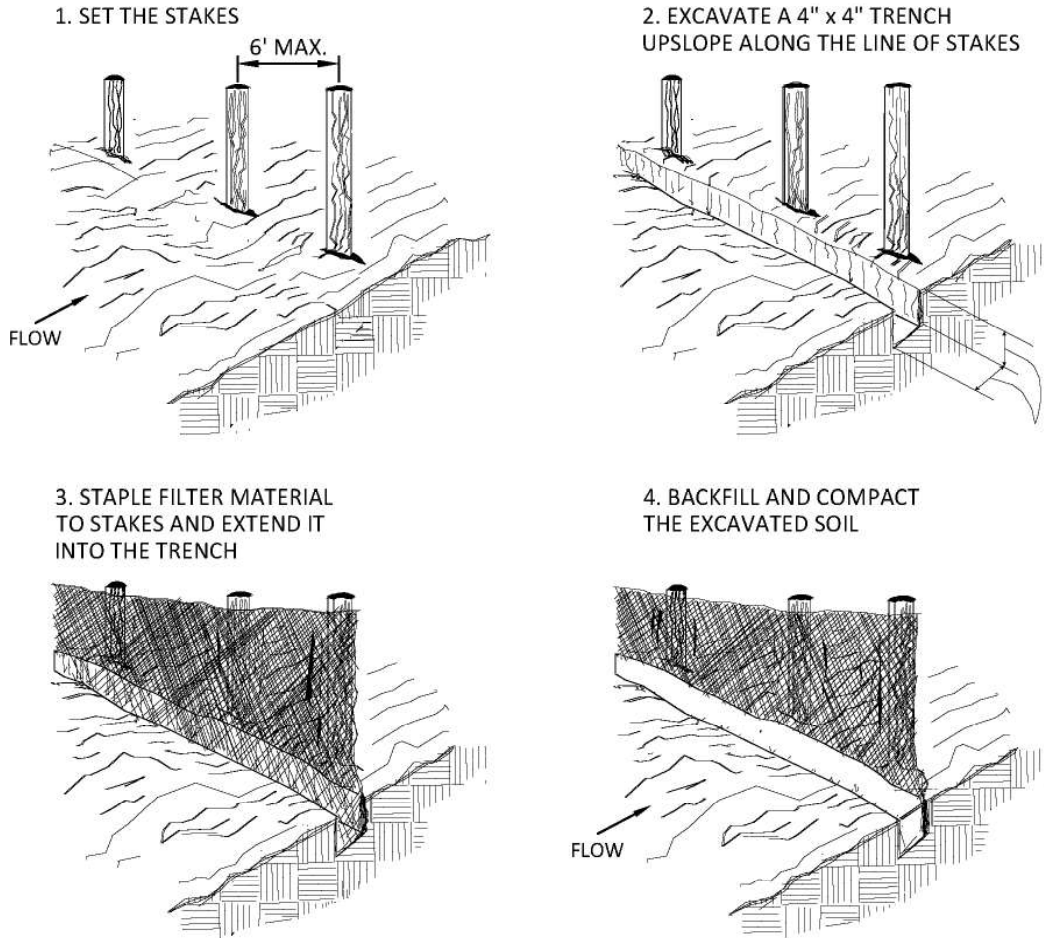
2589 QUALITY COURT, SUITE 323
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 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 4 OF 6
 DATE: MAY 31, 2023

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

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PURPOSE: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



**WATERFRONT
CONSULTING, INC.**

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

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 (330) 883-2117

PROPOSED: BULKHEAD
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 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

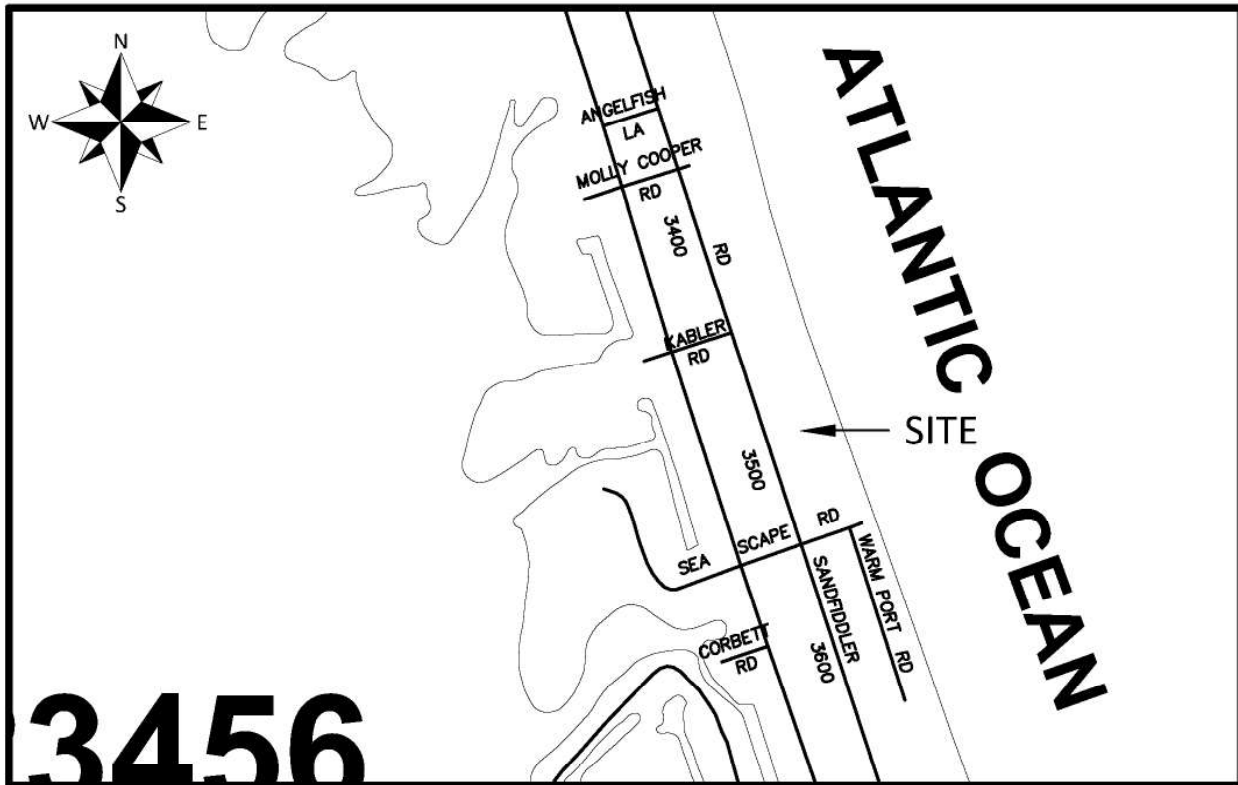
SHEET: 5 OF 6
 DATE: MAY 31, 2023

SITE INFORMATION

LEGAL DESCRIPTION: **LOT 25, SECTION 2, TRACT D, SANDBRIDGE BEACH**
 REFERENCE: **MAP BOOK 67, PAGE 50**, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: **2432-75-0908**
 ZONING: **R-20 RESIDENTIAL**

SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP

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PURPOSE: STORM PROTECTION
 DATUM: NAVD 88
 APOS:
 1. DONNA A. MOONEY
 2. KYSER LIVING TRUST



WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: BULKHEAD
 IN: ATLANTIC OCEAN
 AT: 3548 SANDFIDDLER ROAD
 VIRGINIA BEACH, VA 23456
 APPLICATION BY:
 3548 SANDFIDDLER LLC

SHEET: 6 OF 6
 DATE: MAY 31, 2023

AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Building permit #: _____ DSC Plan # : _____

Location: 3548 Sandfiddler Road GPIN: 2432-75-0908

Watershed: Albemarle HUC: 03010205

In lieu of providing a detailed Stormwater Management Plan, designed and sealed by a licensed professional, the undersigned agrees to comply with all applicable provisions of Appendix D, Stormwater Management Ordinance of the City Code of the City of Virginia Beach and the Virginia Stormwater Management Regulations. The undersigned also agrees to comply with all additional requirements deemed necessary by the Department of Planning, based upon established stormwater management practices to provide adequate treatment and control of stormwater runoff resulting from this development.

The undersigned intends to use the following Stormwater Management Controls, and install them pursuant to the DEQ BMP Clearinghouse website:

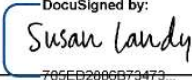
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	Sheetflow to Vegetated Filter (1 or 2)		Construction Activity Operator
	Grass Channel		Construction Activity Operator
	Rainwater harvesting		Construction Activity Operator
	Permeable Paving (1 or 2)		Construction Activity Operator

Select all that apply	Stormwater Management Controls	Estimated Installation Date	Responsible Party
	Infiltration (1 or 2)		Construction Activity Operator
	Bioretention (1 or 2)		Construction Activity Operator
x	Others (describe) Restore impacted buffer to preconstruction condition or enhance per plan.		Construction Activity Operator

The undersigned further understand that such control measures must not be removed or altered, and must be properly maintained in order to operate as they were constructed. In addition, they must be inspected by the owner of the property, or their agent, annually.

The undersigned understand that failure to comply with the requirements of Appendix D, Stormwater Management, and the construction and maintenance of the stormwater controls listed above may result in enforcement proceedings under Section 1-32 of the Stormwater Management Ordinance.

The undersigned owner hereby grants the City of Virginia Beach the right to enter the subject property periodically for inspections to ensure compliance with the Stormwater Management Ordinance.

Signature of Owner:  _____ Print Name: 3548 Sandfiddler LLC

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Donna A. Mooney
3544 Sandfiddler Road
Virginia Beach, VA 23456

RE: Proposed Bulkhead
Located at: 3548 Sandfiddler Road, Virginia Beach, VA 23456

Dear Donna A. Mooney

This letter is to notify you that your neighbor(s), 3548 Sandfiddler LLC have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from receiving this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: 3548 Sandfiddler LLC , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Donna A. Mooney, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of 3548 Sandfiddler LLC.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated May 31, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Kyser Living Trust
3254 Orchard Glen Court
Herndon, VA 20171

RE: Proposed Bulkhead
Located at: 3548 Sandfiddler Road, Virginia Beach, VA 23456

Dear Kyser Living Trust

This letter is to notify you that your neighbor(s), 3548 Sandfiddler LLC have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

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Virginia Marine Resources Commission
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380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

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Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: 3548 Sandfiddler LLC , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

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from/on the same cove as) the land of 3548 Sandfiddler LLC.
(Print applicant's name(s))

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(Date)

to be submitted for all necessary federal, state and local permits.

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I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

3. 2023-WTRA-00091

David M. Lawhorn & Emily S. Schmid

[Applicants & Owners]

2337 Leeward Shore Drive

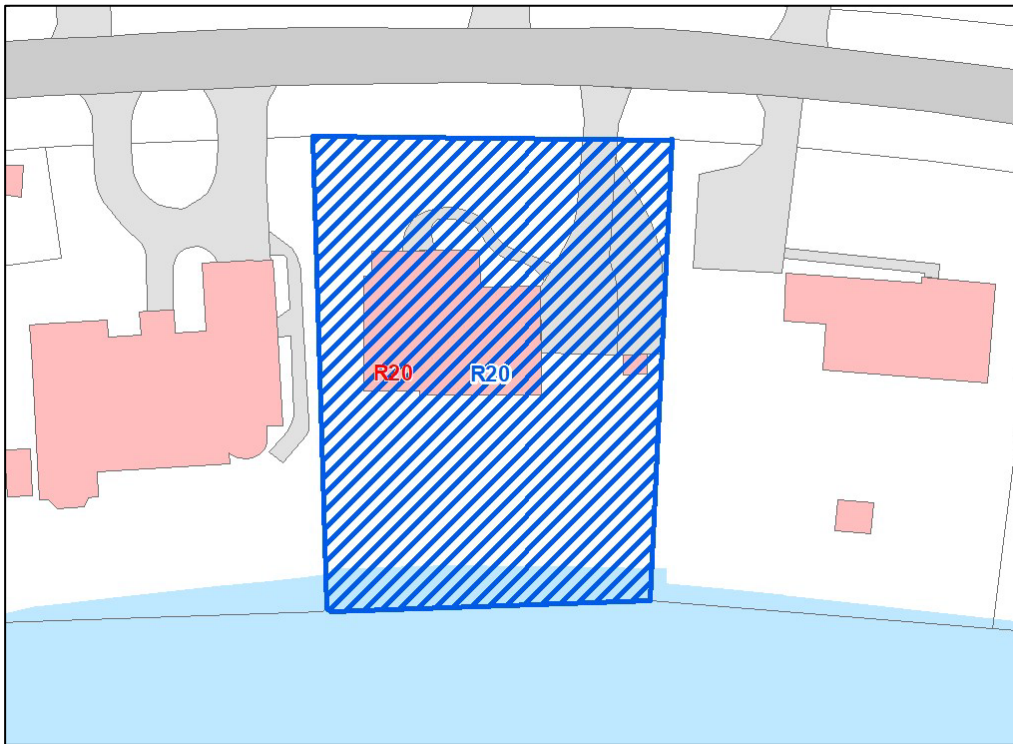
GPIN 2500-00-1010

City Council District: District 8, formerly Lynnhaven

Waterway – Canal to Long Creek

Subdivision – Bay Island

Request: To dredge involving wetlands.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name DAVID M. LAWHORN & EMILY S. SCHMID

Does the applicant have a representative? Yes No

- If yes, list the name of the representative.

BILLY GARRINGTON

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? Yes No

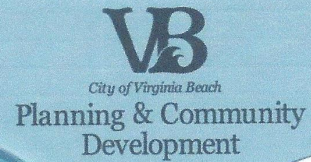
- If yes, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- If yes, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc)** or are they considering **any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes **No**

- If **yes**, identify the financial institutions.

TD BANK (HOME MORTGAGE)

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

TBD

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

DAVID BUTLER, GALLUP SURVEYORS & ENGINEERS

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.

Applicant Signature

David M. Lawhorn and Emily S. Schmid

Print Name and Title

David M. Lawhorn and Emily S. Schmid / Owners

Date 3.28.23

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 23-0837

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<i>Check all that apply</i>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>				
County or City in which the project is located: Virginia Beach				
Waterway at project site: Canal from Lynnhaven River				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre-application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information: Home: (619) 453-7871

David M. Lawhorn and Emily S. Schmid
 2337 Leeward Shore Drive
 Virginia Beach, VA 23451

Home (757) 444-7179
 Work ()
 Fax ()
 Cell (240) 280-5775
 e-mail essdml2015@gmail.com

State Corporation Commission Name and ID Number (if applicable) _____

2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:

Home ()
 Work ()
 Fax ()
 Cell ()
 e-mail _____

State Corporation Commission Name and ID Number (if applicable) _____

3. Authorized agent name* and complete mailing address (if applicable): Contact Information:

David R. Butler
 323 First Colonial Road
 Virginia Beach, VA 23454
 Email: DAVE@GALLUPSURVEYORS.COM

Home ()
 Work (757) 428-8132
 Fax (757) 425-2390
 Cell ()
 e-mail dave@gallupsurveyors.c

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

Dredge 115 cubic yards from a canal in the rear yard. Construct wharf and install boat lift. Reconfigure an existing floating dock. Site will be accessed from the seaward side via barge with contractor foot traffic through the yard. No trees or shrubs will be lost. The boat lift will have 4-12" diameter timber piles. The wharf will have 29-10" diameter timber piles and 29-8" diameter timber piles. All piles will be installed via vibratory hammer. The dredging will impact 563 sq. ft. of non vegetated wetlands and 1,518 sq. ft. of subaqueous bottom.

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ___ Yes* x ___ No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Contact Information:

Home () _____
 Work () _____
 Fax () _____
 Cell () _____
 email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Virginian Pilot
 150 W. Brambleton Avenue
 Norfolk, VA 23510

Telephone number

(757) 622-1455 _____

7. Give the following project location information:

Street Address (911 address if available) 2337 Leeward Shore Drive _____

Lot/Block/Parcel# Lot 223 _____

Subdivision Bay Island, Section Two _____

City / County Virginia Beach _____ ZIP Code 23451 _____

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):
36-54-34.32 / - 76-02-48.37 (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

N/A

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

Primary purpose is to provide navigable water. Secondary purpose is to enhance the value of the property.

Part 1 - General Information (continued)

9. Proposed use (check one):
 Single user (private, non-commercial, residential)
 Multi-user (community, commercial, industrial, government)
10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*
- No clearing, no land disturbance. Access provided from the canal side via barge.
11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 48,909
Approximate cost of that portion of the project that is channelward of mean low water: \$ 12,000
13. Completion date of the proposed work: December 30, _____ - 2023
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

1. John A. Trefry, III and Cynthia W. Trefry
2333 Leeward Shore Drive
Virginia Beach, VA 23451
 2. Dante A. and Evelyn P. Baral, Trustees
2324 Spindriff Road
Virginia Beach, VA 23451
 3. Junior and Jill Johnson
2328 Spindriff Road
Virginia Beach, VA 23451
 4. William J. and Leslie S. Parrish
2341 Leeward Shore Drive
Virginia Beach, VA 23451

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

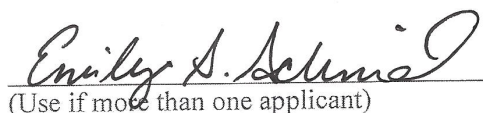
CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit. In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

David M. Lawhorn

Emily S. Schmid

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)



Applicant's Signature

(Use if more than one applicant)

3-28-23

Date

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), D. Lawhorn, E. Schmid, hereby certify that I (we) have authorized David R. Butler, Billy Garrington
(Applicant's legal name(s)) (Agent's name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

David R. Butler
(Agent's Signature)

(Use if more than one agent)

3/9/23
(Date)

Paul
(Applicant's Signature)

Emily A. Schmidt
(Use if more than one applicant)

3-28-23
(Date)

3. Applicant's having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), _____, have contracted _____
(Applicant's legal name(s)) (Contractor's name(s))
to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor's name or name of firm

Contractor's or firms address

Contractor's signature and title

Contractor's License Number

Applicant's signature

(use if more than one applicant)

Date

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write “N/A” in the space provided.

Appendix A: Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. Briefly describe your proposed project.

Install timber wharf along an existing bulkhead.

2. For private, noncommercial piers:

Do you have an existing pier on your property? Yes No

If yes, will it be removed? Yes No

Is your lot platted to the mean low water shoreline? Yes No

What is the overall length of the proposed structure? 112.6 feet.

Channelward of Mean High Water? 8.3 feet.

Channelward of Mean Low Water? 1.0 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 882 square feet.

Tidal vegetated wetlands N/A square feet.

Submerged lands 174 square feet.

What is the total size of any and all L- or T-head platforms? n/a sq. ft.

For boathouses, what is the overall size of the roof structure? n/a sq. ft.

Will your boathouse have sides? Yes No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § 28.2-1203 A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § 28.2-1205 for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § 28.2-1204.

Part 3 – Appendices (continued)

3. For **USACE permits**, in cases where the proposed pier will encroach beyond one fourth the waterway width (as determined by measuring mean high water to mean high water or ordinary high water mark to ordinary high water mark), the following information must be included before the application will be considered complete. For an application to be considered complete:

- a. The USACE MAY require depth soundings across the waterway at increments designated by the USACE project manager. Typically 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide with the date and time the measurements were taken and how they were taken (e.g., tape, range finder, etc.).
- b. The applicant MUST provide a justification as to purpose if the proposed work would extend a pier greater than one-fourth of the distance across the open water measured from mean high water or the channelward edge of the wetlands.
- c. The applicant MUST provide justification if the proposed work would involve the construction of a pier greater than five feet wide or less than four feet above any wetland substrate.

4. Provide the type, size, and registration number of the vessel(s) to be moored at the pier or mooring buoy.

Type	Length	Width	Draft	Registration #
Not yet purchased				

5. For **Marinas, Commercial Piers, Governmental Piers, Community Piers and other non-private piers**, provide the following information:

- A) Have you obtained approval for sanitary facilities from the Virginia Department of Health? _____ (required pursuant to Section 28.2-1205 C of the Code of Virginia).
- B) Will petroleum products or other hazardous materials be stored or handled at your facility? _____.
- C) Will the facility be equipped to off-load sewage from boats? _____.
- D) How many wet slips are proposed? _____. How many are existing? _____.
- E) What is the area of the piers and platforms that will be constructed over
 - Tidal non-vegetated wetlands _____ square feet
 - Tidal vegetated wetlands _____ square feet
 - Submerged lands _____ square feet

6. For **boat ramps**, what is the overall length of the structure? _____ feet.
 From Mean High Water? _____ feet.
 From Mean Low Water? _____ feet.

Note: drawings must include the construction materials, method of installation, and all dimensions. If tending piers are proposed, complete the pier portion.

Note: If dredging or excavation is required, you must complete the Standard Joint Point Permit application.

18. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands	N/A	N/A	0	0				
Nonvegetated wetlands	N/A	N/A	9	563				
Subaqueous land	N/A	N/A	106	1,518				
Totals			106	1,518				
Is this a one-time dredging event? ___ Yes <input checked="" type="checkbox"/> No If "no", how many dredging cycles are anticipated: <u>1</u> (<u>26</u> initial cycle in cu. yds.) (<u> </u> subsequent cycles in cu. yds.)								
Composition of material (percentage sand, silt, clay, rock): Provide documentation (i.e. laboratory results or analytical reports) that <i>dredged</i> material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e. bill of lading from commercial supplier or disposal site). Estimate 80% sand and 20% silt								
Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross section drawings of the dewatering area and associated outfall. Hopper barge to the COVB Lynnhaven Transfer facility, then trucked to Whitehurst Pit in watertight dump trucks.								
Will the dredged material be used for any commercial purpose or beneficial use? ___ Yes <input checked="" type="checkbox"/> No If yes, please explain:								
If this is a maintenance dredging project, what was the date that the dredging was last performed? _____ Permit number of original permit: _____ (It is important that you attach a copy of the original permit.)								
For mining projects: On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL. Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ___ Yes ___ No								
Contributing drainage area: _____ square miles					Average stream flow at site (flow rate under normal rainfall conditions): _____ cfs			

ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT

PROJECT LOCATION: 2337 LEEWARD SHORE DRIVE

APPLICANT'S NAME: DAVID M. LAWTON & EMILY S. SCHMID

APPLICANT'S ADDRESS: 2337 LEEWARD SHORE DRIVE

VIRGINIA BEACH, VA 23451

OWNER'S NAME
(IF DIFFERENT FROM APPLICANT): _____

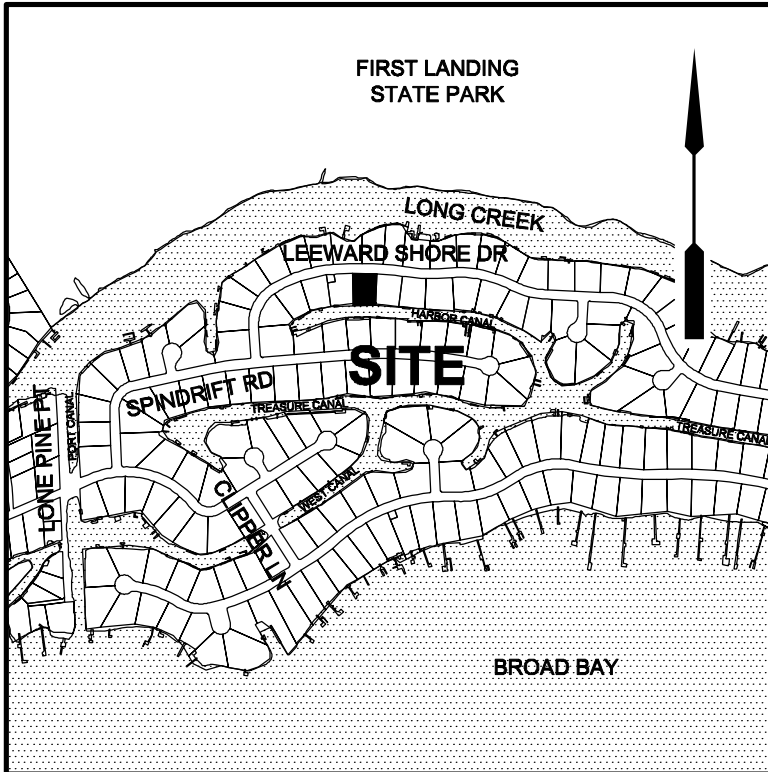
- WITHIN THIRTY (30) DAYS AFTER COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.
- CERTIFICATION SHALL ALSO BE MADE THAT ANY SIGNS REQUIRED TO BE POSTED HAVE BEEN REMOVED.
- THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.

David R. Butler 3-9-23
SIGNATURE OF ENGINEER/SURVEYOR DATE
CERTIFYING CONSTRUCTION

DAVID R. BUTLER
TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

David Emily S. Schmid 3-28-23
SIGNATURE OF OWNER DATE

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT OF THE CITY SHALL INVALIDATE THIS INSTRUMENT.

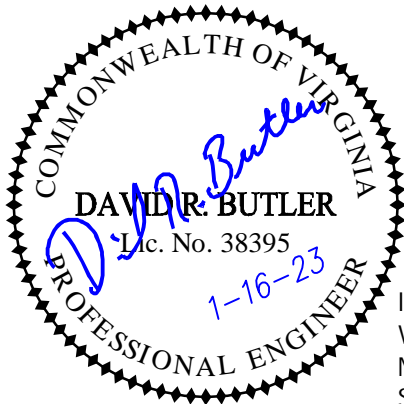


LOCATION MAP

SCALE: 1"=1000'

SITE DATA

1. SITE ADDRESS: 2337 LEEWARD SHORE DRIVE
VIRGINIA BEACH, VA. 23451
2. LEGAL: LOT 223, BAY ISLAND, SECTION TWO
M.B. 48, PG. 15
3. GPIN: 2500-00-1010
4. VERTICAL DATUM: NAVD 88
5. ZONED: R20 (RESIDENTIAL LOW DENSITY)
6. THE PHYSICAL FEATURES SHOWN WERE OBTAINED FROM A TOPOGRAPHIC SURVEY PREPARED BY TIM FALLON LAND SURVEYING, PLLC DATED JULY 27, 2022 AND FROM A SITE PLAN PREPARED BY GALLUP SURVEYORS & ENGINEERS, LTD. DATED DECEMBER 18, 2009 .
7. ELEV. OF MLW (NAVD 88): -1.1
ELEV. OF MHW (NAVD 88): 0.4
SOURCE: VIRGINIA INSTITUTE OF MARINE SCIENCE
8. THIS PLAN WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY AND/OR ALL EASEMENTS OR RESTRICTIONS THAT MAY EFFECT SAID PROPERTY AS SHOWN.
9. ALL CONSTRUCTION TO BE PERFORMED FROM THE SEAWARD SIDE VIA BARGE AND THROUGH YARD (FOOT TRAFFIC ONLY)



OWNER/DEVELOPER
 DAVID M. LAWHORN &
 EMILY S. SCHMID
 2337 LEEWARD SHORE DRIVE
 VIRGINIA BEACH, VA. 23451
 240-280-5775
 757-444-7179
 essdml2015@gmail.com

IMPACTS:
 VEGETATED WETLANDS: N/A
 NON-VEGETATED WETLANDS: 563 S.F.
 SUBAQUEOUS BOTTOM: 1,518 S.F.

SHEET INDEX

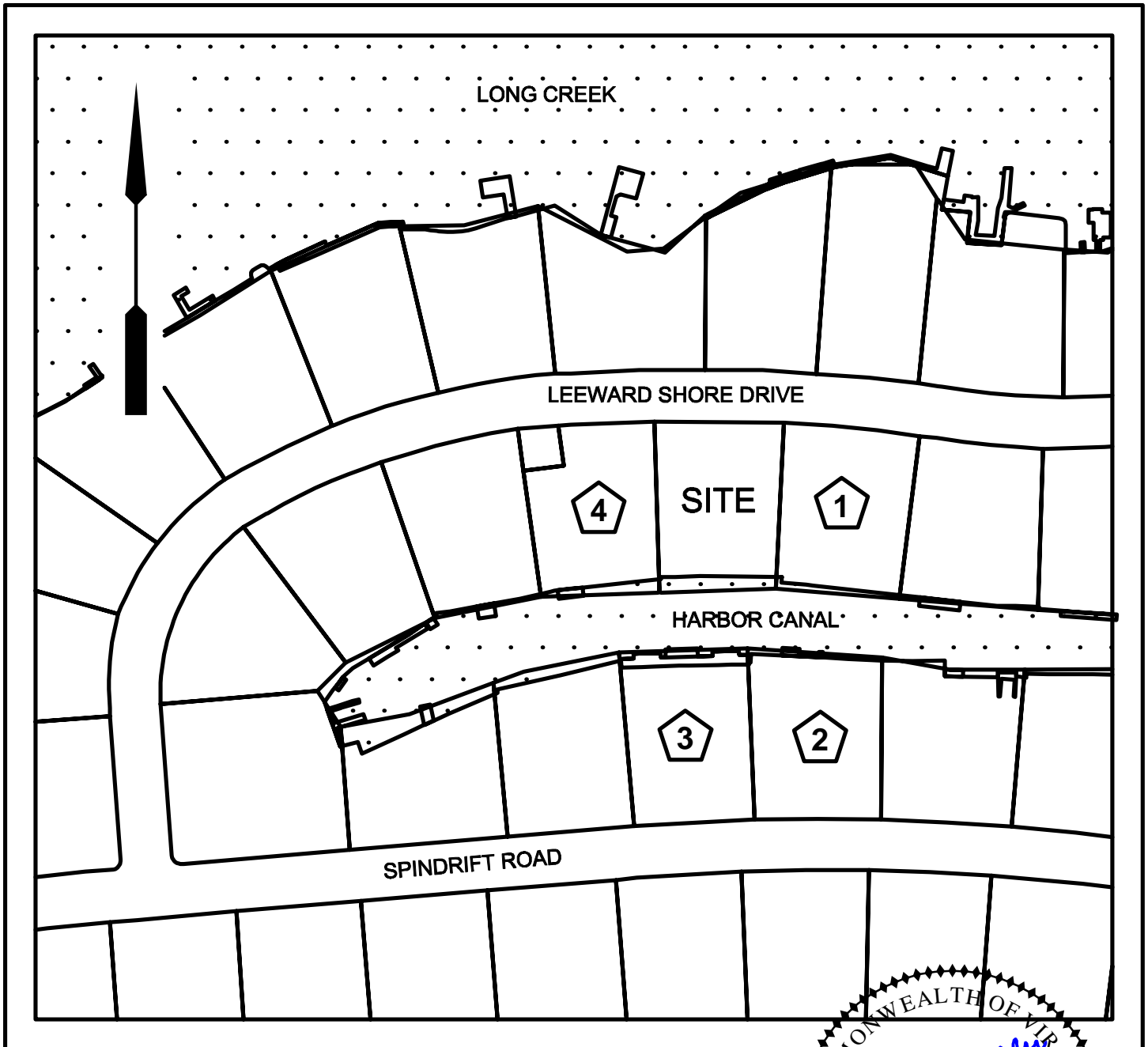
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	ADJACENT OWNERS MAP
3	EXISTING CONDITIONS
4	ENLARGEMENT PLAN
5-8	PIER DETAILS
9	WINGWALL DETAILS
10	BOAT LIFT DETAILS
11-12	MATERIAL NOTES
13-15	DREDGE SECTIONS
16	NOTES



ANTICIPATED DREDGE SPOILS: 115 C.Y.
 DISPOSAL LOCATION: WHITEHURST PIT, VIRGINIA BEACH
 TRANSFER SITE: LYNNHAVEN TRANSFER FACILITY

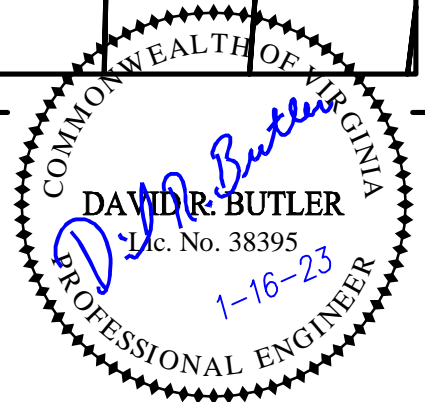
PROJECT: INSTALL PIER & DREDGING

REVISION SCHEDULE		COVER SHEET	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOR CANAL DATE: JAN. 16, 2023	SHEET: 1 OF 16
DATE	COMMENT			
6-14-23	REV. PIER & LIFT			

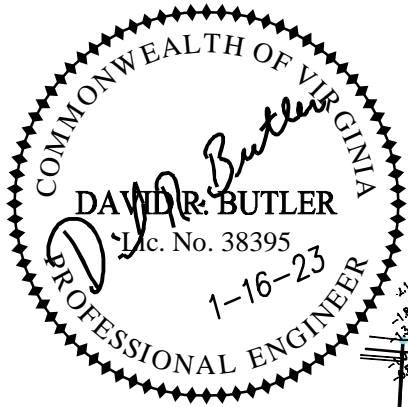


ADJACENT PROPERTY OWNERS:

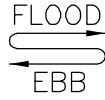
- 1 JOHN A. TREFRY, III & CYNTHIA W. TREFRY
- 2 DANTE A. BARAL & EVELYN P. BARAL, TRUSTEES
- 3 JUNIOR JOHNSON & JILL JOHNSON
- 4 WILLIAM J. PARRISH & LESLIE S. PARRISH



REVISION SCHEDULE		ADJACENT OWNERS MAP 1" = 150'	PROJECT: PIER & DREDGING	
DATE	COMMENT		BY: DAVID M. LAWHORN & EMILY S. SCHMID	
			IN: HARBOR CANAL	
			DATE: JAN. 16, 2023	SHEET: 2 OF 16

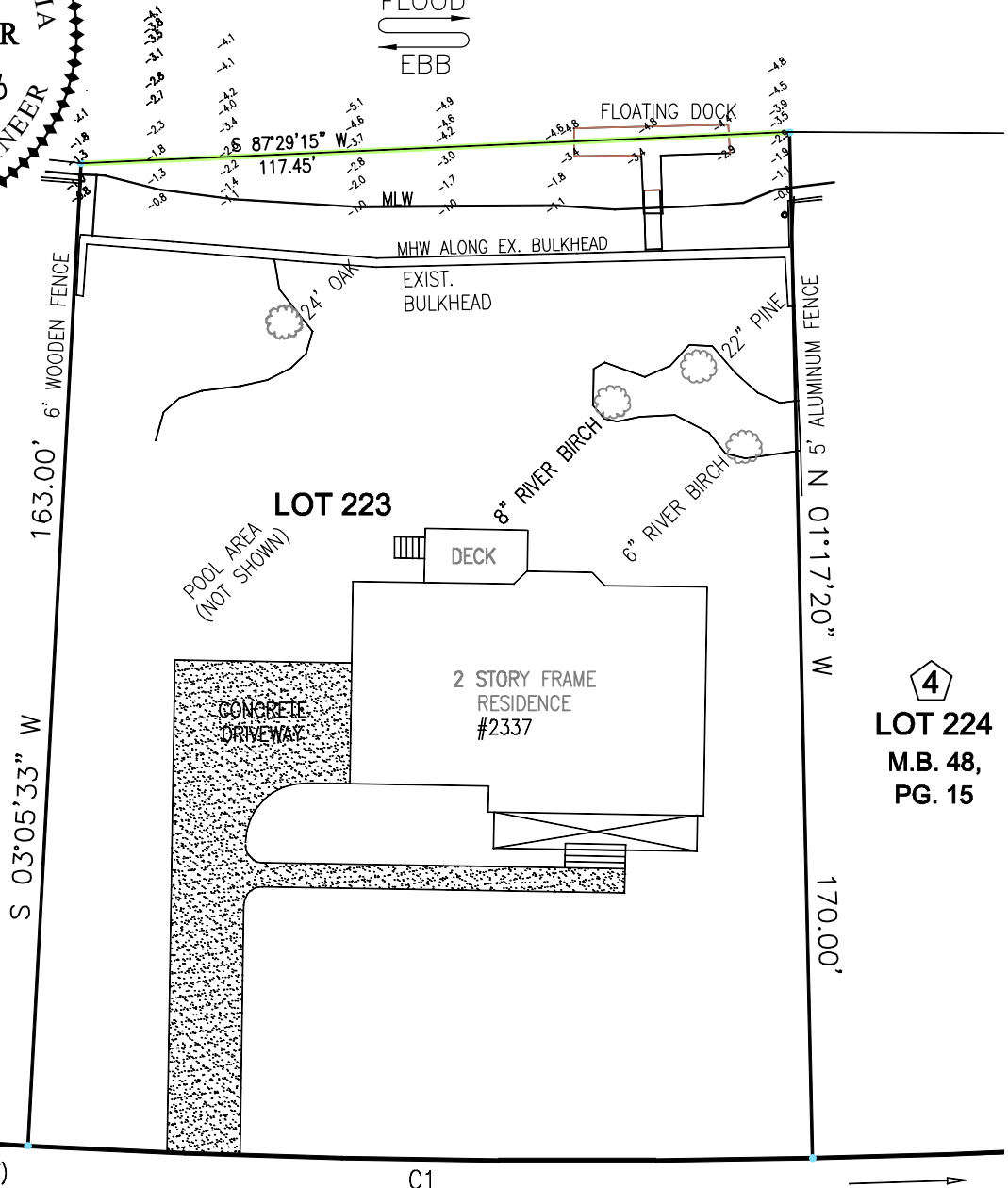


HARBOR CANAL
M.B. 48, PG. 15



M.B. 48, PG. 15

1
LOT 222
M.B. 48, PG. 15



4
LOT 224
M.B. 48, PG. 15

LEEWARD SHORE DRIVE (50' R/W)

M.B. 48, PG. 15

794.28' TO SPINDRIFT RD

REVISION SCHEDULE		EXISTING CONDITIONS 1" = 40'	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOR CANAL DATE: JAN 16, 2023
DATE	COMMENT		

SHEET 3 OF 16

HARBOR CANAL

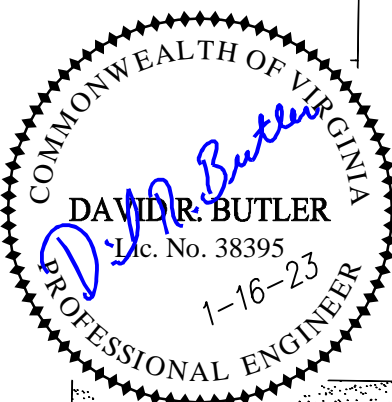
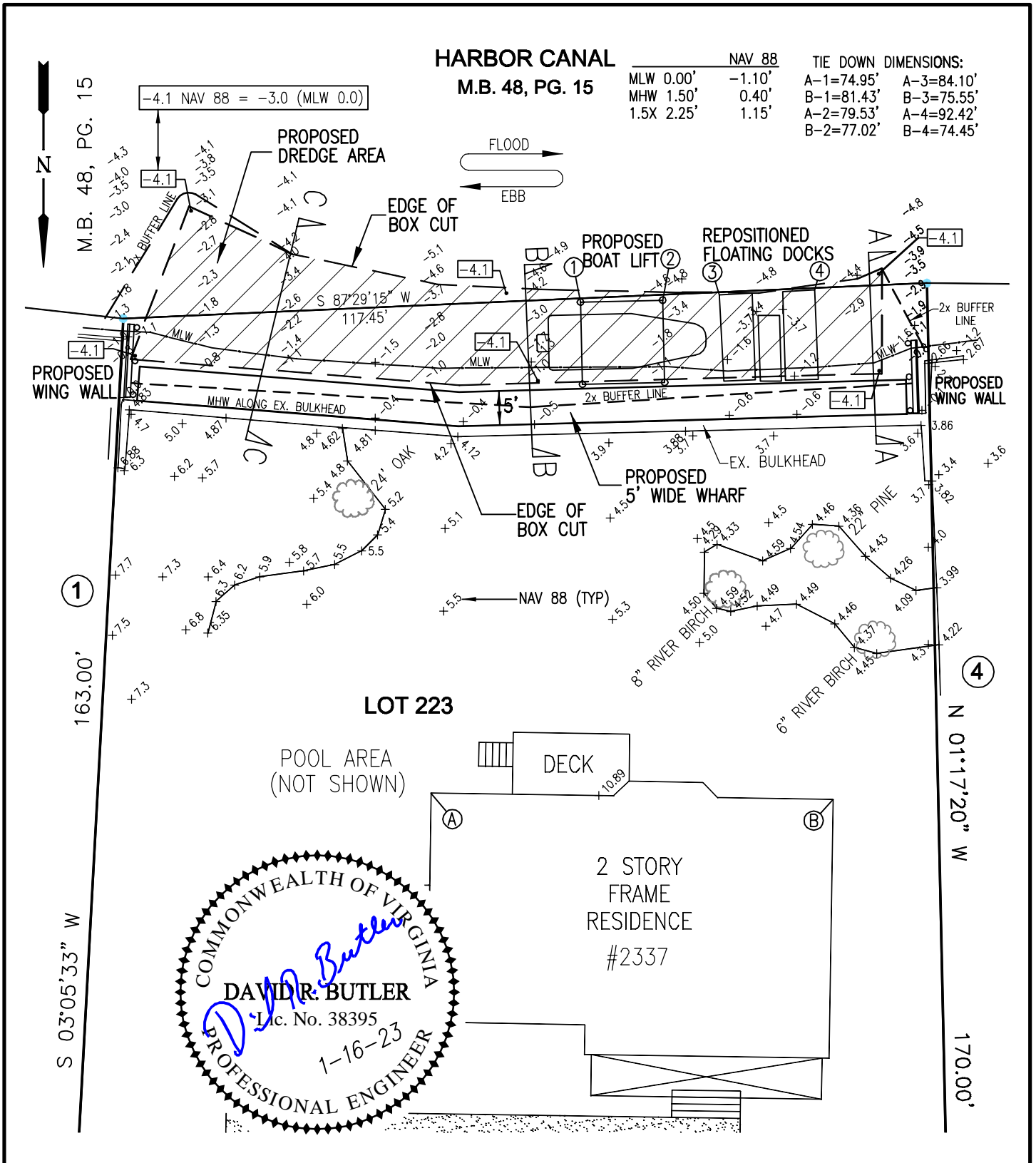
M.B. 48, PG. 15

NAV 88

TIE DOWN DIMENSIONS:

MLW 0.00'	-1.10'
MHW 1.50'	0.40'
1.5X 2.25'	1.15'

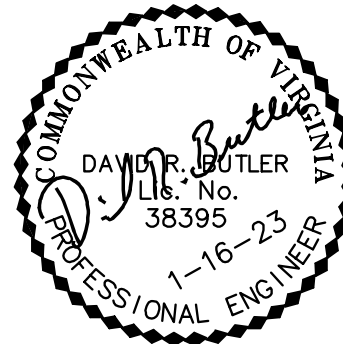
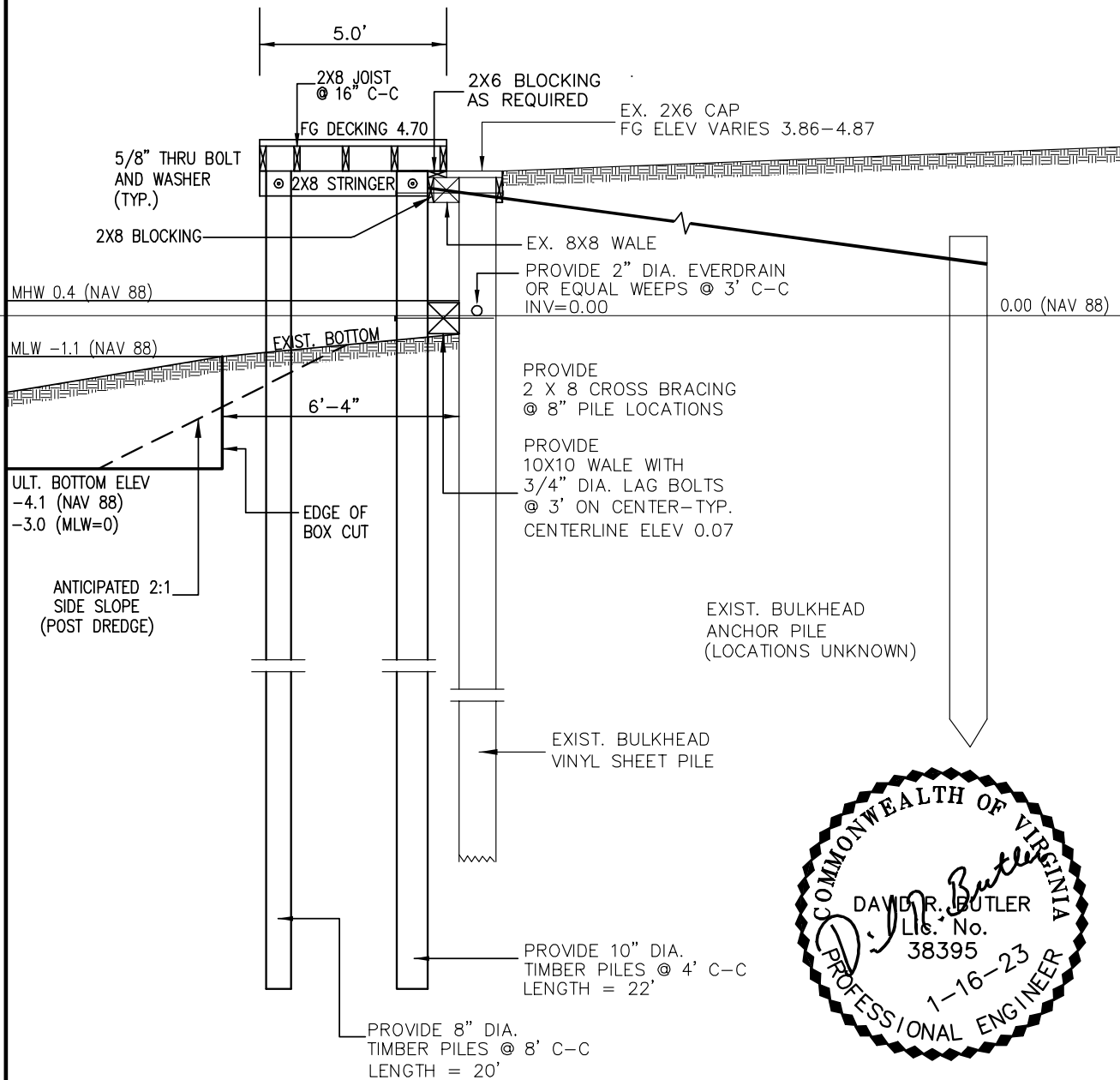
A-1=74.95'	A-3=84.10'
B-1=81.43'	B-3=75.55'
A-2=79.53'	A-4=92.42'
B-2=77.02'	B-4=74.45'



REVISION SCHEDULE		ENLARGEMENT PLAN 1" = 20'	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOR CANAL DATE: JAN. 16, 2023	SHEET 4 OF 16
DATE	COMMENT			
6-14-23	REV. PIER & LIFT			

NOTE:
 PROVIDE 2X8 X BRACING
 AT EA. 10" DIA. FACE PILE

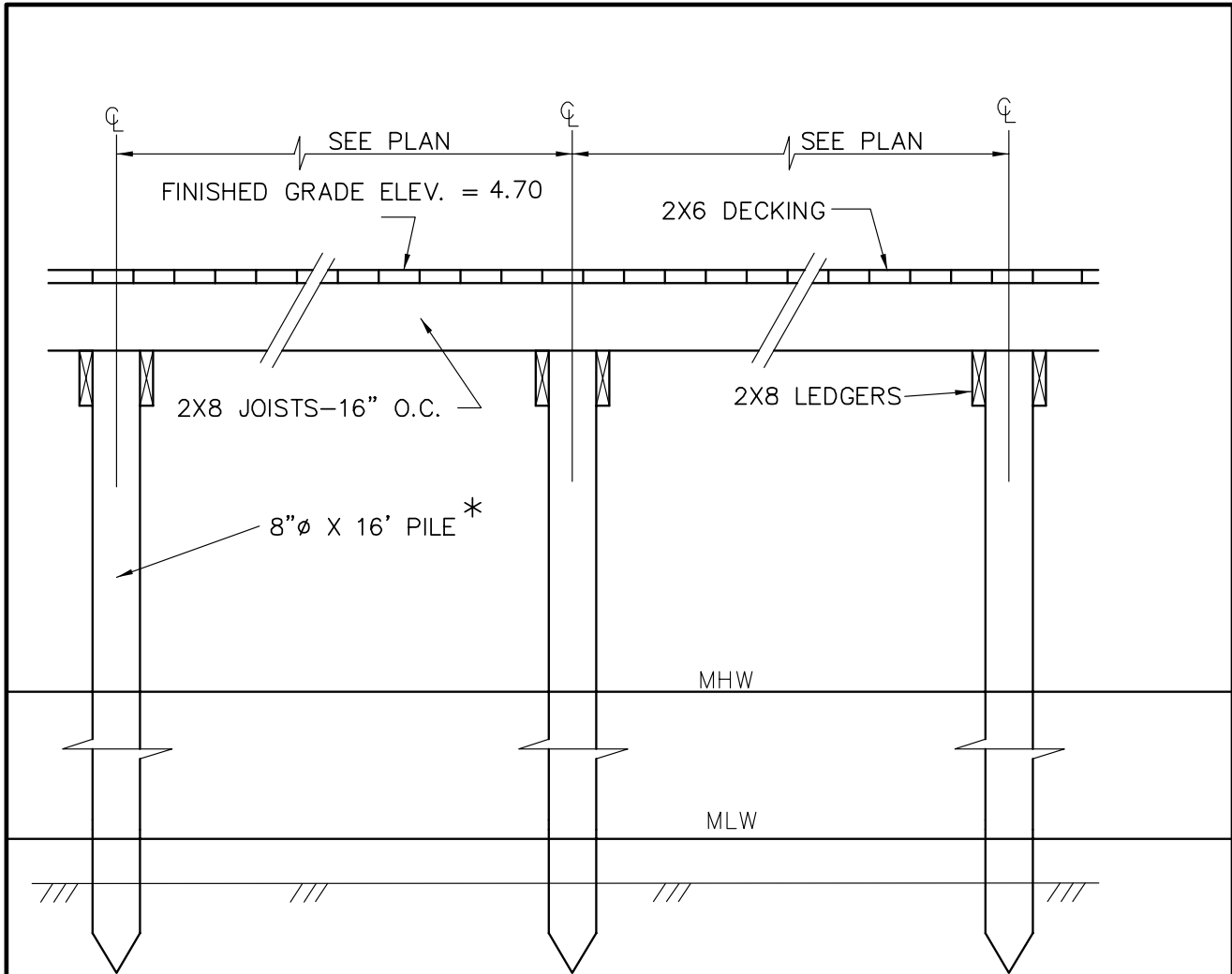
THESE PLANS ARE FOR PERMIT PUPOSES ONLY.
 NO GEOTECHNICAL OR STRUCTURAL BORINGS HAVE
 TAKEN PLACE AT THIS SITE. CONTRACTOR AND/OR
 OWNERS SHALL VERIFY BOTTOM CONDITIONS. IT
 SHALL BE THE OWNER'S AND/OR THE CONTRACTOR'S
 RESPONSIBILITY TO LOCATE AND MARK UNDERGROUND
 UTILITIES OR SPRINKLER SYSTEMS.



REVISION SCHEDULE	
DATE	COMMENT
3-23-23	REV. FRAMING
6-14-23	REV. PIER & LIFT

**TYPICAL SECTION
 WHARF AND BULKHEAD**
 SCALE: 1" = 4'

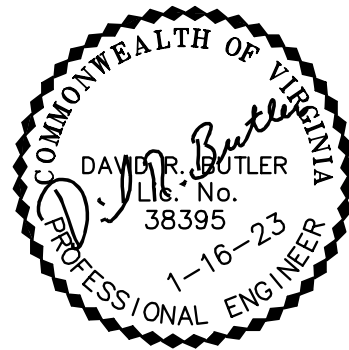
PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID
 IN: HARBOUR CANAL
 DATE: JAN. 16, 2023 SHEET 5 OF 16



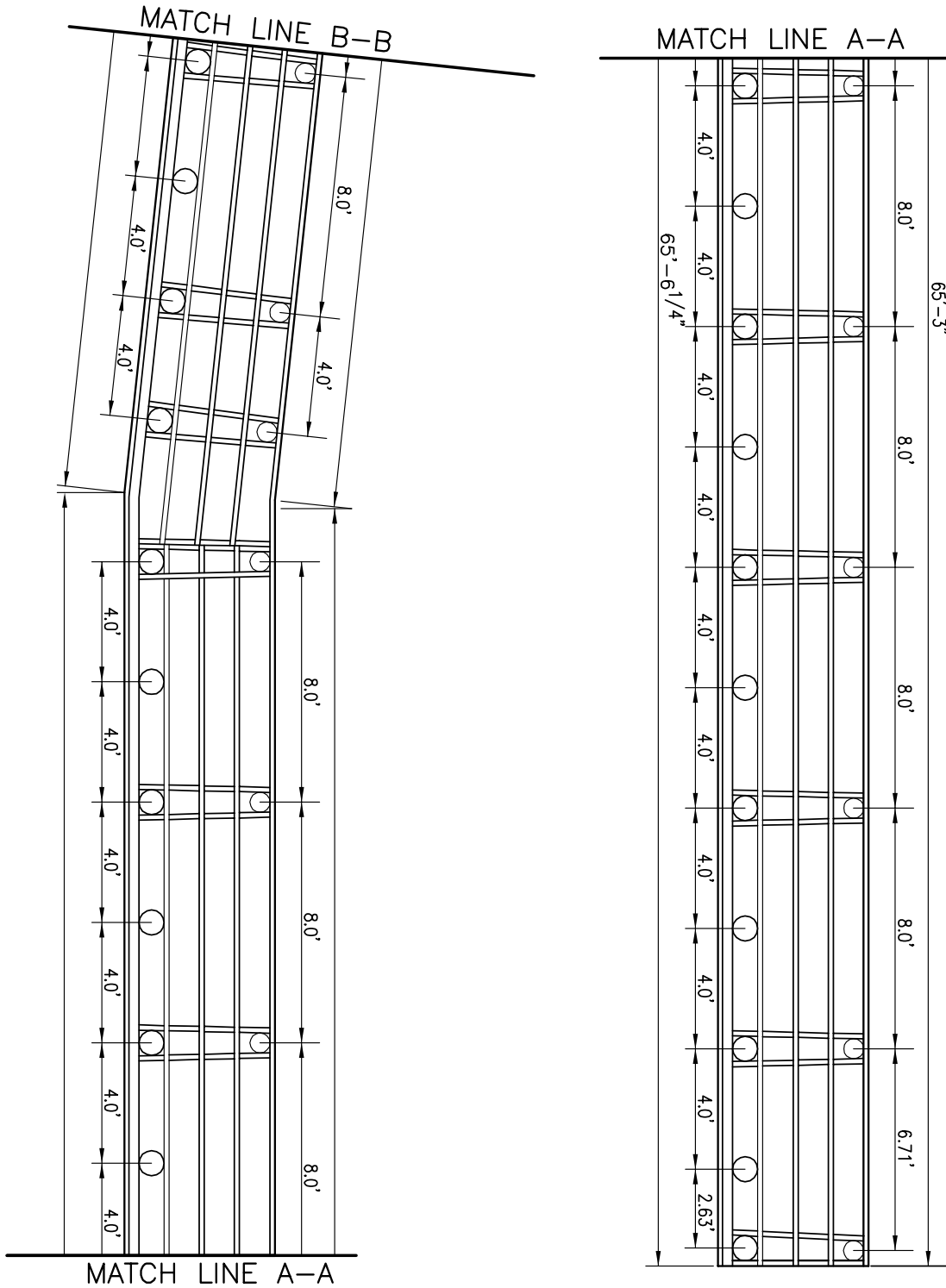
NOTES

1. ALL FRAMING LUMBER SHALL BE SYP SALT TREATED WITH A MIN. RETENTION OF 0.80 LBS. PER CUBIC FOOT
 2. ALL HARDWARE AND FASTENERS SHALL BE HOTTED DIPPED GALVANIZED
- * PIER PILES SHALL BE THE LENGTH SPECIFIED OR DRIVEN TO MIN. 50 PERCENT PENETRATION BELOW THE BOTTOM OF THE MUDLINE OR WHICHEVER IS GREATEST

**PROP. PIER
TYPICAL SECTION**



REVISION SCHEDULE		WHARF DETAILS 1/2" = 1'	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOUR CANAL DATE: JAN. 16, 2023 SHEET 6 OF 16
DATE	COMMENT		



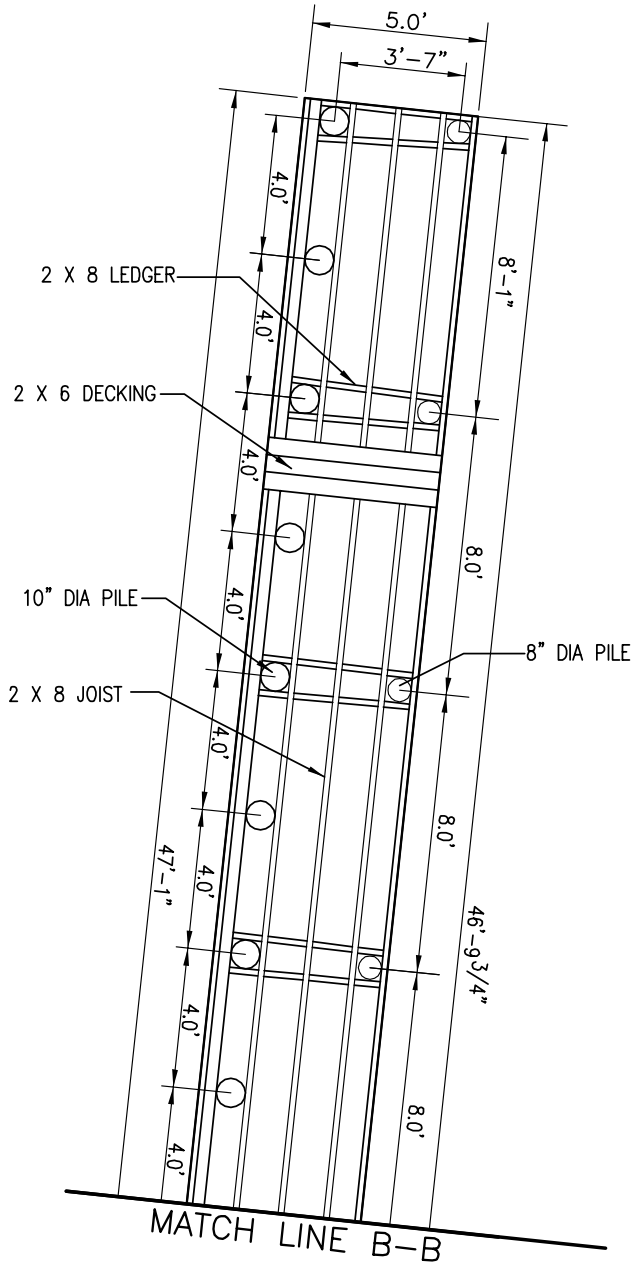
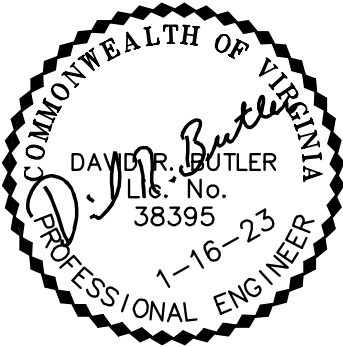
REVISION SCHEDULE	
DATE	COMMENT
3-23-23	REV. FRAMING
6-14-23	REV. PIER & LIFT

WHARF FRAMING PLAN

SCALE: 1" = 5'

PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID

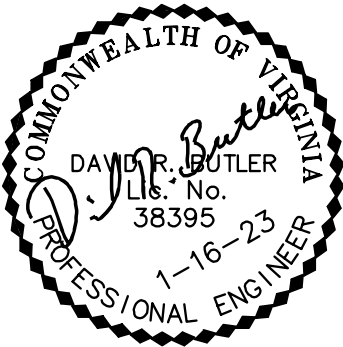
IN: HARBOUR CANAL
 DATE: JAN. 16, 2023 SHEET 7 OF 16



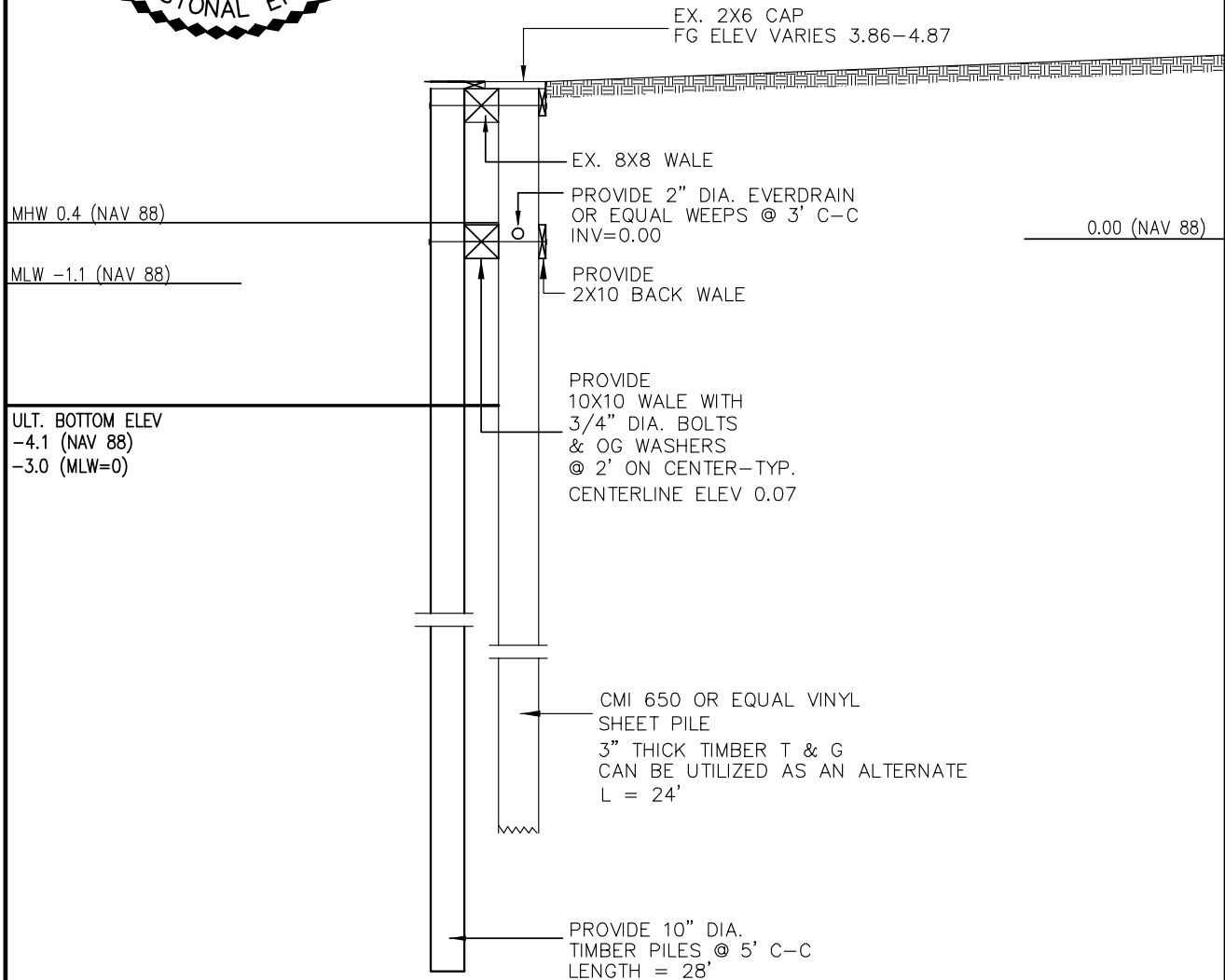
REVISION SCHEDULE	
DATE	COMMENT
3-23-23	REV. FRAMING
6-14-23	REV. PIER & LIFT

WHARF FRAMING PLAN
SCALE: 1" = 5'

PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID
 IN: HARBOUR CANAL
 DATE: JAN. 16, 2023 SHEET 8 OF 16



THESE PLANS ARE FOR PERMIT PURPOSES ONLY. NO GEOTECHNICAL OR STRUCTURAL BORINGS HAVE TAKEN PLACE AT THIS SITE. CONTRACTOR AND/OR OWNERS SHALL VERIFY BOTTOM CONDITIONS. IT SHALL BE THE OWNER'S AND/OR THE CONTRACTOR'S RESPONSIBILITY TO LOCATE AND MARK UNDERGROUND UTILITIES OR SPRINKLER SYSTEMS.

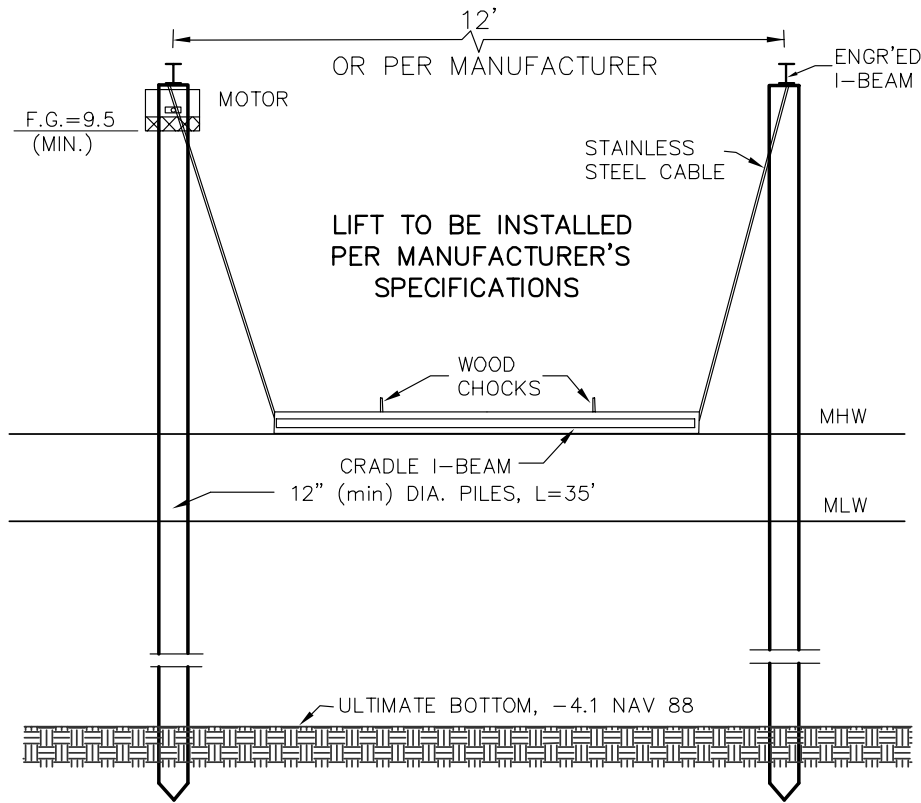


REVISION SCHEDULE	
DATE	COMMENT

**TYPICAL SECTION
WINGWALLS**

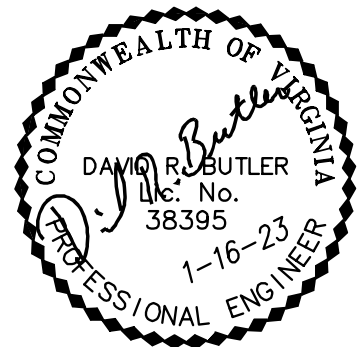
SCALE: 1" = 4'

PROJECT: PIER & DREDGING
BY: DAVID M. LAWHORN &
EMILY S. SCHMID
IN: HARBOUR CANAL
DATE: JAN. 16, 2023 SHEET 9 OF 16



ALL PILING CCA 2.5 PCF (MLP-80)
 ALL HARDWARE H.D. GALV. ASTM-A153
 WOOD CHOCKS TO BE CCA 2.5 PCF (MLP-80)

* BOAT LIFT PILES SHALL BE THE LENGTH SPECIFIED OR DRIVEN TO MIN. 50 PERCENT PENETRATION BELOW THE BOTTOM OF THE MUDLINE, WHICHEVER IS GREATEST.

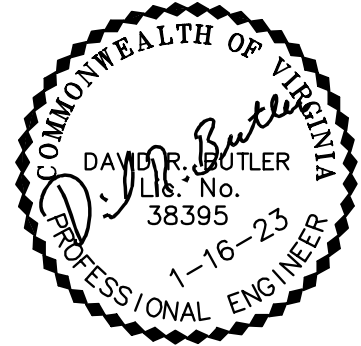


REVISION SCHEDULE		BOAT LIFT DETAIL no scale	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOUR CANAL DATE: JAN. 16, 2023 SHEET 10 OF 16
DATE	COMMENT		

MATERIAL NOTES

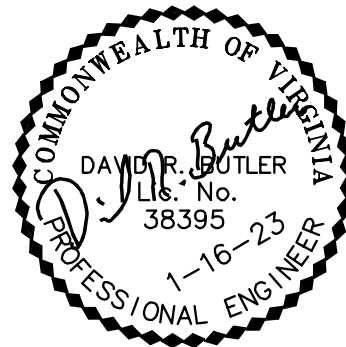
1. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND MARKING ALL UNDERGROUND UTILITIES.
2. TEST PILES SHALL BE INSTALLED IN THE COMPANY OF THE ENGINEER OF RECORD.
3. ALL MANUFACTURED STRUCTURES, COMPONENTS AND PRODUCTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURERS SPECIFICATIONS AND RECOMMENDATIONS.
4. ALL STRUCTURES NOT SHOWN OR SPECIFIED TO BE REMOVED SHALL REMAIN.
5. ALL TIMBER SHALL BE SOUTHERN YELLOW PINE (SYP) #1 GRADE OR BETTER, S4S.
6. PRESERVATIVE TREATMENT: ALL TIMBER PILES, WALES, PILE CAPS (AS DEFINED OR SHOWN AS SUCH ON THE DRAWINGS) AND ALL OTHER PERMANENT TIMBER ITEMS INCORPORATED INTO THE STRUCTURE SHALL RECEIVE CHROMATED COPPER ARSENATE (CCA) TREATMENT AT A RATE OF 2.5 PCF IN ACCORDANCE WITH THE AMERICAN WOOD PRESERVERS ASSOCIATION AWWA STANDARD UI-12, USE CATEGORY UC5B.

LIFT PILES SHALL BE ASTM D25, CLASS B, MINIMUM DIAMETER 12" AT 3" FROM BUTT AND MINIMUM 8" DIAMETER AT TIP. WOOD PILE DELIVERY TICKETS SHALL BE ON SITE AND AVAILABLE TO A DESIGNATED REPRESENTATIVE DURING INSTALLATION. (PIER PILES TO BE 8" MIN. BUTT)
8. ALL FIELD CUTS, BEVELS, NOTCHES, RESURFACING, AND ABRASIONS SHALL BE PRESERVATIVE TREATED WITH COPPER NAPHTHENATE HAVING A MINIMUM OF 2% METALLIC SOLUTION IN ACCORDANCE WITH AWWA M4.
9. ALL PILES SHALL BE DRIVEN BY DROP HAMMER OR VIBRATORY HAMMER TO THE REQUIRED EMBEDMENT DETPH. THE CONTRACTOR SHALL BE REPOSIBLE FOR PROVIDING EQUIPMENT LARGE ENOUGH TO REACH THE REQUIRED EMBEDMENT. JETTING AND/OR PRE-DRILLING SHALL NOT BE PERFORMED WITHOUT PRIOR AUTHORIZATION FROM THE DESIGN ENGINEER. IT IS STRONGLY RECOMMENDED THAT THE CONTRACTOR DRIVE TEST PILES PRIOR TO FULL MOBILIZATIONS AND DRIVING OF PRODUCTION PILES.
10. ALL PILES DAMAGED DURING DRIVING SHALL BE EXTRACTED.
11. PILES SHALL BE MAINTAINED PLUMB DURING DRIVING. PILES SHALL NOT BE MORE THAN 2-1/2 INCHES OUT-OF-PLUMB PER 10 FEET OF PILE LENGTH, AND/OR NO MORE THAN 6 INCHES OVERALL PER PILE.
12. PILE INSTALLATION SHALL BE INSPECTED PER THE REQUIREMENTS OF THE AUTHORITY HAVING JURISDICTION.
13. FASTENERS:
ALL FASTENERS SHALL BE PROVIDED WITH A HOT DIPPED GALVANIZED COATING IN ACCORDANCE WITH ASTM A153 AND/OR F2329 (AS APPLICABLE) WITH A MINIMUM ZINC COATING OF 0.90 OZ/FT2 (OUNCES PER SQUARE FOOT OF SURFACE AREA).

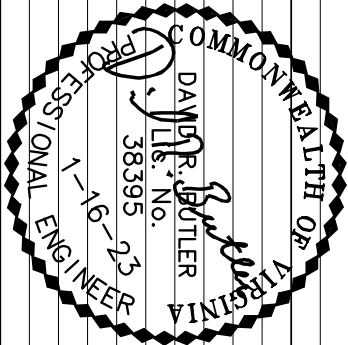


REVISION SCHEDULE		MATERIAL NOTES	PROJECT: PIER & DREDGING
DATE	COMMENT		BY: DAVID M. LAWHORN & EMILY S. SCHMID
			IN: HARBOUR CANAL
			DATE: JAN. 16, 2023 SHEET 11 OF 16

14. BOLTS – ALL BOLTS SHALL CONFORM WITH ASTM A307 AND/OR F2329 (AS APPLICABLE) AND HAVE HOT DIPPED GALVANIZING IN ACCORDANCE TO ASTM A153 WITH A MINIMUM ZINC COATING OF 0.90 OZ/FT² (OUNCES PER SQUARE FOOT OF SURFACE AREA). WASHERS SHALL BE PROVIDED BENEATH ALL NUTS AND BOLT HEADS.
15. NUTS – ALL NUTS SHALL MEET THE REQUIREMENTS OF ASTM A563 AND HAVE HOT DIPPED GALVANIZING IN ACCORDANCE TO ASTM A123 WITH A MINIMUM ZINC COATING OF 0.90 OZ/FT² (OUNCES PER SQUARE FOOT OF SURFACE AREA).
16. OGEE WASHERS – ALL OGEE WASHERS SHALL MEET THE REQUIREMENTS OF ASTM A47 AND HAVE HOT DIPPED GALVANIZING IN ACCORDANCE TO ASTM A123 A MINIMUM ZINC COATING OF 0.90 OZ/FT² (OUNCES PER SQUARE FOOT OF SURFACE AREA).
17. NAILS – ALL NAILS SHALL BE MINIMUM 16D COMMON (UNLESS NOTED OTHERWISE), SPIRAL SHANK, HOT DIPPED GALVANIZED OR ELECTROGALVANIZED WITH A MINIMUM ZINC COATING OF 0.90 OZ/FT² (OUNCES PER SQUARE FOOT OF SURFACE AREA).
18. MISCELLANEOUS STEEL COMPONENTS – ALL MISCELLANEOUS STRUCTURAL STEEL COMPONENTS, INCLUDING CONNECTORS, BRACKETS AND MISCELLANEOUS PARTS SHALL BE FABRICATED FROM ASTM A36 STEEL. ALL STRUCTURAL STEEL SHALL BE HOT DIPPED IN ACCORDANCE WITH ASTM A123 WITH A MINIMUM ZINC COATING OF 0.90 OZ/FT² (OUNCES PER SQUARE FOOT OF SURFACE AREA).
19. DRILL ALL HOLES WITH A BIT 1/16" LARGER THAN THE REQUIRED BOLT DIAMETER.
20. ALL BOLT ENDS SHALL BE CUT OFF SUCH THAT A MAXIMUM OF 1" OF BOLT PROTRUDES BEYOND THE NUT.
21. EROSION REPAIR AREAS SHALL BE BACKFILLED WITH ONSITE AND/OR OFFSITE SOILS CLASSIFIED AS SM-SC WITH A PLASTICITY INDEX BETWEEN 10 AND 18. ALL SOILS SHALL BE PLACED IN MAXIMUM 8 INCH LIFTS AND COMPACTED TO 95 PERCENT OF THE SOILS MAXIMUM DRY DENSITY AS DETERMINED IN ACCORDANCE WITH ASTM D698. REPAIRED SLOPE FACE SHALL BE SEEDED WITH VEGETATION APPROVED BY THE OWNER.



REVISION SCHEDULE		MATERIAL NOTES	PROJECT: PIER & DREDGING BY: DAVID M. LAWHORN & EMILY S. SCHMID IN: HARBOUR CANAL DATE: JAN. 16, 2023 SHEET 12 OF 16
DATE	COMMENT		



MLW -1.1 (NAV 88)

SECTION A-A

PROPOSED BOTTOM ELEVATION (-4.1 NAV88)
(3.0 MLW=0)

EX. GRADE

EDGE OF BOX CUT

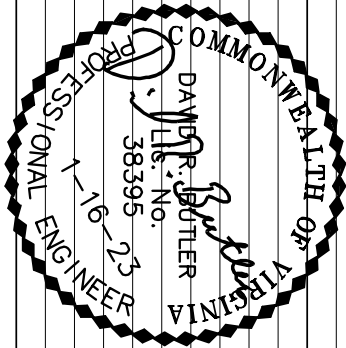
2X BUFFER LINE-TYP.
(ANTICIPATED SIDE SLOPE)

-1
-2
-3
-4

REVISION SCHEDULE	
DATE	COMMENT

DREDGE SECTIONS
 SCALE: 1" = 6' HORIZ.
 SCALE: 1" = 2' VERT.

PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID
 IN: HARBOUR CANAL
 DATE: JAN. 16, 2023 SHEET 13 OF 16



MLW -1.1 (NAV 88)

SECTION B-B

PROPOSED BOTTOM ELEVATION (-4.1 NAV/88)
(3.0 MLW=0)

EX. GRADE

2X BUFFER LINE-TYP.
(ANTICIPATED SIDE SLOPE)

EDGE OF BOX CUT

-4

-3

-2

-1

REVISION SCHEDULE

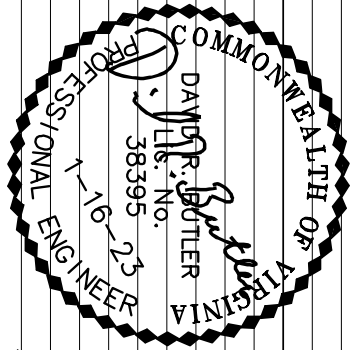
DATE	COMMENT

DREDGE SECTIONS

SCALE: 1" = 6' HORIZ.
SCALE: 1" = 2' VERT.

PROJECT: PIER & DREDGING
BY: DAVID M. LAWHORN &
EMILY S. SCHMID

IN: HARBOUR CANAL
DATE: JAN. 16, 2023 SHEET 14 OF 16



MLW -1.1 (NAV 88)

EX. GRADE

PROPOSED BOTTOM ELEVATION (-4.1 NAV88)
(3.0 MLW=0)

2X BUFFER LINE-TYP.
(ANTICIPATED SIDE SLOPE)

EDGE OF BOX CUT

SECTION C-C

-4
-3
-2
-1

REVISION SCHEDULE	
DATE	COMMENT

DREDGE SECTIONS
 SCALE: 1" = 6' HORIZ.
 SCALE: 1" = 2' VERT.

PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID
 IN: HARBOUR CANAL
 DATE: JAN. 16, 2023 SHEET 15 OF 16

CONSTRUCTION SEQUENCE

1. OBTAIN ALL REQUIRED PERMITS.
2. INSTALL SAFETY FENCE
3. REMOVE EXISTING FLOAT
4. DREDGE
6. SET PILES
7. CONSTRUCT WHARF
8. INSTALL LIFT AND FLOAT
8. SEED & MULCH DISTURBED AREAS

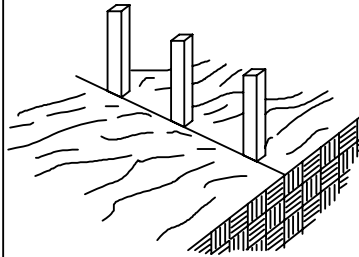
NOTE:

ALL EXCAVATED MATERIAL SHALL BE DISPOSED OF IN A LAWFUL MANNER

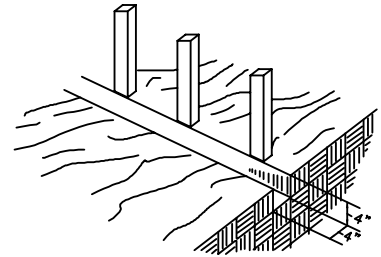
CONSTRUCTION OF FILTER BARRIER

SILT FENCE MUST BE A MINIMUM OF 36" IN HEIGHT, WITH SUPPORTS PLACED EVERY SIX FEET.

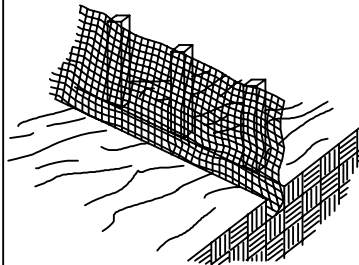
1.) SET THE STAKES



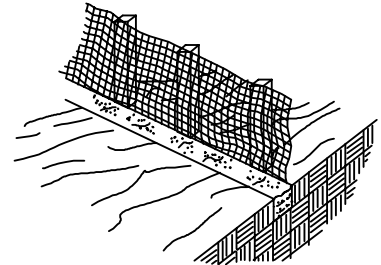
2.) EXCAVATE A 4"x4" TRENCH UPSLOPE ALONG THE LINE OF STAKES.



3.) STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH.



4.) BACKFILL AND COMPACT THE EXCAVATED SOIL.

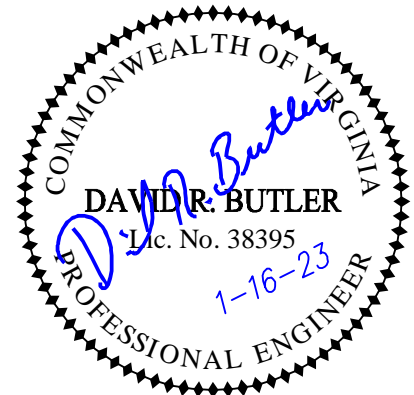


CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHD BEARING	CHORD
C1	04°22'53"	1700.00'	130.00'	65.03'	S 89°05'53" E	129.97'

TURFGRASS PLANTING SPECIFICATIONS

TURF TYPE	TIME OF YEAR TO SEED	SEEDING RATE	COMMENTS
KENTUCKY 31 FESCUE	9-16 - 4-30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	8 LB. PER 1000 SQ. FT.	MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
NARROW LEAFED FESCUES	9-16 - 4-30 (OR SOD ANY SEASON WITH ADEQUATE WATER PROVIDED)	6 LB. PER 1000 SQ. FT.	IMPROVED FESCUES. MIX WITH ANNUAL RYE FOR QUICK STABILIZATION
BERMUDA (HULLED)	5-1 - 9-15 (OR SOD DURING THIS SAME TIME PERIOD)	2 LB. PER 1000 SQ. FT.	



REVISION SCHEDULE

DATE	COMMENT

NOTES & DETAILS

PROJECT: PIER & DREDGING
 BY: DAVID M. LAWHORN &
 EMILY S. SCHMID

IN: HARBOR CANAL

DATE: JAN. 16, 2023 SHEET 16 OF 16

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Dante A. and Evelyn P. Baral, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of David M. Lawhorn and Emily S. Schmid
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated January 16, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

D. Baral / E. Baral
Adjacent/nearby property owner's signature(s)

April 4, 2023
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER’S ACKNOWLEDGEMENT FORM

I (we), John A. Trefry, III and Cynthia W. Trefry, own land next to (across the water
(Print adjacent/nearby property owner’s name)

from/on the same cove as) the land of David M. Lawhorn and Emily S. Schmid
(Print applicant’s name(s))

I have reviewed the applicant’s project drawings dated January 16, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

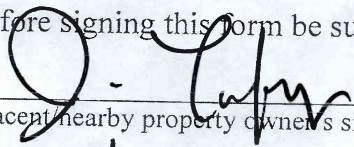
I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT X TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).


Adjacent/nearby property owner’s signature(s)

4/1/2023
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), William J. and Leslie S. Parrish, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of David M. Lawhorn and Emily S. Schmid.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated January 16, 2023
(Date)

to be submitted for all necessary federal, state and local permits.


I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).


Adjacent/nearby property owner's signature(s)

1 Apr 23
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Junior and Jill Johnson, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of David M. Lawhorn and Emily S. Schmid,
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated January 16, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

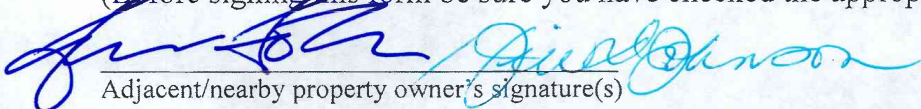
I HAVE NO COMMENT _____ ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT _____ TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).


Adjacent/nearby property owner's signature(s)

4/15/2023
Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

4. 2023-WTRA-00133

Charles E. Falk Jr. & Susan M. Falk

[Applicants & Owners]

724 Oriole Drive

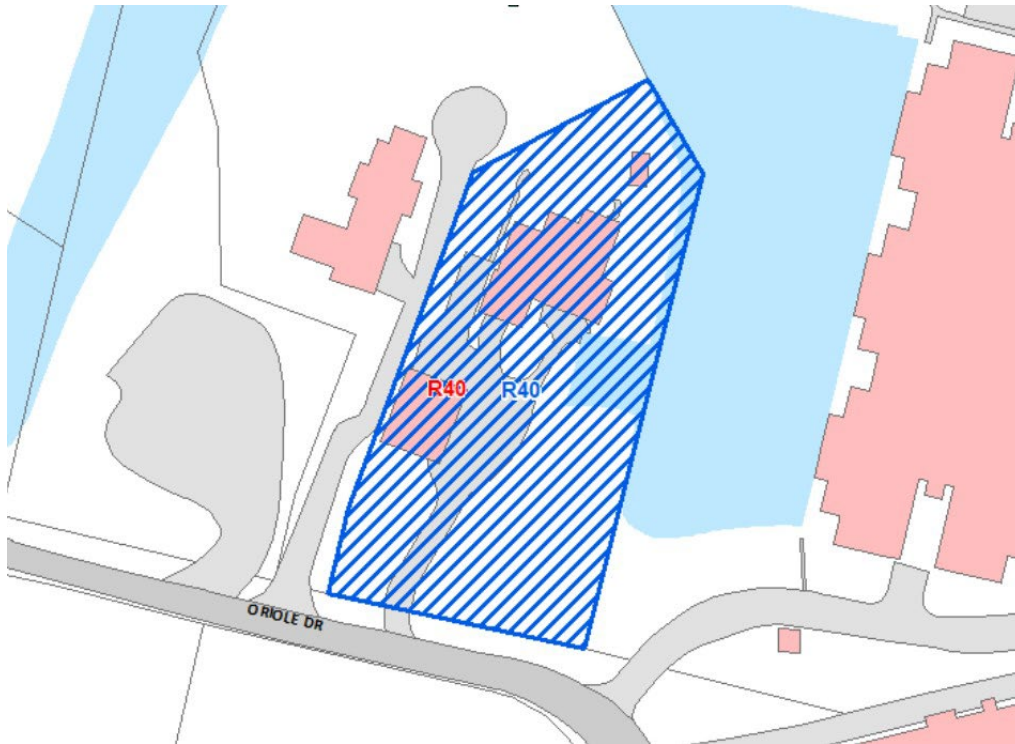
GPIN 2418-61-8861

City Council District: District 6, formerly Lynnhaven

Waterway – Little Neck Creek

Subdivision – Birdneck Point

Request: To construct a bulkhead and rip rap revetment involving wetlands.



Disclosure Statement

The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name Charles Falk Jr.

Does the applicant have a representative? Yes No

- If **yes**, list the name of the representative.

Waterfront Consulting Inc. - Robert Simon

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? Yes No

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)
-
-
-

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)
-
-

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? Yes No

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes No

- If **yes**, identify the financial institutions.

PHH Mortgage

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes No

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the firm or individual providing the service.

Doug Bradshaw, Scott, Bradshaw and Rawles

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? Yes No

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

Sean Green - Engineer, Robert Simon - Agent

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

DocuSigned by:

12F361CFC98444E...
Applicant Signature

Charles Falk Jr.

Print Name and Title

5/22/2023

Date

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 23-1269

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<u><i>Check all that apply</i></u>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	Regional Permit 17 (RP-17) <input type="checkbox"/>			
NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)				
County or City in which the project is located: <u>Virginia Beach, VA</u>				
Waterway at project site: <u>Little Neck Creek</u>				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial
All	Approved/Boat Lift	1993-0800	06/24/93	

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
Charles Falk Jr. Home () _____
724 Oriole Drive Work () _____
Virginia Beach, VA 23451 Fax () _____
Cell (757) 434-8504
e-mail smfalk1@cox.net
State Corporation Commission Name and ID Number (if applicable) _____
2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:
Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail _____
State Corporation Commission Name and ID Number (if applicable) _____
3. Authorized agent name* and complete mailing address (if applicable): Contact Information:
Waterfront Consulting, Inc. Home () _____
2589 Quality Court, Ste. 323 Work (757) 425-8244
Virginia Beach, VA 23454 Fax (757) 425-8244
Cell (757) 619-7302
e-mail bob@waterfrontconsulting.net
State Corporation Commission Name and ID Number (if applicable) 047-4381-1

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

The proposed project involves:

- The placement of 165 LF of rip rap revetment landward of the existing failing bulkhead to the north.
- The placement of 31 LF of rip rap revetment between the proposed bulkhead and the existing rip rap to the south.
- An 8'x40' wharf over the proposed rip rap revetment.
- The construction of 126 LF of In-line vinyl bulkhead.
- The construction of 5'x36' floating pier.
- The relocation of a four pile boatlift.
- Installing (6) mooring piles

The wharf will use (12) 8" timber piles, the bulkhead will use (27) 8" timber piles, the float will use (3) 10" timber piles, and (6) 10" mooring piles to be driven via a vibratory hammer mounted to an excavator on land.

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ___ Yes* No. *If your answer is “Yes” complete the remainder of this question and submit the Applicant’s and Contractor’s Acknowledgment Form (enclosed)

Contractor’s name* and complete mailing address:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell () _____

email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

Virginian Pilot

(757) 622-1455 _____

150 W. Brambleton Avenue

Norfolk, VA 23510

7. Give the following project location information:

Street Address (911 address if available) 724 Oriole Drive _____

Lot/Block/Parcel# Site A Lot 1 1Ac _____

Subdivision Birdneck Point _____

City / County Virginia Beach, VA _____ ZIP Code 23451 _____

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):

36.858785 / -75.99104 _____ (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

The project is located on public roads.

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be “to protect property from erosion due to boat wakes” and the secondary purpose may be “to provide safer access to a pier.”

Primary Purpose: Erosion Prevention

Secondary Purpose: Water Access

Part 1 - General Information (continued)

9. Proposed use (check one):
 Single user (private, non-commercial, residential)
 Multi-user (community, commercial, industrial, government)
10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*

Silt fencing will be used to prevent runoff. The non-vegetated mud will be converted to non-vegetated rip rap revetment. The proximity of the house and other structures do not allow for a living shoreline in the boat slip or north side of boat slip.
11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ 160,000.00 _____
Approximate cost of that portion of the project that is channelward of mean low water:
\$ 100,000.00 _____
13. Completion date of the proposed work: Approximately 1 year from permit date - _____
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.

Scott Parr	728 Oriole Drive	Virginia Beach, VA 23451
Condo Association	700 Oriole Drive	Virginia Beach, VA 23451

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Charles Falk Jr.

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:

12F361CFC98444E

Applicant's Signature

(Use if more than one applicant)

5/22/2023

Date

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), Charles Falk Jr., hereby certify that I (we) have authorized Waterfront Consulting, Inc.
(Applicant’s legal name(s)) (Agent’s name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

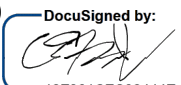
We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Robert E. Simon, V.P.

(Agent’s Signature)

(Use if more than one agent)

5/22/2023

(Date) 

(Applicant’s Signature)

(Use if more than one applicant)

5/22/2023

(Date)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), Charles Falk Jr., have contracted _____
(Applicant’s legal name(s)) (Contractor’s name(s))

to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor’s name or name of firm

Contractor’s or firms address

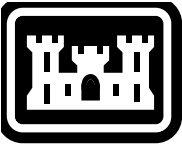
Contractor’s signature and title

Contractor’s License Number

Applicant’s signature

(use if more than one applicant)

Date



REGIONAL PERMIT 17 CHECKLIST

Please review the 18-RP-17 enclosure before completing this form and note 18-RP-17 can only be used for proposed **PRIVATE USE** structures that comply with the terms and conditions of 18-RP-17. Copies can be obtained online at <http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>.

- YES NO (1) Has the permittee reviewed the 18-RP-17 enclosure and verified that the proposed structure(s) is in compliance with all the terms, conditions, and limitations of 18-RP-17?
- YES NO (2) Does the proposed structure(s) extend no more than one-fourth of the distance across the waterway measured from either mean high water (MHW) to MHW (including all channelward wetlands) or ordinary high water (OHW) to OHW (including all channelward wetlands)?
- YES NO (3) Does the proposed structure(s) extend no more than 300 feet from MHW or OHW (including all channelward wetlands)?
- YES NO N/A (4) Does the proposed structure(s) attach to the upland at a point landward of MHW or OHW (including all channelward wetlands)?
- YES NO N/A (5) If the proposed structure(s) crosses wetland vegetation, is it an open-pile design that has a maximum width of five (5) feet and a minimum height of four (4) feet between the decking and the wetland substrate?
- YES NO N/A (6) Does the proposed structure(s) include no more than two (2) boatlifts and no more than two (2) boat slips?
- YES NO N/A (7) Is the open-sided roof structure designed to shelter a boat \leq 700 square feet and/or is the open sided roof structure or gazebo structure designed to shelter a pier \leq 400 square feet?
- YES NO N/A (8) Are all piles associated with the proposed structure(s) non-steel, less than or equal to 12" in diameter, and will less than or equal to 25 piles be installed channelward of MHW?
- YES NO N/A (9) Is all work occurring behind cofferdams, turbidity curtains, or other methods to control turbidity being utilized when operationally feasible and federally listed threatened or endangered species may be present?
- YES NO N/A (10) If the proposed structure(s) is to be located within an anadromous fish use area, will the prospective permittee adhere to the anadromous fish use area time of year restriction (TOYR) prohibiting in-water work from occurring between February 15 through June 30 of any given year if (1) piles are to be installed with a cushioned impact hammer and there is less than 492 feet between the most channelward pile and mean low water (MLW) on the opposite shoreline or (2) piles are to be installed with a vibratory hammer and there is less than 384 feet between the most channelward pile and MLW on the opposite shoreline?
- YES NO (11) Is all work occurring outside of submerged aquatic vegetation (SAV) mapped by the Virginia Institute of Marine Sciences' (VIMS) most recent survey year and 5 year composite?
- YES NO (12) Has the permittee ensured the construction and/or installation of the proposed structure(s) will not affect federally listed threatened or endangered species or designated critical habitat?
- YES NO (13) Will the proposed structure be located outside of Broad Creek in Middlesex County, Fisherman's Cove in Norfolk, or the Salt Ponds in Hampton?
- YES NO (14) Will the proposed structure(s) be located outside of the waterways containing a Federal Navigation Project listed in Permit Specific Condition 12 of 18-RP-17 and/or will all portions of the proposed structure(s) be located more than 85 feet from the Federal Navigation Project?

- YES NO (15) Will the proposed structure(s) be located outside a USACE Navigation and Flood Risk Management project area?
- YES NO (16) Will the proposed structure(s) be located outside of any Designated Trout Waters?
- YES NO N/A (17) If the proposed structure(s) includes flotation units, will the units be made of materials that will not become waterlogged or sink if punctured?
- YES NO N/A (18) If the proposed structure(s) includes flotation units, will the floating sections be braced so they will not rest on the bottom during periods of low water?
- YES NO (19) Is the proposed structure(s) made of suitable materials and practical design so as to reasonably ensure a safe and sound structure?
- YES NO (20) Will the proposed structure(s) be located on the property in accordance with the local zoning requirements?
- YES NO N/A (21) If the proposed structure(s) includes a device used for shellfish gardening, will the device be attached directly to a pier and limited to a total of 160 square feet?
- YES NO N/A (22) If the proposed structure(s) includes a device used for shellfish gardening, does the permittee recognize this RP does not negate their responsibility to obtain an oyster gardening permit (General Permit #3) from Virginia Marina Resources Commission (VMRC)'s Habitat Management Division? Please refer to Appendix D of the Tidewater JPA for more details on VMRC's aquaculture requirements.
- YES NO (23) Does the permittee recognize this RP does not authorize any dredging or filling of waters the United States (including wetlands) and does not imply that future dredging proposals will be approved by the Corps?
- YES NO (24) Does the permittee understand that by accepting 18-RP-17, the permittee accepts all of the terms and conditions of the permit, including the limits of Federal liability contained in the 18-RP-17 enclosure? Does the permittee acknowledge that the structures permitted under 18-RP-17 may be exposed to waves caused by passing vessels and that the permittee is solely responsible for the integrity of the structures permitted under 18-RP-17 and the exposure of such structures and vessels moored to such structures to damage from waves? Does the permittee accept that the United States is not liable in any way for such damage and that it shall not seek to involve the United States in any actions or claims regarding such damage?

IF YOU HAVE ANSWERED "NO" TO ANY OF THE QUESTIONS ABOVE, REGIONAL PERMIT 17 (18-RP-17) DOES NOT APPLY AND YOU ARE REQUIRED TO OBTAIN WRITTEN AUTHORIZATION FROM THE CORPS PRIOR TO PERFORMING THE WORK.

IF YOU HAVE ANSWERED "YES" (OR "N/A", WHERE APPLICABLE) TO ALL OF THE QUESTIONS ABOVE, YOU ARE IN COMPLIANCE WITH REGIONAL PERMIT 17 (18-RP-17). PLEASE SIGN BELOW, ATTACH, AND SUBMIT THIS CHECKLIST WITH YOUR COMPLETED JOINT PERMIT APPLICATION (JPA). THIS SIGNED CERTIFICATE SERVES AS YOUR LETTER OF AUTHORIZATION FROM THE CORPS. YOU WILL NOT RECEIVE ANY OTHER WRITTEN AUTHORIZATION FROM THE CORPS; HOWEVER, YOU MAY NOT PROCEED WITH CONSTRUCTION UNTIL YOU HAVE OBTAINED ALL OTHER NECESSARY STATE AND LOCAL PERMITS.

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL CONDITIONS OF THE REGIONAL PERMIT 17 (18-RP-17), DATED SEPTEMBER 2018, ISSUED BY THE US ARMY CORPS OF ENGINEERS, NORFOLK DISTRICT REGULATORY BRANCH (CENAO-WRR), NORFOLK, VIRGINIA.

Robert E. Simon, Agent

Signature of Property Owner(s) or Agent

Date _____

Proposed work to be located at:
724 Oriole Drive

Virginia Beach, VA 23451

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write “N/A” in the space provided.

Appendix A: (TWO PAGES) Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. Briefly describe your proposed project.

The proposed project involves:

- An 8'x40' wharf over the proposed rip rap revetment.
- The construction of 5'x36' floating pier.
- The relocation of a four pile boatlift.
- Installing (6) mooring piles

2. For private, noncommercial piers:

Do you have an existing pier on your property? Yes ___ No

If yes, will it be removed? Yes ___ No

Is your lot platted to the mean low water shoreline? Yes ___ No

What is the overall length of the proposed structure? 36 feet.

Channelward of Mean High Water? 36 feet.

Channelward of Mean Low Water? 36 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 0 square feet.

Tidal vegetated wetlands 0 square feet.

Submerged lands 180 square feet.

What is the total size of any and all L- or T-head platforms? 180 sq. ft.

For boathouses, what is the overall size of the roof structure? _____ sq. ft.

Will your boathouse have sides? ___ Yes ___ No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § [28.2-1203](#) A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § [28.2-1205](#) for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § [28.2-1204](#).

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

The proposed project involves:

- The placement of 165 LF of rip rap revetment landward of the existing failing bulkhead to the north.
- The placement of 31 LF of rip rap revetment between the proposed bulkhead and the existing rip rap to the south.
- The construction of 126 LF of In-line vinyl bulkhead.

-There will be 150 Non Vegetated wetlands impacts for the washed out area behind the existing bulkhead to the north. This area will be converted to Non Vegetated rock habitat.

-There will be 140 Non Vegetated wetlands impacts for the low area behind the bulkhead to the south. This area will be converted to vegetated wetlands.

-378 SF of vegetated wetlands will be created on site for this project.

-10-15 CY of fill will be used for this project.

2. What is the maximum encroachment channelward of mean high water? 3 feet.
Channelward of mean low water? 0 feet.
Channelward of the back edge of the dune or beach? _____ feet.

3. Please calculate the square footage of encroachment over:

- Vegetated wetlands 0 square feet
- Non-vegetated wetlands 290 square feet
- Subaqueous bottom 0 square feet
- Dune and/or beach 0 square feet

4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes No.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Bulkhead - Vinyl Sheet Piles

Rip Rap - Class 1 & A1 quarry stone, heavy duty filter cloth

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:

Core (inner layer) material _____ pounds per stone Class size _____

Armor (outer layer) material _____ pounds per stone Class size _____

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material _____ cubic yards channelward of mean low water
 _____ cubic yards landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Area to be covered _____ square feet channelward of mean low water
 _____ square feet landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): _____

- Method of transportation and placement:

- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 724 Oriole Drive

APPLICANT'S NAME: Charles Falk Jr.

APPLICANT'S ADDRESS: 724 Oriole Drive

Virginia Beach, VA 23451

ENGINEER OF RECORD: Sean Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: Bulkhead, Rip Rap, Pier, Wharf

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.



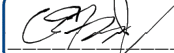
SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

Sean Green, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:



5/22/2023

SIGNATURE OF APPLICANT

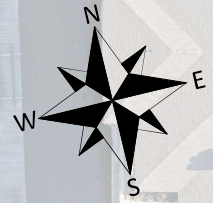
DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR

DATE

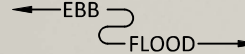
ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____



APO #1
NOW OR FORMERLY
SCOTT R. PARR
728 ORIOLE DRIVE
GPIN: 2418-61-7995-0000

LITTLE NECK CREEK



N 65°18'50" E 112.75'
S 24°41'10" E 59.16'



EXISTING VINYL BULKHEAD
S 15°02'00" W 295.00'

APO #2
NOW OR FORMERLY
CONDO ASSOCIATION MASTER
700 ORIOLE DRIVE
GPIN: 2418-71-3841-0000

2 STORY BRICK
#724 ORIOLE

EXISTING TIMBER BULKHEAD
MLW @ EX. BULKHEAD

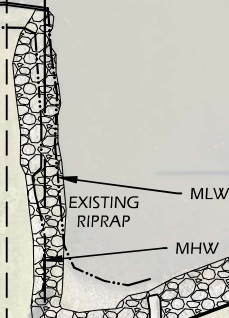


N 22°00'00" E 210.00'



PAVER WALK

EX. PIER AND LIFT



Digitally signed by: Sean E. Green
Date: 2023.06.07 22:07:21 -05'00'

10' DRAINAGE & UTILITIES EASEMENT
M.B. 88 PG. 20

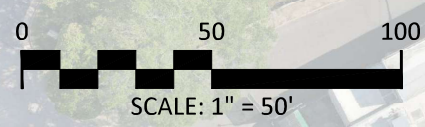
10' DEDICATED TO THE CITY OF VIRGINIA BEACH FOR WIDENING

N 15°02'00" W 50.00'

N 74°58'00" W 150.00'

EXISTING CONDITIONS

ORIOLE DRIVE
30' RIGHT-OF-WAY



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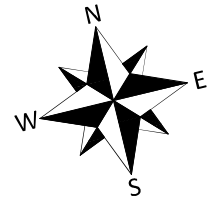
PURPOSE: EROSION CONTROL, ACCESS
DATUM: MLW = 0.00'
APOS:
1. SCOTT R. PARR
2. CONDO ASSOCIATION MASTER



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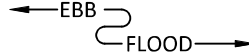
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302
ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: RIPRAP, WHARF, PIER & MOORING PILES
IN: LITTLE NECK CREEK
AT: 724 ORIOLE DRIVE
VIRGINIA BEACH, VA 23451-4927
APPLICATION BY:
CHARLES E. FALK JR.
SHEET: 1 OF 12
DATE: SEPTEMBER 27, 2022



APO #1
NOW OR FORMERLY
SCOTT R. PARR
728 ORIOLE DRIVE
GPIN: 2418-61-7995-0000

LITTLE NECK CREEK



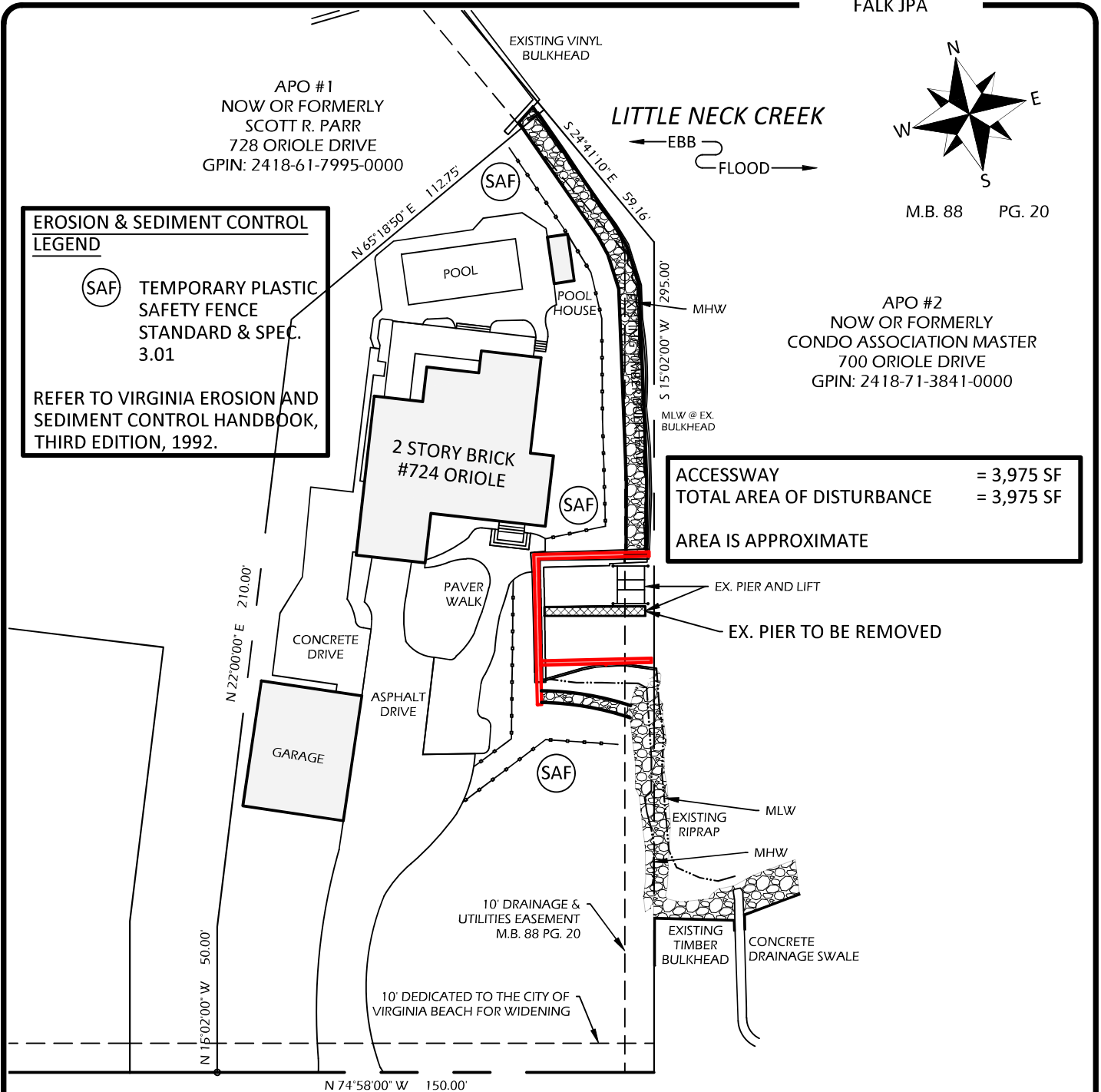
**EROSION & SEDIMENT CONTROL
LEGEND**

(SAF) TEMPORARY PLASTIC
SAFETY FENCE
STANDARD & SPEC.
3.01

REFER TO VIRGINIA EROSION AND
SEDIMENT CONTROL HANDBOOK,
THIRD EDITION, 1992.

APO #2
NOW OR FORMERLY
CONDO ASSOCIATION MASTER
700 ORIOLE DRIVE
GPIN: 2418-71-3841-0000

ACCESSWAY = 3,975 SF
TOTAL AREA OF DISTURBANCE = 3,975 SF
AREA IS APPROXIMATE



**SITE ACCESS &
DISTURBANCE**

ORIOLE DRIVE
30' RIGHT-OF-WAY



SCALE: 1" = 50'

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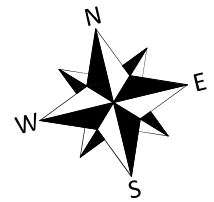
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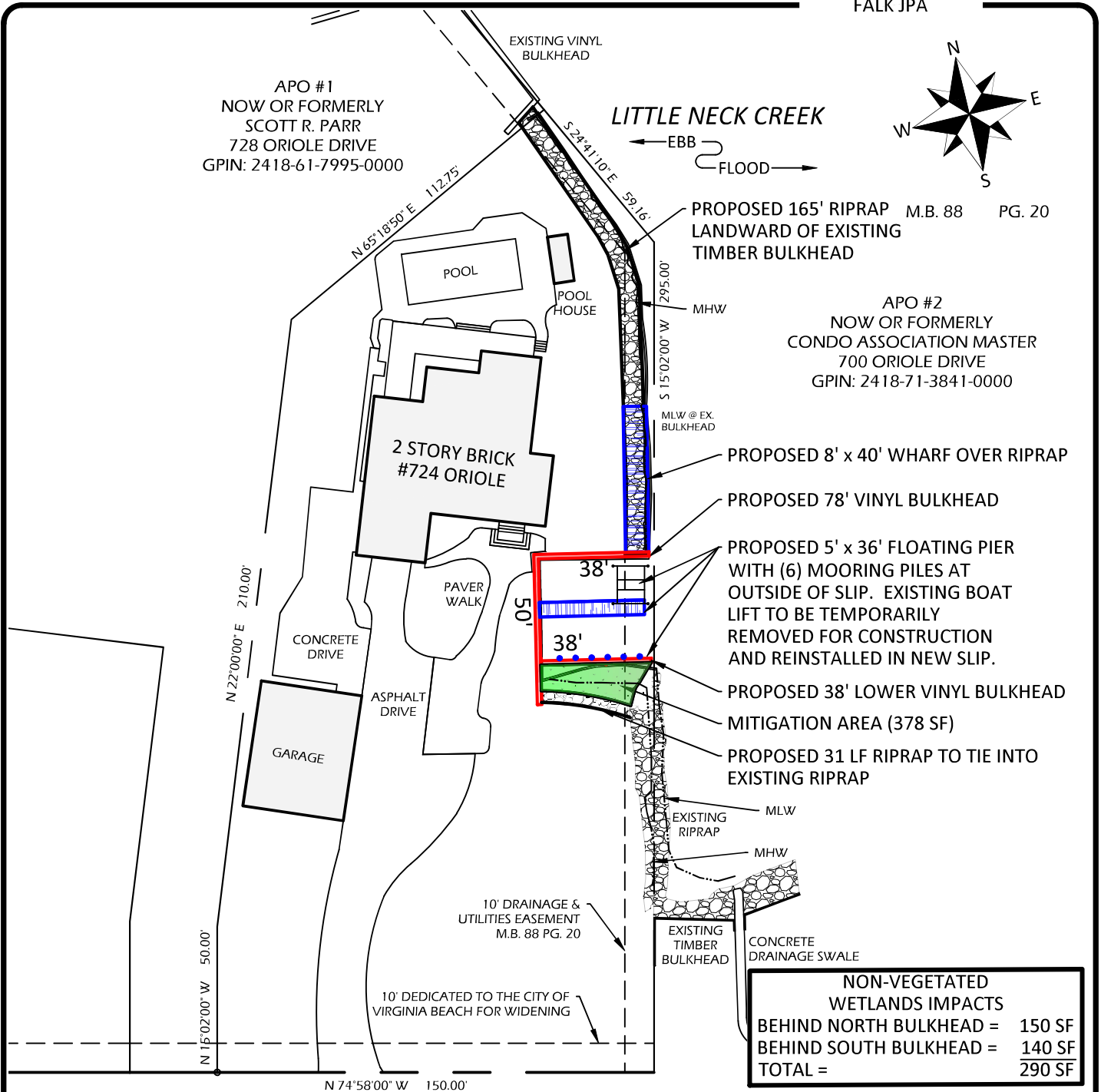
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PROPOSED: RIPRAP, WHARF, PIER &
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IN: LITTLE NECK CREEK
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APPLICATION BY:
CHARLES E. FALK JR.
SHEET: 2 OF 12
DATE: SEPTEMBER 27, 2022



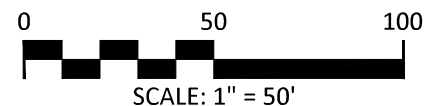
APO #1
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728 ORIOLE DRIVE
GPIN: 2418-61-7995-0000

APO #2
NOW OR FORMERLY
CONDO ASSOCIATION MASTER
700 ORIOLE DRIVE
GPIN: 2418-71-3841-0000



NON-VEGETATED WETLANDS IMPACTS	
BEHIND NORTH BULKHEAD =	150 SF
BEHIND SOUTH BULKHEAD =	140 SF
TOTAL =	290 SF

PROPOSED IMPROVEMENTS *ORIOLE DRIVE*
30' RIGHT-OF-WAY



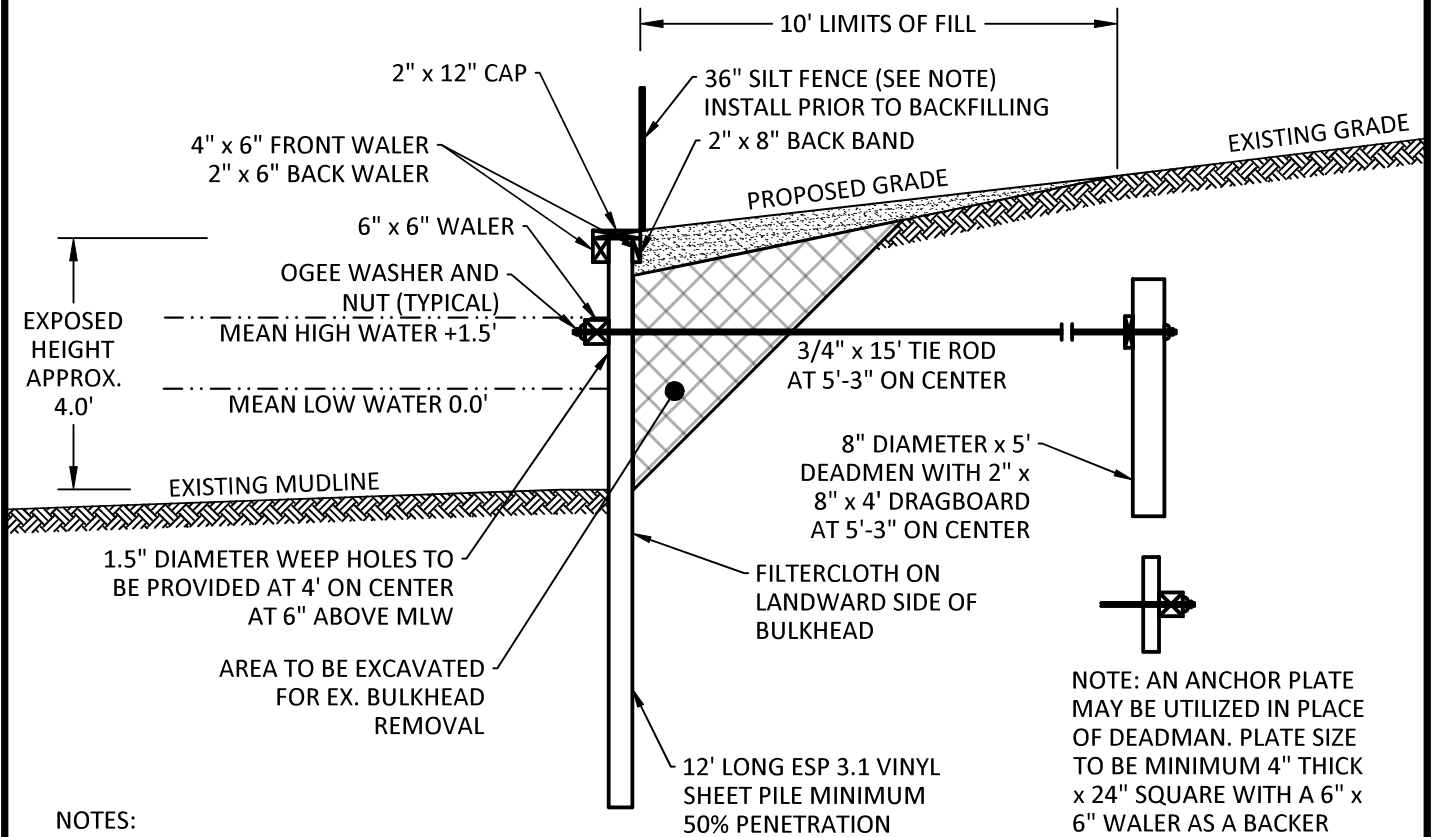
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IN: LITTLE NECK CREEK
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APPLICATION BY:
CHARLES E. FALK JR.
SHEET: 3 OF 12
DATE: SEPTEMBER 27, 2022

PROPOSED IN-LINE BULKHEAD CROSS SECTION

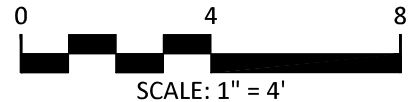


NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND SHEET PILE LENGTHS. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.

NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 24" SQUARE WITH A 6" x 6" WALER AS A BACKER FOR THE TIE ROD



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PURPOSE: EROSION CONTROL, ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. SCOTT R. PARR
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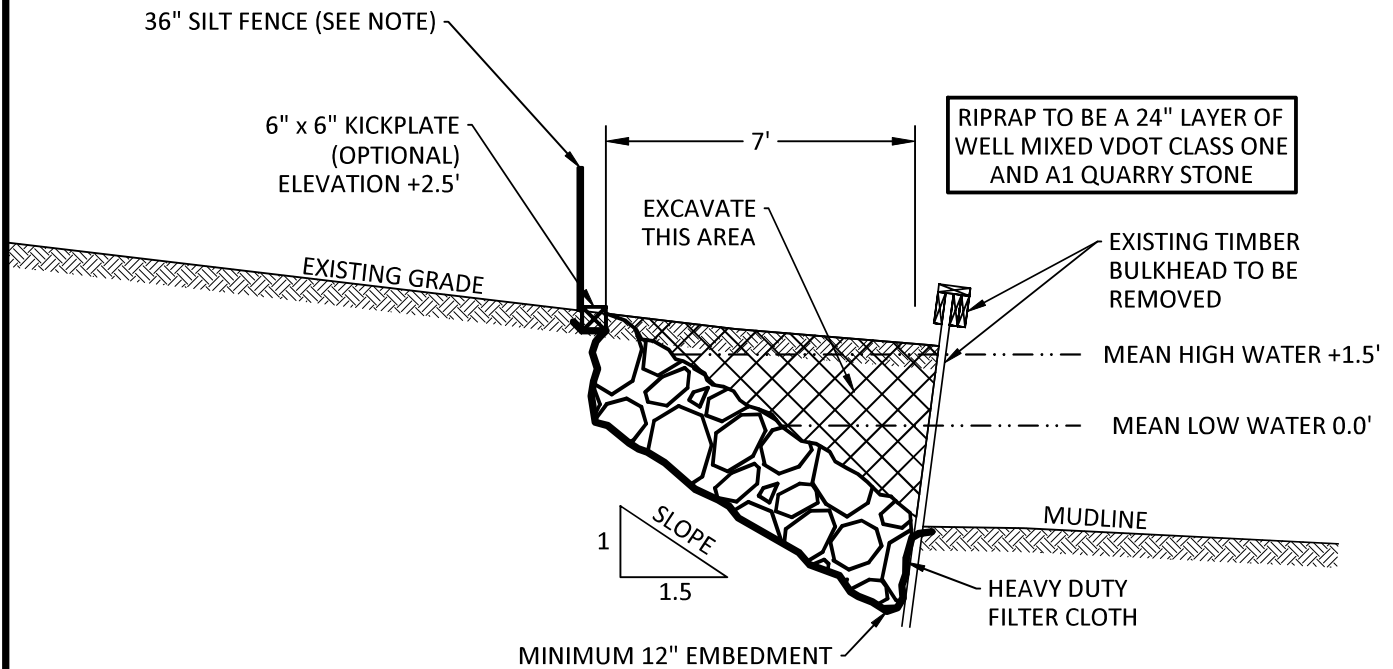


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PROPOSED: RIPRAP, WHARF, PIER & MOORING PILES
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 VIRGINIA BEACH, VA 23451-4927
 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 4 OF 12
 DATE: SEPTEMBER 27, 2022

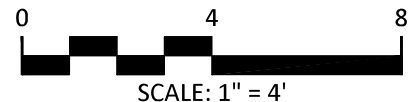
PROPOSED RIPRAP CROSS SECTION



NOTES:

1. RIPRAP LAYOUT IS BASED ON VISUAL ON SITE INSPECTION.
2. ADDITIONAL STONE MAY BE REQUIRED THAN SHOWN DUE TO SETTLEMENT DURING CONSTRUCTION.
3. DIMENSIONS SHOWN ARE DIMENSIONS UPON COMPLETION OF THE PROJECT AFTER INITIAL CONSTRUCTION SETTLEMENT.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE DESIGN. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS.



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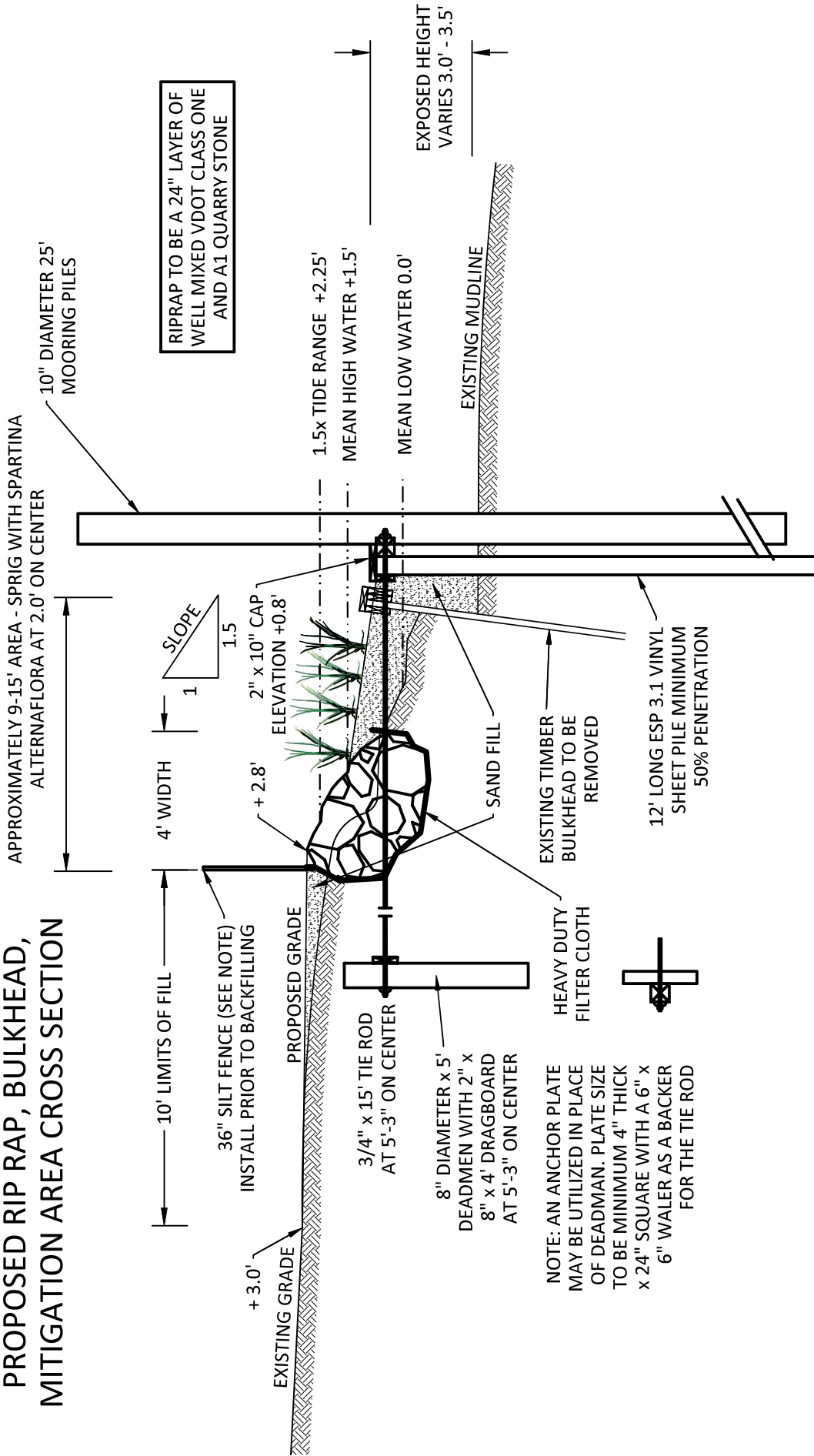


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 APPLICATION BY:
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 SHEET: 5 OF 12
 DATE: SEPTEMBER 27, 2022

PROPOSED RIP RAP, BULKHEAD, MITIGATION AREA CROSS SECTION



10" DIAMETER 25' MOORING PILES

1.5x TIDE RANGE +2.25'
MEAN HIGH WATER +1.5'
MEAN LOW WATER 0.0'

EXISTING MUDLINE

EXPOSED HEIGHT VARIES 3.0' - 3.5'

APPROXIMATELY 9'-15' AREA - SPRIG WITH SPARTINA ALTERNAFLORA AT 2.0' ON CENTER

4' WIDTH

SLOPE 1.5

2" x 10" CAP ELEVATION +0.8'

+ 2.8'

SAND FILL

EXISTING TIMBER BULKHEAD TO BE REMOVED

12' LONG ESP 3.1 VINYL SHEET PILE MINIMUM 50% PENETRATION

36" SILT FENCE (SEE NOTE) INSTALL PRIOR TO BACKFILLING

PROPOSED GRADE

EXISTING GRADE

+ 3.0'

3/4" x 15' TIE ROD AT 5'-3" ON CENTER

8" DIAMETER x 5' DEADMEN WITH 2" x 8" x 4' DRAGBOARD AT 5'-3" ON CENTER

HEAVY DUTY FILTER CLOTH

NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 24" SQUARE WITH A 6" x 6" WALLER AS A BACKER FOR THE TIE ROD

3/4" x 15' TIE ROD AT 5'-3" ON CENTER

8" DIAMETER x 5' DEADMEN WITH 2" x 8" x 4' DRAGBOARD AT 5'-3" ON CENTER

HEAVY DUTY FILTER CLOTH

EXISTING TIMBER BULKHEAD TO BE REMOVED

12' LONG ESP 3.1 VINYL SHEET PILE MINIMUM 50% PENETRATION

APPROXIMATELY 9'-15' AREA - SPRIG WITH SPARTINA ALTERNAFLORA AT 2.0' ON CENTER

4' WIDTH

SLOPE 1.5

2" x 10" CAP ELEVATION +0.8'

+ 2.8'

SAND FILL

EXISTING TIMBER BULKHEAD TO BE REMOVED

12' LONG ESP 3.1 VINYL SHEET PILE MINIMUM 50% PENETRATION

36" SILT FENCE (SEE NOTE) INSTALL PRIOR TO BACKFILLING

PROPOSED GRADE

EXISTING GRADE

+ 3.0'

3/4" x 15' TIE ROD AT 5'-3" ON CENTER

8" DIAMETER x 5' DEADMEN WITH 2" x 8" x 4' DRAGBOARD AT 5'-3" ON CENTER

HEAVY DUTY FILTER CLOTH

NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 24" SQUARE WITH A 6" x 6" WALLER AS A BACKER FOR THE TIE ROD

10" DIAMETER 25' MOORING PILES

1.5x TIDE RANGE +2.25'
MEAN HIGH WATER +1.5'
MEAN LOW WATER 0.0'

EXISTING MUDLINE

EXPOSED HEIGHT VARIES 3.0' - 3.5'

APPROXIMATELY 9'-15' AREA - SPRIG WITH SPARTINA ALTERNAFLORA AT 2.0' ON CENTER

4' WIDTH

SLOPE 1.5

2" x 10" CAP ELEVATION +0.8'

+ 2.8'

SAND FILL

EXISTING TIMBER BULKHEAD TO BE REMOVED

12' LONG ESP 3.1 VINYL SHEET PILE MINIMUM 50% PENETRATION

36" SILT FENCE (SEE NOTE) INSTALL PRIOR TO BACKFILLING

PROPOSED GRADE

EXISTING GRADE

+ 3.0'

3/4" x 15' TIE ROD AT 5'-3" ON CENTER

8" DIAMETER x 5' DEADMEN WITH 2" x 8" x 4' DRAGBOARD AT 5'-3" ON CENTER

HEAVY DUTY FILTER CLOTH

NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 24" SQUARE WITH A 6" x 6" WALLER AS A BACKER FOR THE TIE ROD

10" DIAMETER 25' MOORING PILES

1.5x TIDE RANGE +2.25'
MEAN HIGH WATER +1.5'
MEAN LOW WATER 0.0'

EXISTING MUDLINE

EXPOSED HEIGHT VARIES 3.0' - 3.5'

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PURPOSE: EROSION CONTROL, ACCESS
 DATUM: MLW = 0.00'
 APOS:
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 2. CONDO ASSOCIATION MASTER

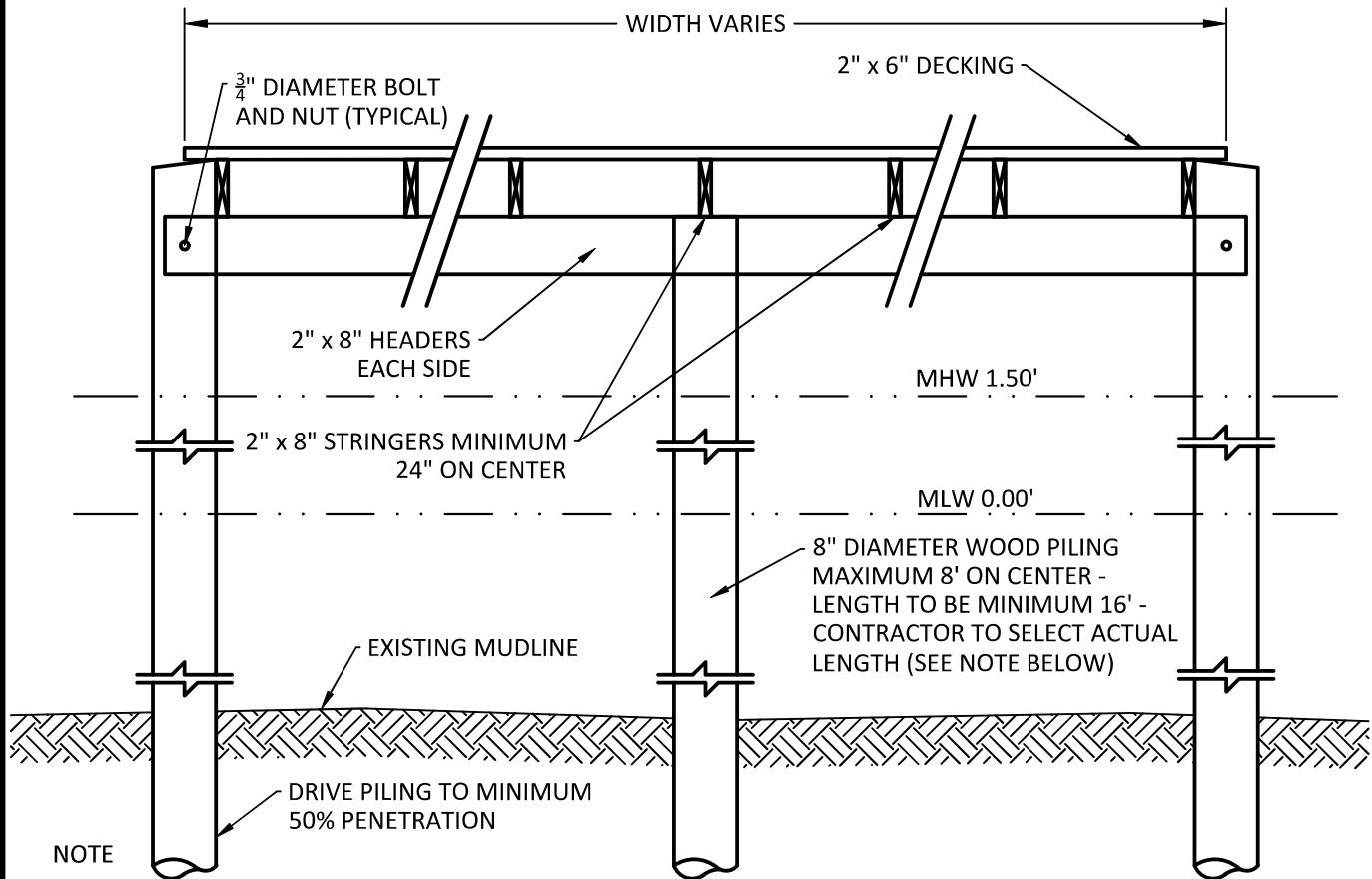


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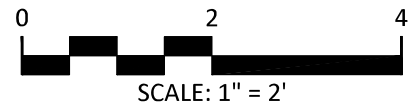
PROPOSED: RIPRAP, WHARF, PIER & MOORING PILES
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 AT: 724 ORIOLE DRIVE
 VIRGINIA BEACH, VA 23451-4927
 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 6 OF 12
 DATE: SEPTEMBER 27, 2022

PROPOSED WHARF CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 7 OF 12
 DATE: SEPTEMBER 27, 2022

NLAA COMPLIANCE

ITEM	8" PILE	10" PILE	12" PILE		
WHARF	12				
MOORING		6			
FLOATING PIER		3			

ALL PILES TO BE TIMBER, DRIVEN WITH EXCAVATOR MOUNTED VIBRATORY HAMMER

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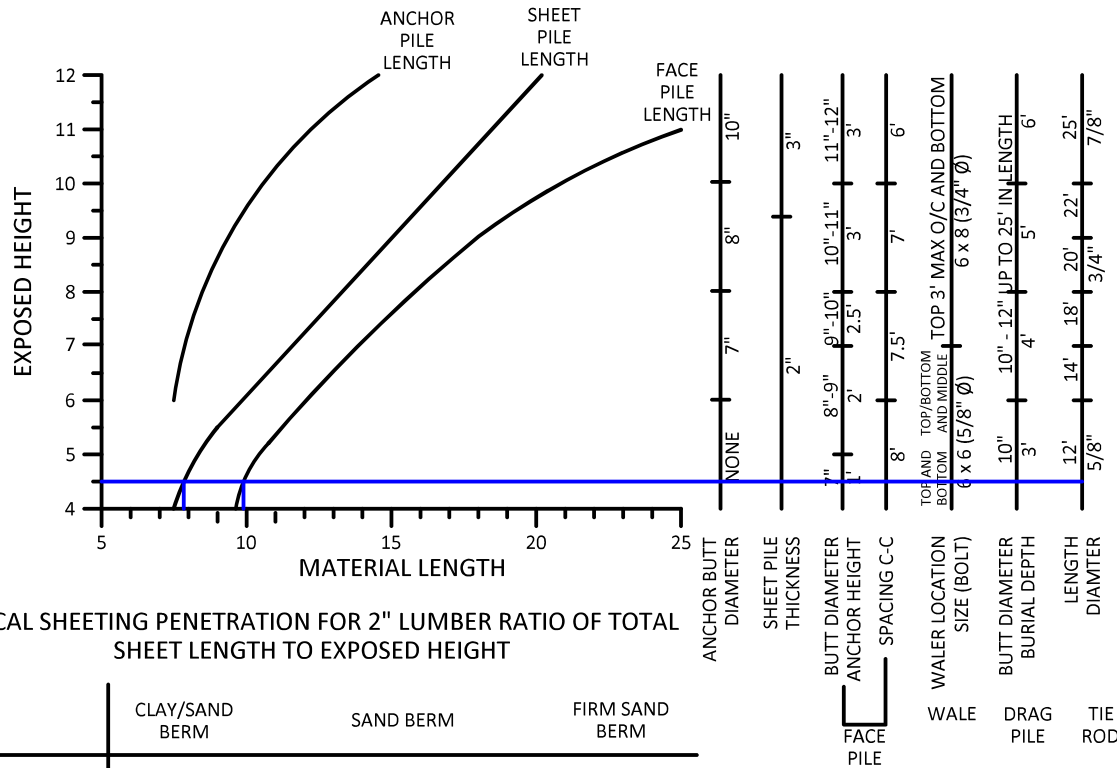
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BULKHEAD DESIGN NOMOGRAPH

(FLAT BERM/BANK, SANDY SOIL)
(FROM SOUTHERN PINE COUNCIL MARINE CONSTRUCTION MANUAL)



ASSUMES NO SURCHARGE AND NO HYDROSTATIC PRESSURE.

1'-1/2" WEEP HOLES PROVIDED AT 6' ON CENTER AT MEAN LOW LOW WATER OR 6" ABOVE BERM LINE WITH 1 CUBIC FOOT OF STONE WRAPPED IN FILTER FABRIC AS FILTER.

THESE PLANS ARE FOR PERMIT PURPOSES ONLY.

BULKHEAD MATERIAL DIMENSIONS SHOWN ABOVE ARE THE MINIMUMS ACCEPTABLE BASED ON STANDARD DESIGN PRACTICES AND THE VISIBLE SITE CHARACTERISTICS. NO GEOTECHNICAL ANALYSIS HAS BEEN PERFORMED AT THIS SITE. IT SHALL BE THE OWNER/CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT THE ACTUAL EXPOSED HEIGHT OF THE BULKHEAD IS DETERMINED PRIOR TO THE INSTALLATION OF ANY MATERIALS. ACTUAL EXPOSED HEIGHT IS BASED ON DEPTH OF FIRM MATERIAL TO CAP OF BULKHEAD. THE ACTUAL LENGTH OF THE MATERIALS REQUIRED MAY NEED TO BE INCREASED BEYOND THOSE SHOWN IN THESE DRAWINGS.

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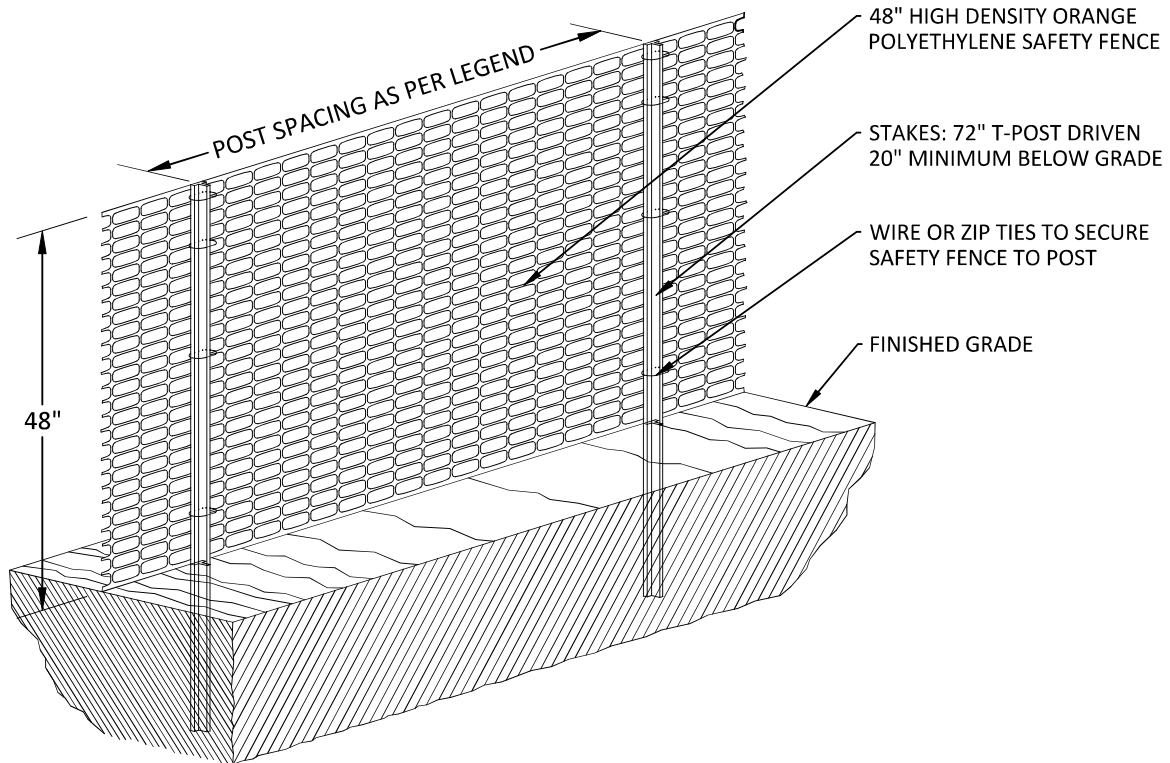
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 SHEET: 9 OF 12
 DATE: SEPTEMBER 27, 2022

48" ORANGE SAFETY FENCE, 72" T-POSTS SENSITIVE AREA / TREE PROTECTION

LEGEND	
SAF12	48" ORANGE FENCE, 12 FEET ON CENTER
SAF11	48" ORANGE FENCE, 11 FEET ON CENTER
SAF10	48" ORANGE FENCE, 10 FEET ON CENTER
SAF9	48" ORANGE FENCE, 9 FEET ON CENTER
SAF8	48" ORANGE FENCE, 8 FEET ON CENTER
SAF7	48" ORANGE FENCE, 7 FEET ON CENTER
SAF6	48" ORANGE FENCE, 6 FEET ON CENTER



© 2022 WATERFRONT CONSULTING, INC. ALL RIGHTS RESERVED

PURPOSE: EROSION CONTROL, ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. SCOTT R. PARR
 2. CONDO ASSOCIATION MASTER



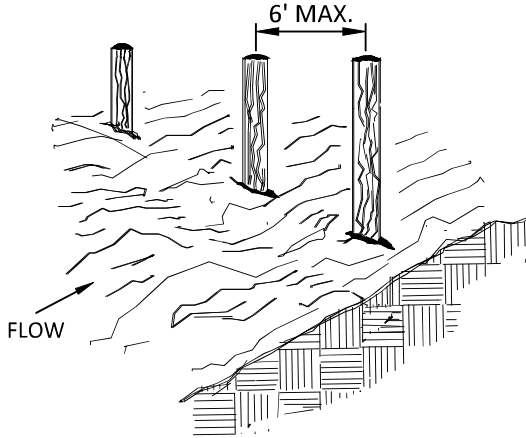
**WATERFRONT
 CONSULTING, INC.**

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
 ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

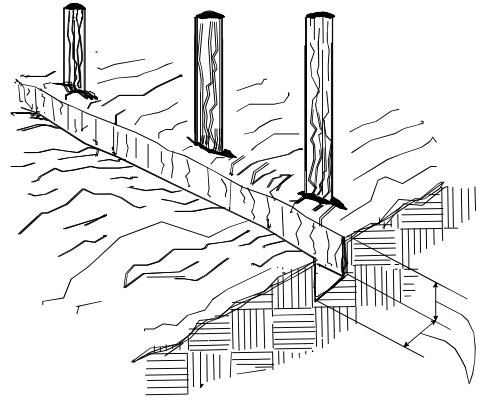
PROPOSED: RIPRAP, WHARF, PIER &
 MOORING PILES
 IN: LITTLE NECK CREEK
 AT: 724 ORIOLE DRIVE
 VIRGINIA BEACH, VA 23451-4927
 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 10 OF 12
 DATE: SEPTEMBER 27, 2022

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

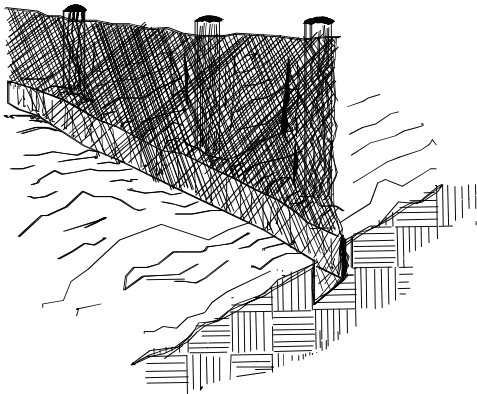
1. SET THE STAKES



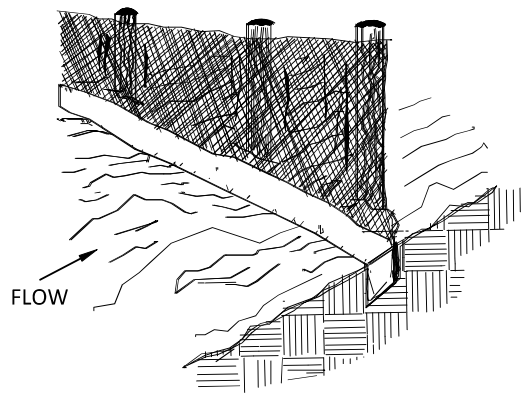
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH



4. BACKFILL AND COMPACT THE EXCAVATED SOIL



SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

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PURPOSE: EROSION CONTROL, ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. SCOTT R. PARR
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**WATERFRONT
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2589 QUALITY COURT, SUITE 323
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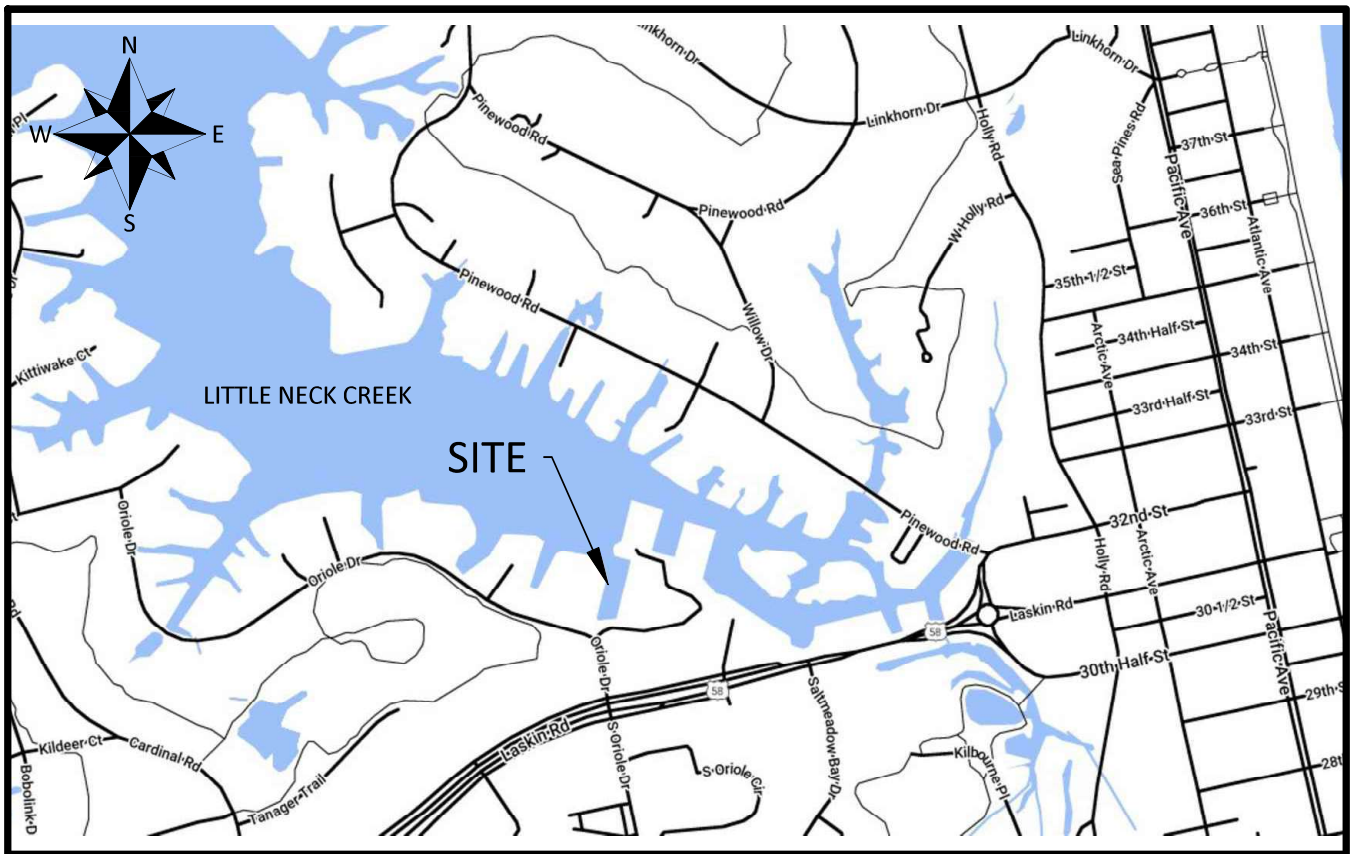
PROPOSED: RIPRAP, WHARF, PIER & MOORING PILES
 IN: LITTLE NECK CREEK
 AT: 724 ORIOLE DRIVE
 VIRGINIA BEACH, VA 23451-4927
 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 11 OF 12
 DATE: SEPTEMBER 27, 2022

SITE INFORMATION

LEGAL DESCRIPTION: BIRDNECK POINT SITE A LOT 1 1 AC
 REFERENCE: MAP BOOK 88, PAGE(S) 20, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: 2418-61-8861
 ZONING: R40

SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP

SCALE: 1" = 700'

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PURPOSE: EROSION CONTROL, ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. SCOTT R. PARR
 2. CONDO ASSOCIATION MASTER



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PROPOSED: RIPRAP, WHARF, PIER &
 MOORING PILES
 IN: LITTLE NECK CREEK
 AT: 724 ORIOLE DRIVE
 VIRGINIA BEACH, VA 23451-4927
 APPLICATION BY:
 CHARLES E. FALK JR.
 SHEET: 12 OF 12
 DATE: SEPTEMBER 27, 2022

AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Building permit #: _____ DSC Plan # : _____

Location: 724 Oriole Drive GPIN: 2418-61-8861-0000

Watershed: Chesapeake Bay HUC: 02080108

In lieu of providing a detailed Stormwater Management Plan, designed and sealed by a licensed professional, the undersigned agrees to comply with all applicable provisions of Appendix D, Stormwater Management Ordinance of the City Code of the City of Virginia Beach and the Virginia Stormwater Management Regulations. The undersigned also agrees to comply with all additional requirements deemed necessary by the Department of Planning, based upon established stormwater management practices to provide adequate treatment and control of stormwater runoff resulting from this development.

The undersigned intends to use the following Stormwater Management Controls, and install them pursuant to the DEQ BMP Clearinghouse website:

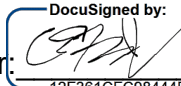
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	Sheetflow to Vegetated Filter (1 or 2)		Construction Activity Operator
	Grass Channel		Construction Activity Operator
	Rainwater harvesting		Construction Activity Operator
	Permeable Paving (1 or 2)		Construction Activity Operator

Select all that apply	Stormwater Management Controls	Estimated Installation Date	Responsible Party
	Infiltration (1 or 2)		Construction Activity Operator
	Bioretention (1 or 2)		Construction Activity Operator
X	Others (describe) Restore impacted buffer to preconstruction condition or enhance per plan.		Construction Activity Operator

The undersigned further understand that such control measures must not be removed or altered, and must be properly maintained in order to operate as they were constructed. In addition, they must be inspected by the owner of the property, or their agent, annually.

The undersigned understand that failure to comply with the requirements of Appendix D, Stormwater Management, and the construction and maintenance of the stormwater controls listed above may result in enforcement proceedings under Section 1-32 of the Stormwater Management Ordinance.

The undersigned owner hereby grants the City of Virginia Beach the right to enter the subject property periodically for inspections to ensure compliance with the Stormwater Management Ordinance.

DocuSigned by:
 Signature of Owner:  Print Name: Charles Falk Jr.
12F361CFC98444E...

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

9/28/2022

Scott Parr
728 Oriole Drive
Virginia Beach, VA 23451

**RE: Proposed Bulkhead, Rip Rap, Wharf & Pier
Located 724 Oriole Drive , Virginia Beach, VA 23451**

Dear Scott Parr

This letter is to notify you that your neighbor(s), Charles Falk Jr. have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from the date of this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Charles Falk Jr. , Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

ADDITIONAL INFORMATION/REVISIONS Received by VMRC June 8, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Scott Parr, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Charles Falk Jr..
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated _____
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

9/28/2022

Condo Association
700 Oriole Drive
Virginia Beach, VA 23451

**RE: Proposed Bulkhead, Rip Rap, Wharf & Pier
Located 724 Oriole Drive , Virginia Beach, VA 23451**

Dear Condo Association

This letter is to notify you that your neighbor(s), Charles Falk Jr. have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

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Virginia Marine Resources Commission
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380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

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Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Charles Falk Jr. , Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

ADDITIONAL INFORMATION/REVISIONS Received by VMRC June 8, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Condo Association, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Charles Falk Jr..
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated _____
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

5. 2023-WTRA-00134

Andrew B. Kellam Revocable Trust & Courtney K. Kellam Revocable Trust
[Applicants & Owners]

904 Winwood Drive
GPIN 2418-00-8857
City Council District: District 6, formerly Lynnhaven

Waterway – Linkhorn Bay
Subdivision – Linlier

Request: To construct a bulkhead, rip rap revetment, groin wall, and dredge involving wetlands.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name Andrew B. Kellam Revocable Trust & Courtney K. Kellam Revocable Trust

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Robert E. Simon, V.P. Waterfront Consulting Inc.

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

Andrew B. Kellam

Courtney K. Kellam

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property?

Yes **No**

- If **yes**, identify the financial institutions.

Mr. Cooper, Bayport Credit Union

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property?

Yes **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.

Mark Stelzner

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the engineer/surveyor/agent.

Waterfront Consulting Inc. & Stone Green Consulting, LLC

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No

- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

DocuSigned by:


74B536F053AF417...

Applicant Signature

Andrew B. Kellam

Print Name and Title

6/8/2023

Date

Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

FOR AGENCY USE ONLY	
	Notes:
JPA#	

APPLICANTS

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. *If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.*

Check all that apply			
<input type="checkbox"/> Pre-Construction Notification (PCN) <input type="checkbox"/> NWP # _____ <input type="checkbox"/> RP # 05 <small>(For NWP's & RP 05 ONLY - No DEQ-VWP permit writer will be assigned)</small>	<input type="checkbox"/> SPGP	<input type="checkbox"/> DEQ Reapplication Existing permit number: _____	<input type="checkbox"/> Receiving federal funds Agency providing funding: _____
<input type="checkbox"/> Regional Permit 17 Checklist (RP-17)	This project and the previous JPA have been discussed with Melissa Nash		

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)

Historical information for past permit submittals can be found online with VMRC - <https://webapps.mrc.virginia.gov/public/habitat/> - or VIMS - <http://ccrm.vims.edu/perms/newpermits.html>

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial
All	Approved/Lift	1998-1170	06/25/98	
All	Approved/Pier & Dredge	1997-1008	06/25/1997	

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Legal Name(s) of Applicant(s) Andrew B. Kellam RT & Courtney K. Kellam RT				Agent (if applicable) Waterfront Consulting Inc.			
Mailing address 904 Winwood Drive				Mailing address 2589 Quality Court, Ste. 323			
City Virginia Beach	State VA	ZIP Code 23451	City Virginia Beach	State VA	ZIP Code 23454		
Phone number w/area code	Fax		Phone number w/area code 757-425-8244	Fax			
Mobile 757-348-4177	E-mail andrew.kellam@gmail.com		Mobile 757-619-7302	E-mail bob@waterfrontconsulting.net			
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name and ID number (if applicable) 04743811				
Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: _____							

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)						
Property owner(s) legal name, if different from applicant Same as applicant				Contractor, if known Unknown		
Mailing address				Mailing address		
City		State	ZIP code	City		State ZIP code
Phone number w/area code		Fax		Phone number w/area code		Fax
Mobile		E-mail		Mobile		E-mail
State Corporation Commission Name and ID number (if applicable)				State Corporation Commission Name ID number (if applicable)		

2. PROJECT LOCATION INFORMATION (Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)	
Street Address (911 address if available) 904 Winwood Drive	City/County/ZIP Code Virginia Beach, VA 23451
Subdivision Linlier	Lot/Block/Parcel # Lot 12, Linlier
Name of water body(ies) within project boundaries and drainage area (acres or square miles). Linkhorn Bay	
Tributary(ies) to: <u>Chesapeake Bay</u> Basin: <u>Lynnhaven River</u> Sub-basin: <u>Linkhorn Bay</u> (Example: Basin: <u>James River</u> Sub-basin: <u>Middle James River</u>)	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): _____	
Project type (check one) <input checked="" type="checkbox"/> Single user (private, non-commercial, residential) <input type="checkbox"/> Multi-user (community, commercial, industrial, government) <input type="checkbox"/> Surface water withdrawal	
Latitude and longitude at center of project site (decimal degrees): <u>36.85648</u> / <u>-76.01191</u> (Example: 37.33164/-77.68200)	
USGS topographic map name: <u>City of Virginia Beach</u>	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): <u>02080108</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see http://consapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm): <u>0208010802</u> <u>020801080201</u>	
Name of your project (Example: <i>Water Creek driveway crossing</i>) <u>Kellam Pier, Bulkhead, Riprap, & Dredging</u>	
Is there an access road to the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. If yes, check all that apply: <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input checked="" type="checkbox"/> improved <input type="checkbox"/> unimproved	
Total size of the project area (in acres): <u>0.48 acres</u>	

2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:
 The project is located on public roads.

Does your project site cross boundaries of two or more localities (i.e., cities/counties/towns)? Yes No
 If so, name those localities:

3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and whether or not tree clearing will occur (include the area in square feet and time of year).
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in stream flows, include the water supply issues that form the basis of the proposed project.

The project is to remove a portion of the existing bulkhead and riprap, excavate approximately 50 CYs of the existing upland, construct approximately 27 LF of granite quarry stone riprap revetment, construct approximately 75 LF of vinyl bulkhead, construct approximately 28 LF of pile supported vinyl groin wall, dredge approximately 382 CYs of materials, construct a pier and wharf with a floating pier, install a four pile boat lift, install a PWC lift, and install 3 mooring piles as shown in the permit drawings.

There will be (15) 8" and (9) 10" timber piles for the vinyl bulkhead, the pier will use (13) 8" timber piles, the lifts will use (5) 10" timber piles, and the mooring piles will be 10" timber piles. The piles will be driven via a vibratory hammer mounted to an excavator on land or barge.

There will be no tree clearing.

Date of proposed commencement of work (MM/DD/YYYY) 01/01/2023	Date of proposed completion of work (MM/DD/YYYY) 01/01/2024
Are you submitting this application at the direction of any state, local, or federal agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Has any work commenced or has any portion of the project for which you are seeking a permit been completed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? Yes No
 (If yes, please explain)

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ TBD
 Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ TBD

5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove. If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line. Per Army Regulation (AR 25-51) outgoing correspondence must be addressed to a person or business.
Failure to provide this information may result in a delay in the processing of your application by VMRC.

Property owner's name	Mailing address	City	State	ZIP code
Justin M. John	896 Winwood Drive	Virginia Beach	VA	23451
Candice L. Berlin Trust	1409 Linlier Drive	Virginia Beach	VA	23451

Name of newspaper having general circulation in the area of the project: Virginian Pilot
 Address and phone number (including area code) of newspaper 150 W. Brambleton Avenue, Norfolk, VA 23510

Have adjacent property owners been notified with forms in Appendix A? Yes No (attach copies of distributed forms)

6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

7. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the USACE, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

Are any historic properties located within or adjacent to the project site? Yes No Uncertain
 If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? Yes No Uncertain
 If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? Yes No Uncertain
 If Yes, please indicate which district: _____

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?
 ___ Yes X No ___ Uncertain

If Yes, please provide the following information: Date of Survey: _____
 Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? ___ Yes ___ No X Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? ___ Yes ___ No X Uncertain

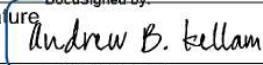
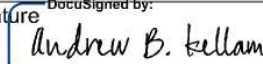
8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)	EX,T,TE,SB	EX,T,TE,NV			
Latitude / Longitude (in decimal degrees)	36.856,-76.012	36.856,-76.012			
Wetland/waters impact area (square feet / acres)	7,004 sq ft 0.16 acres	27 sq ft 0.003 acres			
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)	0 CYs	0 CYs			

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)					
Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i>	E2USN	E2USN			
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (VMRC cannot complete review without this information)					
DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII https://law.lis.virginia.gov	Estuarine Class II	Estuarine Class II			
For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.					
For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.					

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS
READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING
PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.
CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.
In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)		
Is/Are the Applicant(s) and Owner(s) the same? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Legal name & title of Applicant Andrew B. Kellam RT & Courtney K. Kellam RT	Second applicant's legal name & title, if applicable	
Applicant's signature <small>DocuSigned by:</small> 	Second applicant's signature	
Date 6/8/2023 <small>74B536F053AF417...</small>	Date	
Property owner's legal name, if different from Applicant	Second property owner's legal name, if applicable	
Property owner's signature, if different from Applicant	Second property owner's signature	
Date	Date	
CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S)' BEHALF (IF APPLICABLE)		
I (we), <u>Andrew B. Kellam RT & Courtney K. Kellam RT</u> (and) _____, APPLICANT'S LEGAL NAME(S) – <i>complete the second blank if more than one Applicant</i>		
hereby certify that I (we) have authorized <u>Waterfront Consulting, Inc.</u> (and) _____ AGENT'S NAME(S) – <i>complete the second blank if more than one Agent</i>		
to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.		
Applicant's signature <small>DocuSigned by:</small> 	Second applicant's signature, if applicable	
Date <small>74B536F053AF417...</small>	Date	
Agent's signature and title	Second agent's signature and title, if applicable	
Date 6/8/2023	Date	
CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)		
I (we), <u>Andrew B. Kellam RT & Courtney K. Kellam RT</u> (and) _____, APPLICANT'S LEGAL NAME(S) – <i>complete the second blank if more than one Applicant</i>		
have contracted _____ (and) _____ CONTRACTOR'S NAME(S) – <i>complete the second blank if more than one Contractor</i>		
to perform the work described in this Joint Permit Application, signed and dated _____.		
I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.		
Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	



END OF GENERAL INFORMATION

The following sections are activity-specific. Fill out only the sections that apply to your particular project.

10. PRIVATE PIERS, MARGINAL WHARVES, AND UNCOVERED BOAT LIFTS

Regional Permit 17 (RP-17), authorizes the installation and/or construction of open-pile piers, mooring structures/devices, fender piles, covered boathouses/boatslips, boatlifts, osprey pilings/platforms, accessory pier structures, and certain devices associated with shellfish gardening, for private use, subject to strict compliance with all conditions and limitations further set out in the RP-17 enclosure located at <http://www.nao.usace.army.mil/Missions/Regulatory/RBregional/>. In addition to the information required in this JPA, prospective permittees seeking authorization under RP-17 must complete and submit the 'Regional Permit 17 Checklist' with their JPA. A copy of the 'Regional Permit 17 Checklist' is found in Appendix B of this application package. If the prospective permittee answers "yes" (or "N/A", where applicable) to all of the questions on the 'Regional Permit 17 Checklist', the permittee is in compliance with RP-17 and will not receive any other written authorization from the Corps but may not proceed with construction until they have obtained all necessary state and local permits. **Note: If the prospective permittee answers "no" to any of the questions on the 'Regional Permit 17 Checklist' then their proposed structure(s) does not meet the terms and conditions of RP-17 and written authorization from the Corps is required before commencement of any work.**

If the prospective permittee answers "no" to any of the questions on the 'Regional Permit 17 Checklist' then their proposed structure(s) does not meet the terms and conditions of RP-17 and written authorization from the Corps is required before commencement of any work. In those circumstances, the following information must be included in the application and/or on the drawings in order for the application to be considered complete:

1. The applicant **MUST** provide written justification/need for the encroachment if the proposed structure(s) will extend greater than one-fourth of the distance across the waterway measured from either mean high water to mean high water (including all channelward wetlands) or ordinary high water to ordinary high water (including all channelward wetlands). The measurement should be based on the narrowest distance across the waterway regardless of the orientation of the proposed structure(s).
2. The applicant **MUST** provide written justification/need if the proposed structure(s) is greater than five (5) feet wide or there will be less than four (4) feet elevation between the decking and the vegetated wetlands substrate.
3. The Corps **MAY** require depth soundings across the waterway at increments designated by the Corps project manager. Inclusion of depth sounding data in the original JPA submittal is highly recommended in order to expedite permit evaluation. Depth soundings are typically taken at 10-foot increments for waterways less than 200 feet wide and 20-foot increments for waterways greater than 200 feet wide. Please include the date and time the measurements were taken, whether the data was collected at mean low water (MLW) or MHW, and how the soundings were taken (e.g., tape, range finder, etc.).

Number of vessels to be moored at the pier or wharf: _____	Do you have an existing pier on your property? <input checked="" type="checkbox"/> Yes ___ No
2	If yes, will it be removed? <input checked="" type="checkbox"/> Yes ___ No
	Is your lot platted to the mean low water shoreline? <input checked="" type="checkbox"/> Yes ___ No

In the spaces provided below, give the type (e.g., sail, power, skiff, etc.), size, and registration number of the vessel(s) to be moored

TYPE	LENGTH	WIDTH	DRAFT	REGISTRATION #

11. BOATHOUSES, GAZEBOS, COVERED BOAT LIFTS, AND OTHER ROOFED STRUCTURES OVER WATERWAYS

Number of vessels to be moored at the proposed structure: _____	Will the sides of the structure be enclosed? ___ Yes ___ No
	Area covered by the roof structure _____ square feet

In the spaces provided below, give the type (e.g., sail, power, skiff, etc.), size, and registration number of the vessel(s) to be moored

TYPE	LENGTH	WIDTH	DRAFT	REGISTRATION #

12. MARINAS AND COMMERCIAL, GOVERNMENTAL, AND COMMUNITY PIERS	
Have you obtained the Virginia Department of Health's approval for sanitary facilities? ____ Yes ____ No <i>You will need to obtain this authorization or a variance before a VMRC permit will be issued.</i>	
Will petroleum products or other hazardous materials be stored or handled at the facility? ____ Yes ____ No <i>If your answer is yes, please attach your spill contingency plan.</i>	
Will the facility be equipped to off-load sewage from boats? ____ Yes ____ No	
EXISTING: wet slips: _____ dry storage: _____	PROPOSED: wet slips: _____ dry storage: _____

13. FREE STANDING MOORING PILES, OSPREY NESTING POLES, MOORING BUOYS, AND DOLPHINS (not associated with piers)				
Number of vessels to be moored: ____ 1 ____			Type and number of mooring(s) proposed: (3) 10" Timber Piles	
In the spaces provided below, give the type (e.g., sail, power, skiff, etc.), size, and registration number of the vessel(s) to be moored				
TYPE	LENGTH	WIDTH	DRAFT	REGISTRATION #
Give the name and complete mailing address(es) of the owner(s) of the vessel(s) if not owned by applicant (attach extra sheets if needed):				
Do you plan to reach the mooring from your own upland property? <input checked="" type="checkbox"/> Yes ____ No If "no," explain how you intend to access the mooring.				

14. BOAT RAMPS	
Will excavation be required to construct the boat ramp? ____ Yes ____ No. If "yes," will any of the excavation occur below the plane of the ordinary high water mark/mean high water line or in wetlands? ____ Yes ____ No. If "yes," you will need to fill out Section 17 for this excavation. Where will you dispose of the excavated material? _____	
What type of design and materials will be used to construct the ramp (open pile design with salt treated lumber, concrete slab on gravel bedding, etc.)? _____	
Location of nearest public boat ramp	Driving distance to that public ramp _____ miles
Will other structures be constructed concurrent with the boat ramp installation? ____ Yes ____ No If "yes," please fill out the appropriate sections of this application associated with those other activities.	

15. TIDAL/NONTIDAL SHORELINE STABILIZATION STRUCTURES (INCLUDING BULKHEADS AND ASSOCIATED BACKFILL, RIPRAP REVETMENTS AND ASSOCIATED BACKFILL, MARSH TOE STABILIZATION, GROINS, JETTIES, AND BREAKWATERS, ETC.) Information on non structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ocm.vims.edu/coastal_zone/living_shorelines/index.html.

Is any portion of the project maintenance or replacement of an existing and currently serviceable structure? Yes No
 If yes, give length of existing structure: 95 linear feet

If your maintenance project entails replacement of a bulkhead, is it possible to construct the replacement bulkhead within 2 feet channelward of the existing bulkhead? Yes No If not, please explain below:

Length of proposed structure, including returns: 75 linear feet

Average channelward encroachment of the structure from Mean high water/ordinary high water mark: <u>2</u> feet	Maximum channelward encroachment of the structure from Mean high water/ordinary high water mark: <u>6</u> feet
Mean low water: <u>2</u> feet	Mean low water: <u>6</u> feet
Maximum channelward encroachment from the back edge of the Dune <u>N/A</u> feet	Maximum channelward encroachment from the back edge of the Beach <u>N/A</u> feet

Describe the type of construction including all materials to be used (including all fittings). Will filter cloth be used? Yes No The bulkhead will be vinyl sheet piles, CCA treated timbers, H.D. galvanized hardware, woven filter fabric and clean sand backfill. The riprap will be granite quarry stone, HD filter fabric, and a CCA treated timber kickplate.

What is the source of the backfill material? Off site borrow pit

What is the composition of the backfill material? 95% sand, 5% organics

If rock is to be used, give the average volume of material to be used for every linear foot of construction: 0.8 cubic yards
 What is the volume of material to be placed below the plane of ordinary high water mark/mean high water? 11 cubic yards

For projects involving stone:
 Average weight of core material (bottom layers): 100 pounds per stone (Class One/1A)
 Average weight of armor material (top layers): 100 pounds per stone (Class One/1A)

Are there similar shoreline stabilization structures in the vicinity of your project site? Yes No
 If so, describe the type(s) and location(s) of the structure(s):
 There is riprap and bulkhead at the adjacent properties to the site.

If you are building a groin or jetty, will the channelward end of the structure be marked to show a hazard to navigation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Has your project been reviewed by the Shoreline Erosion Advisory Service (SEAS)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please attach a copy of their comments.
--	---

16. BEACH NOURISHMENT

Source of material and composition (percentage sand, silt, clay): _____	Volume of material: _____ cubic yards
Area to be covered _____ square feet channelward of mean low water _____ square feet channelward of mean high water _____ square feet landward of mean low water _____ square feet channelward of mean high water	
Mode of transportation of material to the project site (truck, pipeline, etc.): _____	

16. BEACH NOURISHMENT (Continued)

Describe the type(s) of vegetation proposed for stabilization and the proposed planting plan, including schedule, spacing, monitoring, etc. Attach additional sheets if necessary.

17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands	0	0	0	0	0	0	0	0
Non-vegetated wetlands	0	0	2	13	0	0	0	0
Subaqueous land	0	0	380	7,004	0	0	0	0
Totals	0	0	382	7,017	0	0	0	0

Is this a one-time dredging event? Yes No If "no", how many dredging cycles are anticipated: _____
 (____ initial cycle in cu. yds.) (____ subsequent cycles in cu. yds.)

Composition of material (percentage sand, silt, clay, rock):
 Provide documentation (i.e., laboratory results or analytical reports) that *dredged* material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site).

See attached laboratory report.

Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross-sectional drawings of the dewatering area and associated outfall. The DMMP is attached.

Will the dredged material be used for any commercial purpose or beneficial use? Yes No

If yes, please explain:

If this is a maintenance dredging project, what was the date that the dredging was last performed? _____
 Permit number of original permit: _____ (It is important that you attach a copy of the original permit.)

Proposed Dredge Material Management Plan

The proposed dredging will be accomplished via barge mounted excavator. The spoils will then be loaded into sealed gate dump trucks for transport for disposal at the USACE and VDEQ approved Whitehurst Dredge Material Management Area on Oceana Boulevard or another authorized upland spoil site to prevent re-entry into the watershed.

17. DREDGING, MINING, AND EXCAVATING (Continued)	
<p><i>For mining projects:</i> On separate sheets of paper, explain the operation plans, including: 1) the frequency (e.g., every six weeks), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list (available at http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.asp) or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL (see, "What's in my backyard" or subsequent spatial files at http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx to determine the extent of TMDL watersheds and impairment segments).</p>	
<p>Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ____ Yes <input checked="" type="checkbox"/> No If Yes: Existing permit number: _____ Date permit issued: _____</p>	
Contributing drainage area: _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): _____ cfs

18. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES	
Source and composition of fill material (percentage sand, silt, clay, rock): _____	
Provide documentation (i.e., laboratory results or analytical reports) that fill material from off-site locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.	
Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any): _____	
Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose: _____	
Will the structure be placed on pilings? ____ Yes ____ No	Total area occupied by any structure. _____ Square Feet
How far will the structure be placed channelward from the back edge of the dune? _____ feet	How far will the structure be placed channelward from the back edge of the beach? _____ feet

19. NONTIDAL STREAM CHANNEL MODIFICATIONS FOR RESTORATION OR ENHANCMENT, or TEMPORARY OR PERMANENT RELOCATIONS	
<p><i>If proposed activities are being conducted for the purposes of compensatory mitigation, please attach separate sheets of paper providing all information required by the most recent version of the stream assessment methodology approved by the Norfolk District of the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, in lieu of completing the questions below. Required information outlined by the methodology can be found at:</i> http://www.nao.usace.army.mil/Missions/Regulatory/UnifiedStreamMethodology.aspx or http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/Mitigation.aspx.</p>	
<p><i>For all projects proposing stream restoration provide a completed Natural Channel Design Review Checklist and Selected Morphological Characteristics form. These forms and the associated manual can be located at:</i> https://www.fws.gov/chesapeakebay/StreamReports/NCD%20Review%20Checklist/Natural%20Channel%20Design%20Checklist%20Doc%20V2%20Final%2011-4-11.pdf</p>	
Has the stream restoration project been designed by a local, state, or federal agency? ____ Yes ____ No. If yes, please include the name of the agency here: _____	
Is the agency also providing funding for this project? ____ Yes ____ No	
Stream dimensions at impact site (length and average width in linear feet, and area in square feet): L: _____ (feet) AW: _____ (feet) Area: _____ (square feet)	
Contributing drainage area: _____ acres or _____ square miles	

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 904 Winwood Drive

APPLICANT'S NAME: Andrew B. Kellam RT & Courtney K. Kellam RT

APPLICANT'S ADDRESS: 904 Winwood Drive

Virginia Beach, VA 23451

ENGINEER OF RECORD: Sean E. Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: Riprap, Bulkhead, Pier, Lifts, Mooring Piles & Dredging

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.



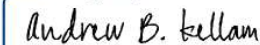
SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

Sean E. Green, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:



6/8/2023

SIGNATURE OF APPLICANT

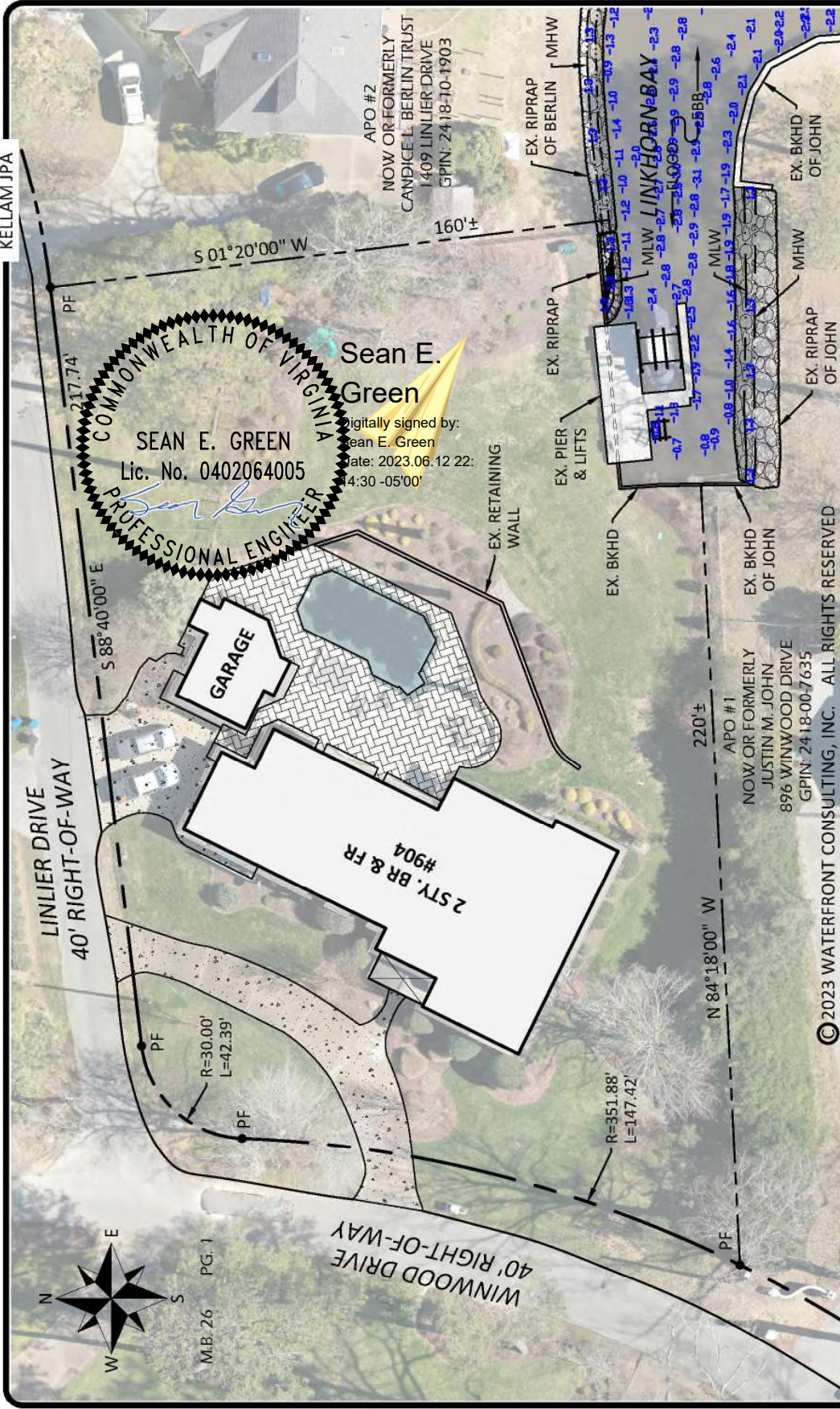
DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR

DATE

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____




Sean E. Green
 Digitally signed by:
 Sean E. Green
 Date: 2023.06.12 22:
 44:30 -05'00'
SEAN E. GREEN
 Lic. No. 0402064005
 PROFESSIONAL ENGINEER

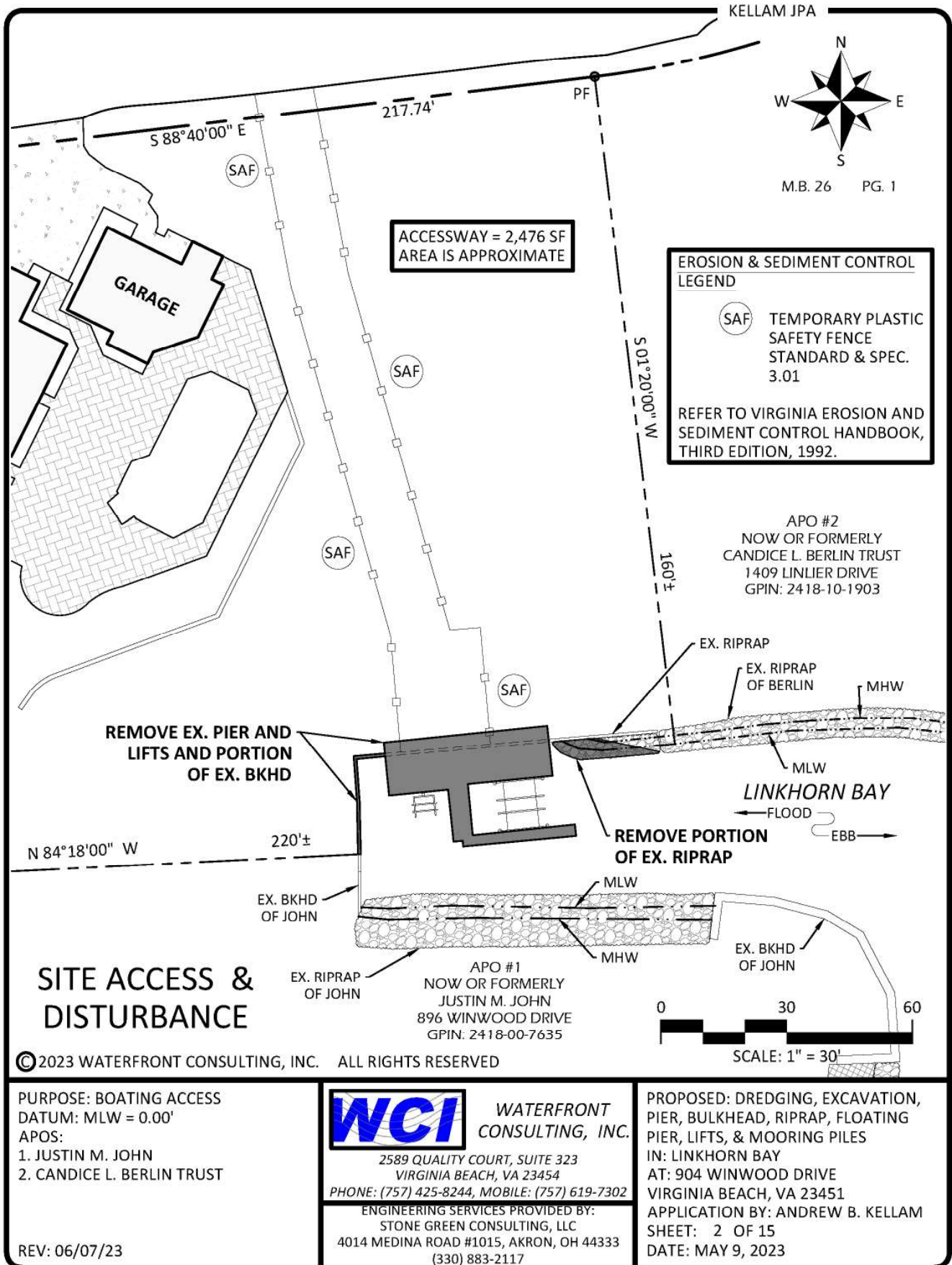
PROPOSED: DREDGING, EXCAVATION,
 PIER, BULKHEAD, RIPRAP, FLOATING
 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 1 OF 15
 DATE: MAY 9, 2023

WATERFRONT CONSULTING, INC.

 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
 ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

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 PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST
 REV:

EXISTING CONDITIONS

 SCALE: 1" = 40'



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PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST



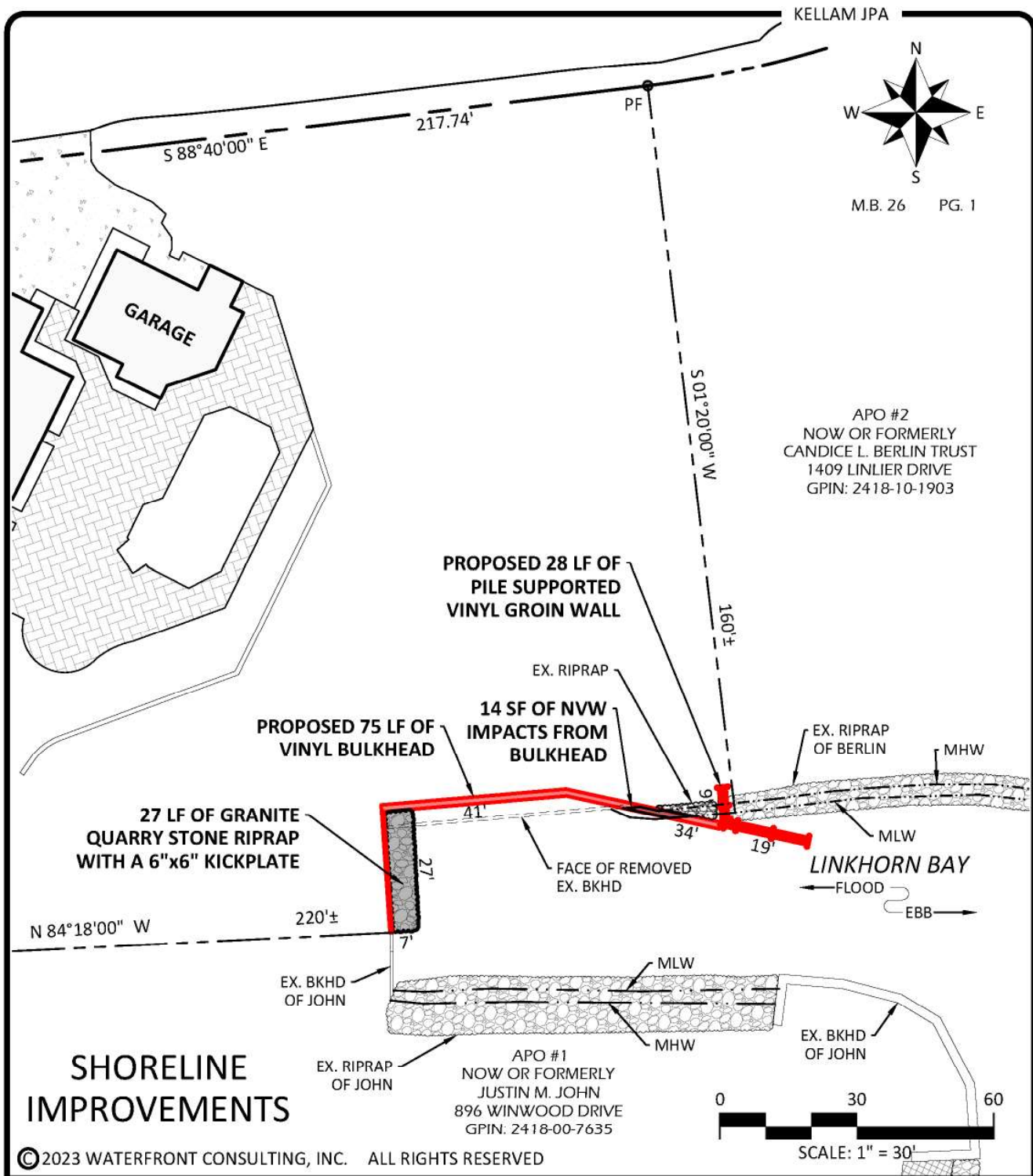
WATERFRONT CONSULTING, INC.

2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: DREDGING, EXCAVATION,
 PIER, BULKHEAD, RIPRAP, FLOATING
 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 2 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23



PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST



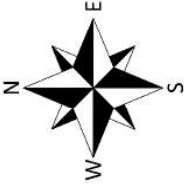
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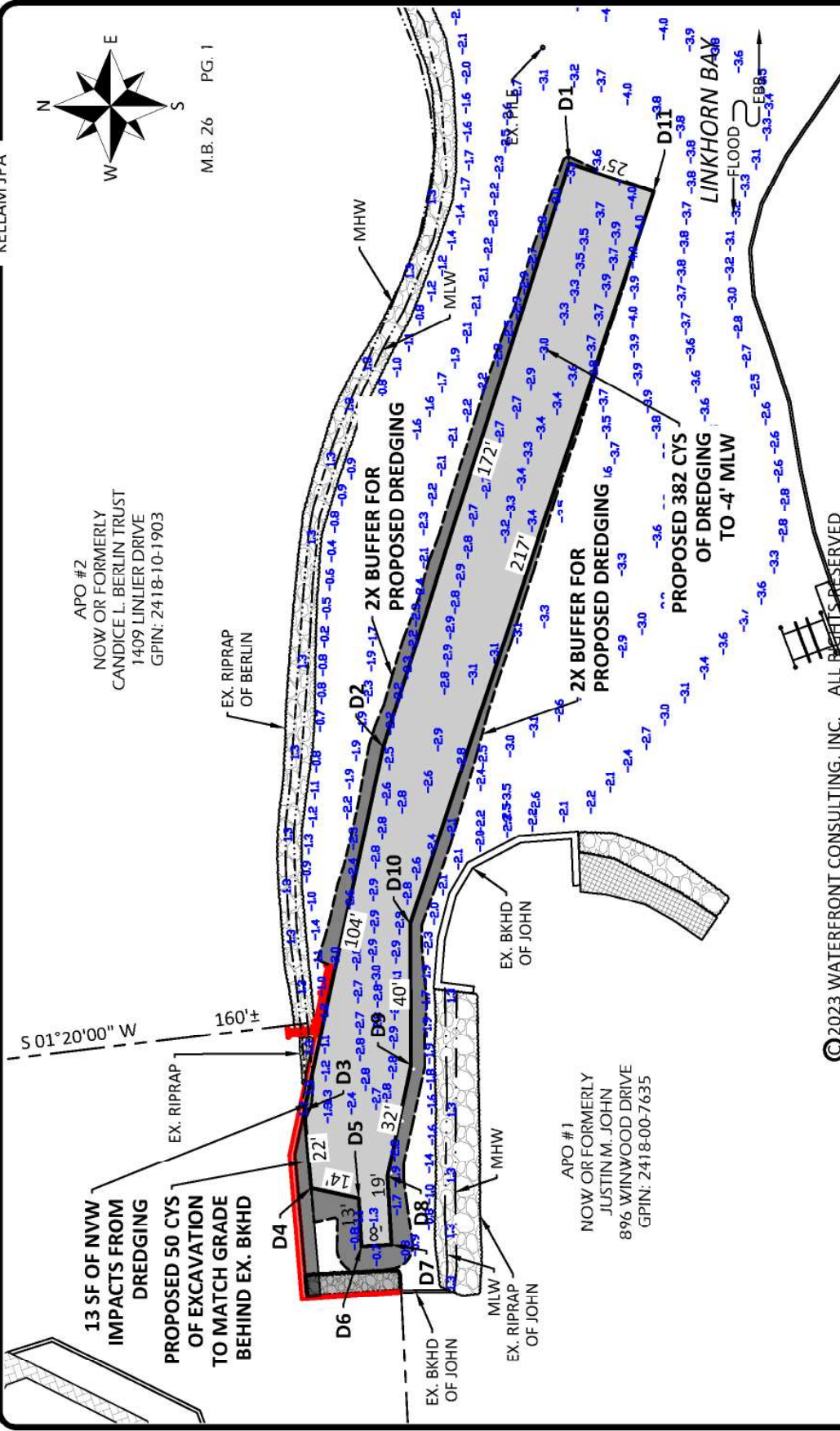
ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: DREDGING, EXCAVATION,
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 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 3 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23



APO #2
 NOW OR FORMERLY
 CANDICE L. BERLIN TRUST
 1409 LINLIER DRIVE
 GPIN: 2418-10-1903



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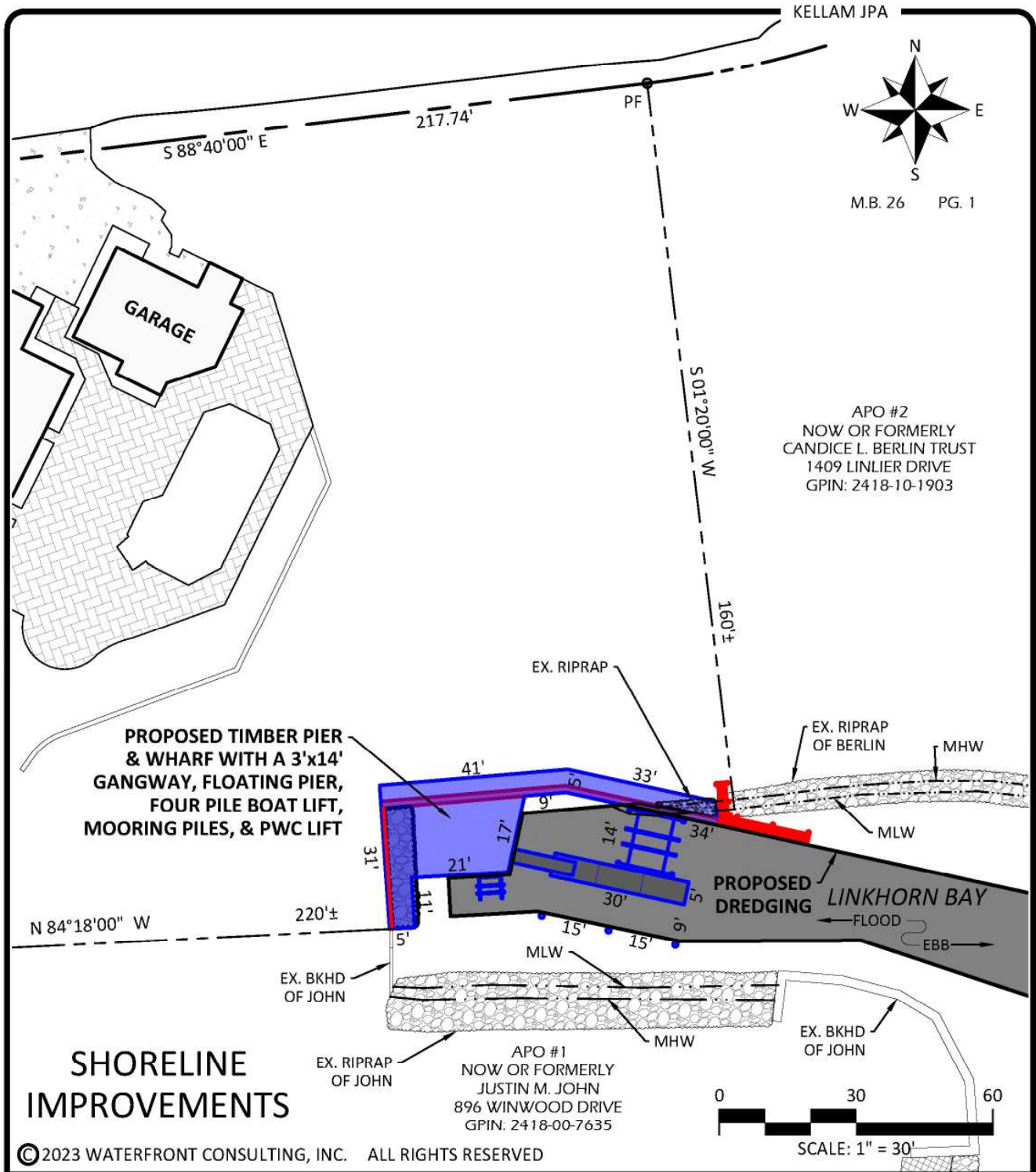
PROPOSED: DREDGING, EXCAVATION,
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 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 4 OF 15
 DATE: MAY 9, 2023

WCI
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 2589 QUALITY COURT, SUITE 323
 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302
 ENGINEERING SERVICES PROVIDED BY:
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 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST
 REV:

DREDGING & GRADING

SCALE: 1" = 40'



SHORELINE IMPROVEMENTS

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PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST



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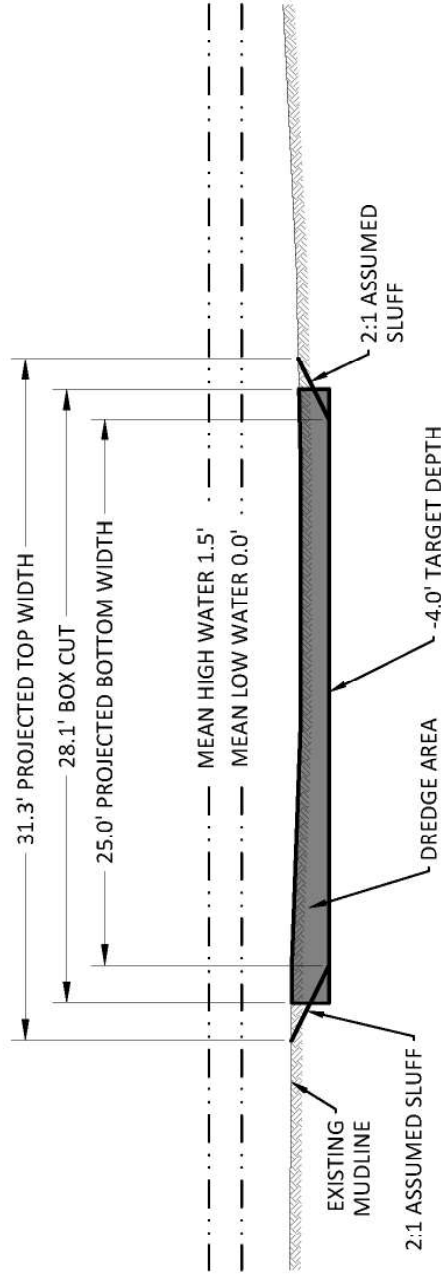
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 VIRGINIA BEACH, VA 23454
 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: DREDGING, EXCAVATION, PIER, BULKHEAD, RIPRAP, FLOATING PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 5 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23

PROPOSED DREDGING CROSS SECTION



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PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC

4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PURPOSE: BOATING ACCESS
DATUM: MLW = 0.00'

APOS:

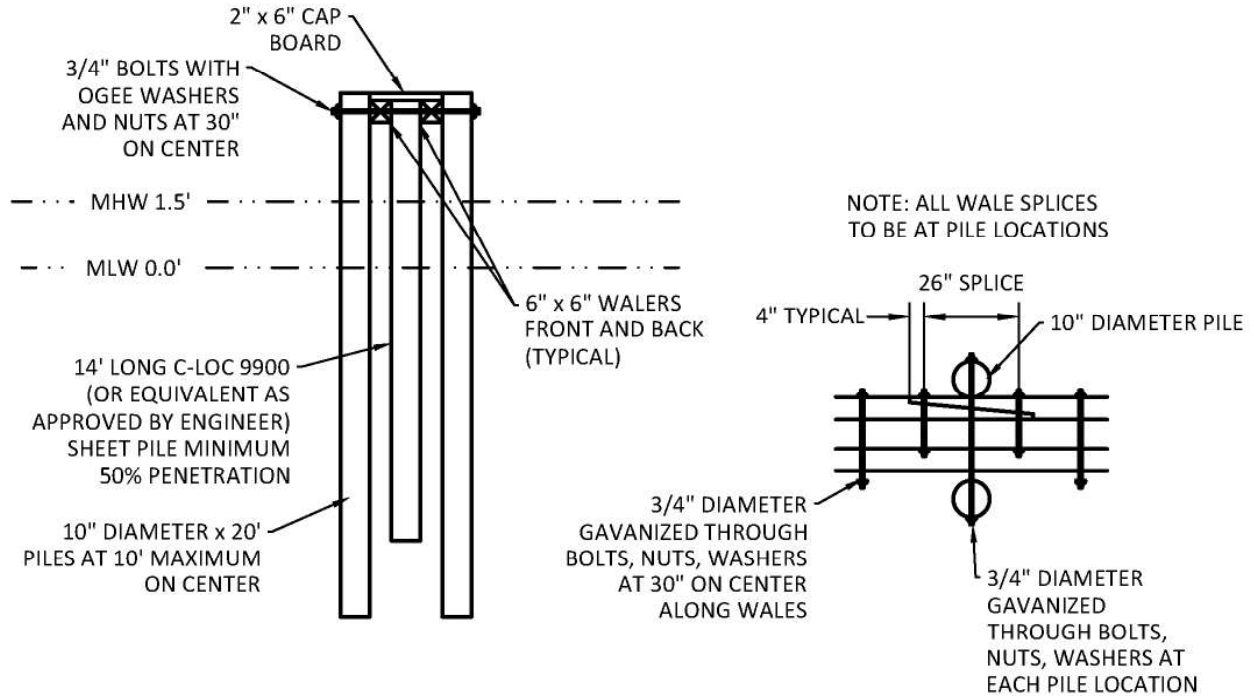
1. JUSTIN M. JOHN
2. CANDICE L. BERLIN TRUST

REV: 06/07/23



PROPOSED: DREDGING, EXCAVATION,
PIER, BULKHEAD, RIPRAP, FLOATING
PIER, LIFTS, & MOORING PILES
IN: LINKHORN BAY
AT: 904 WINWOOD DRIVE
VIRGINIA BEACH, VA 23451
APPLICATION BY: ANDREW B. KELLAM
SHEET: 6 OF 15
DATE: MAY 9, 2023

PROPOSED GROIN WALL CROSS SECTION



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR SHEET PILE TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.



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PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. JUSTIN M. JOHN
 2. CANDICE L. BERLIN TRUST



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2589 QUALITY COURT, SUITE 323
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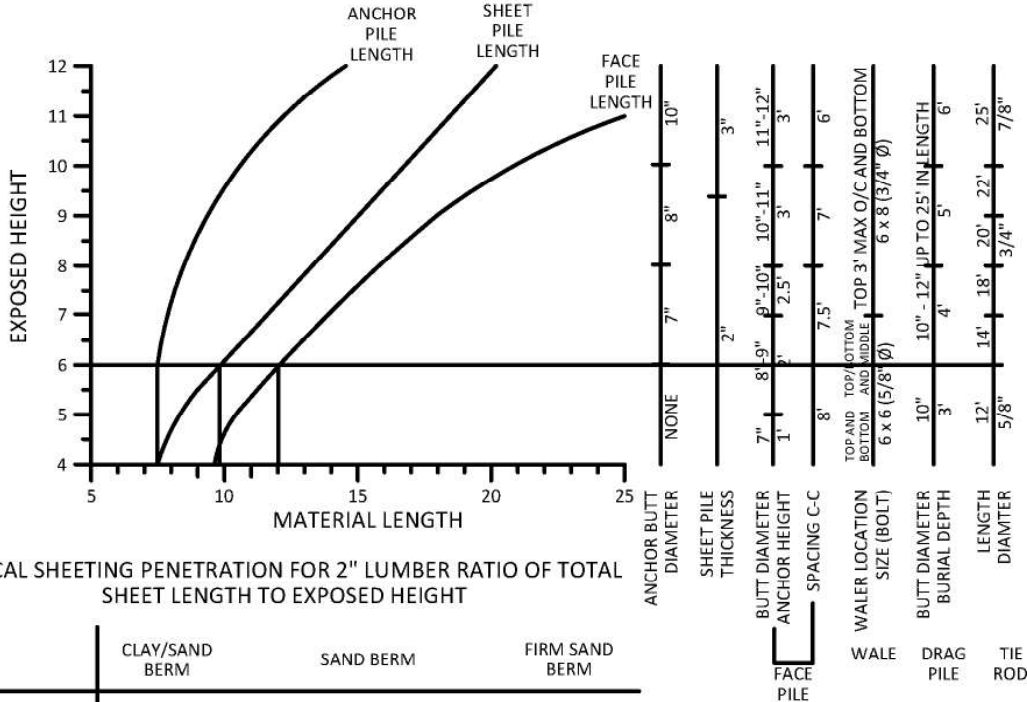
ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: DREDGING, EXCAVATION,
 PIER, BULKHEAD, RIPRAP, FLOATING
 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 7 OF 15
 DATE: MAY 9, 2023

REV:

BULKHEAD DESIGN NOMOGRAPH

(FLAT BERM/BANK, SANDY SOIL)
(FROM SOUTHERN PINE COUNCIL MARINE CONSTRUCTION MANUAL)



TYPICAL SHEETING PENETRATION FOR 2" LUMBER RATIO OF TOTAL SHEET LENGTH TO EXPOSED HEIGHT

BANK ANGLE	CLAY/SAND BERM			SAND BERM			FIRM SAND BERM		
	0	10	15	0	10	15	0	10	15
0	1.8	2.1	2.4	1.7	1.9	2.5	1.5	1.7	2.0
10	1.9	2.2	2.5	1.7	2.0	2.8	1.6	1.7	2.1
20				1.8	2.2	3.2	1.6	1.8	2.3

ASSUMES NO SURCHARGE AND NO HYDROSTATIC PRESSURE.

1'-1/2" WEEP HOLES PROVIDED AT 6' ON CENTER AT MEAN LOW LOW WATER OR 6" ABOVE BERM LINE WITH 1 CUBIC FOOT OF STONE WRAPPED IN FILTER FABRIC AS FILTER.

THESE PLANS ARE FOR PERMIT PURPOSES ONLY.

BULKHEAD MATERIAL DIMENSIONS SHOWN ABOVE ARE THE MINIMUMS ACCEPTABLE BASED ON STANDARD DESIGN PRACTICES AND THE VISIBLE SITE CHARACTERISTICS. NO GEOTECHNICAL ANALYSIS HAS BEEN PERFORMED AT THIS SITE. IT SHALL BE THE OWNER/CONTRACTOR'S RESPONSIBILITY TO ASSURE THAT THE ACTUAL EXPOSED HEIGHT OF THE BULKHEAD IS DETERMINED PRIOR TO THE INSTALLATION OF ANY MATERIALS. ACTUAL EXPOSED HEIGHT IS BASED ON DEPTH OF FIRM MATERIAL TO CAP OF BULKHEAD. THE ACTUAL LENGTH OF THE MATERIALS REQUIRED MAY NEED TO BE INCREASED BEYOND THOSE SHOWN IN THESE DRAWINGS.

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PURPOSE: BOATING ACCESS
DATUM: MLW = 0.00'
APOS:
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2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454

PHONE: (757) 425-8244, MOBILE: (757) 619-7302

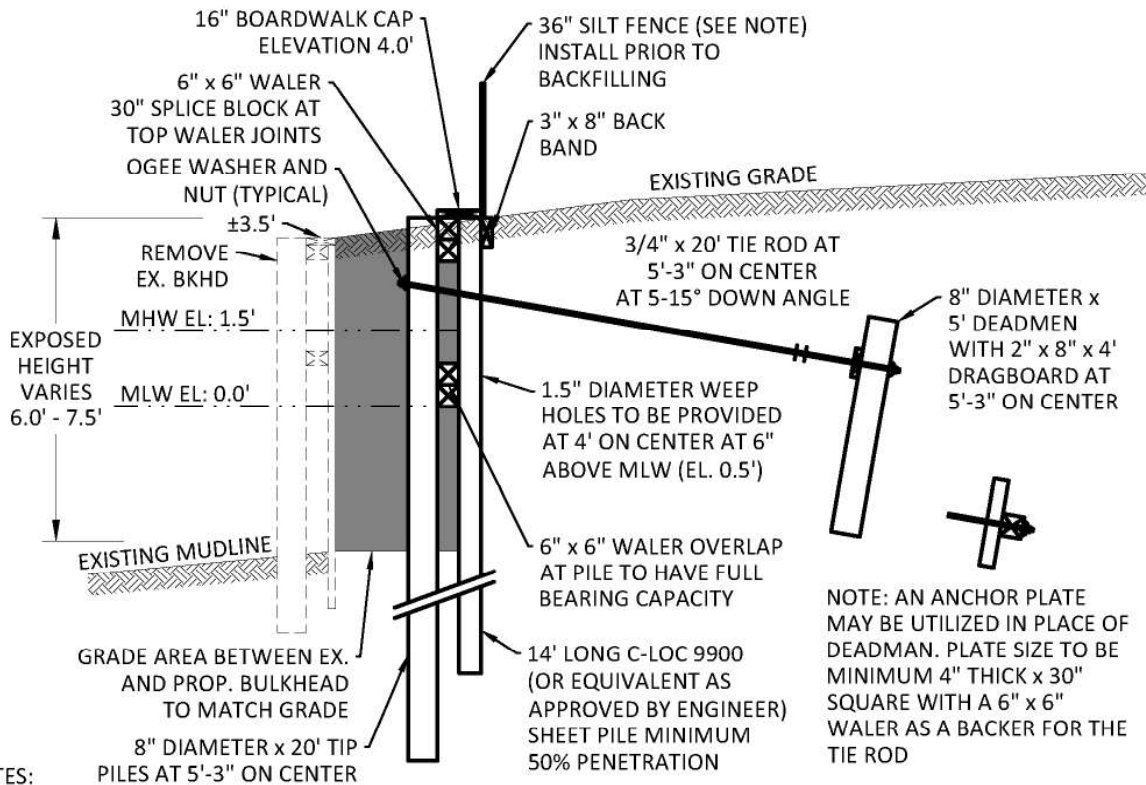
ENGINEERING SERVICES PROVIDED BY:

STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: DREDGING, EXCAVATION, PIER, BULKHEAD, RIPRAP, FLOATING PIER, LIFTS, & MOORING PILES
IN: LINKHORN BAY
AT: 904 WINWOOD DRIVE VIRGINIA BEACH, VA 23451
APPLICATION BY: ANDREW B. KELLAM
SHEET: 8 OF 15
DATE: MAY 9, 2023

REV: 06/07/23

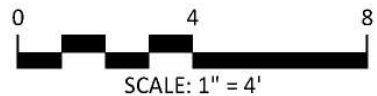
PROPOSED BULKHEAD CROSS SECTION



NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
3. NEW BULKHEAD SHALL BE PLACED AT ALIGNMENT SHOWN.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE ANCHOR SYSTEM AND MATERIAL SIZES. DIMENSIONS SHOWN ARE TO BE CONSIDERED MINIMUM MATERIAL SIZES ONLY BASED ON MANUFACTURER PRODUCT SPECIFICATIONS FOR BULKHEAD TYPE AND EXPOSED HEIGHT WITH FIRM SOILS IN PLACE. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS FOR EITHER SHEET PILE OR DEADMAN FIELD.



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PURPOSE: BOATING ACCESS
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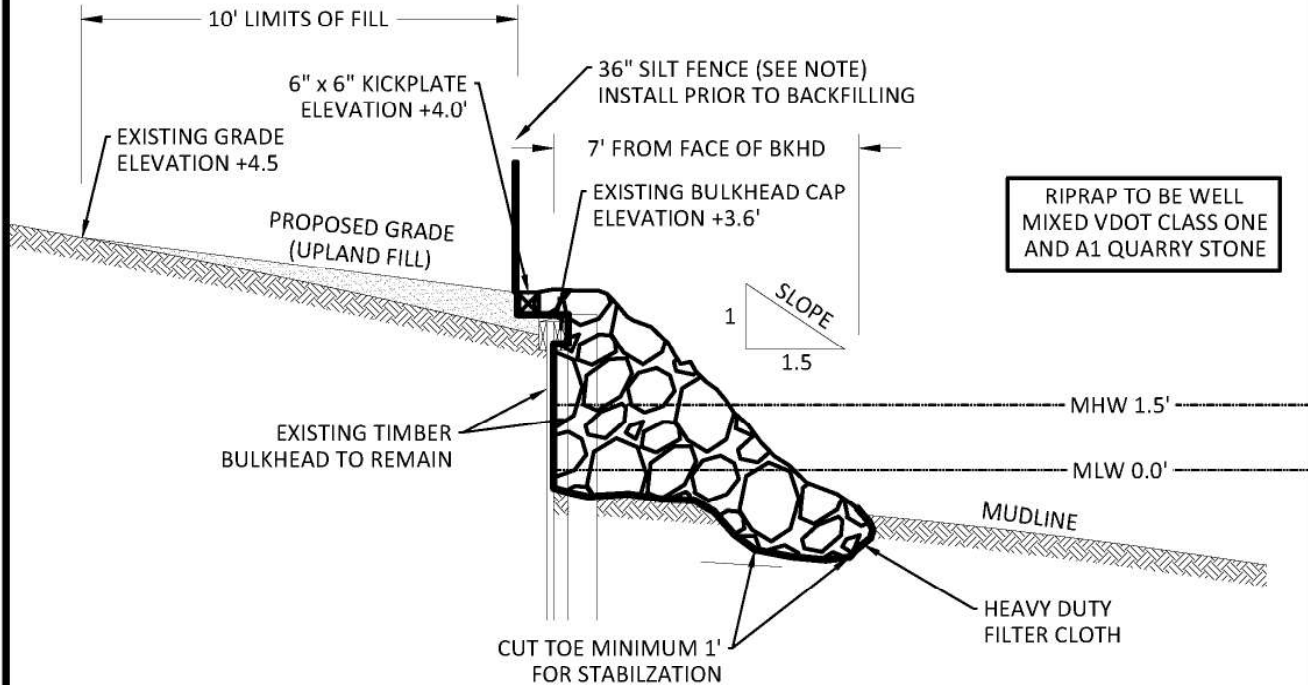
2589 QUALITY COURT, SUITE 323
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 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 9 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23

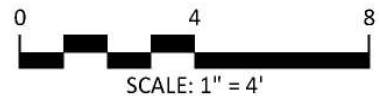
PROPOSED RIPRAP CROSS SECTION



NOTES:

1. RIPRAP LAYOUT IS BASED ON VISUAL ON SITE INSPECTION.
2. ADDITIONAL STONE MAY BE REQUIRED THAN SHOWN DUE TO SETTLEMENT DURING CONSTRUCTION.
3. DIMENSIONS SHOWN ARE DIMENSIONS UPON COMPLETION OF THE PROJECT AFTER INITIAL CONSTRUCTION SETTLEMENT.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE DESIGN. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS.



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PURPOSE: BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
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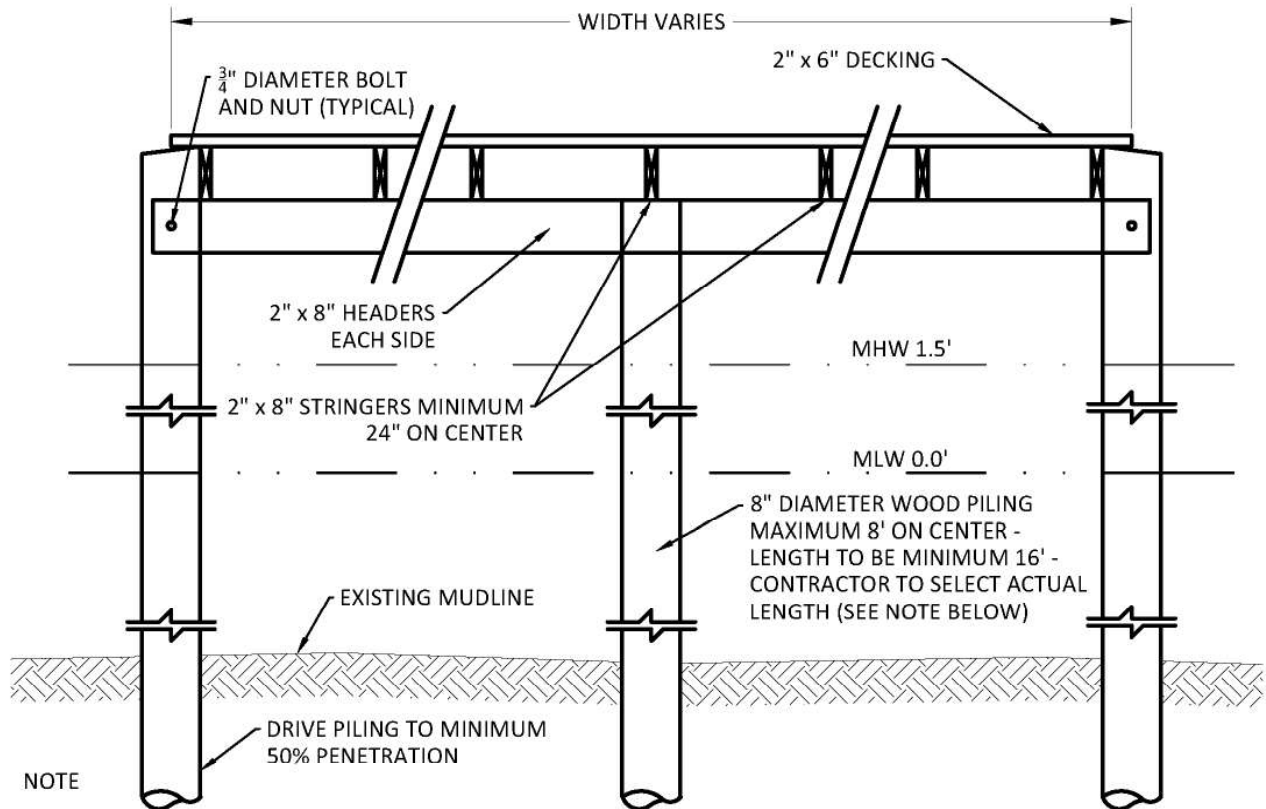
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 (330) 883-2117

PROPOSED: DREDGING, EXCAVATION, PIER, BULKHEAD, RIPRAP, FLOATING PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 10 OF 15
 DATE: MAY 9, 2023

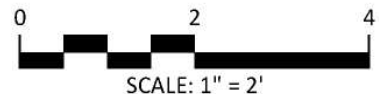
REV: 06/07/23

PROPOSED PIER CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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2589 QUALITY COURT, SUITE 323
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PROPOSED: DREDGING, EXCAVATION,
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 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 11 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23

NLAA COMPLIANCE

PILES SHOWN IN THIS TABLE ARE CHANNELWARD OF MHW

ITEM	8" PILE	10" PILE	12" PILE		
BULKHEAD	4	9			
PIER	13				
LIFTS		5			
MOORING		3			

ALL PILES TO BE TIMBER, DRIVEN WITH EXCAVATOR MOUNTED VIBRATORY HAMMER

DREDGE COORDINATES

POINT	NORTHING	EASTING
D1	3480765.78	12211220.27
D2	3480817.96	12211056.44
D3	3480839.94	12210954.39
D4	3480838.03	12210932.51
D5	3480824.66	12210929.65
D6	3480823.90	12210916.21
D7	3480815.50	12210916.68
D8	3480816.58	12210935.78
D9	3480810.00	12210967.08
D10	3480810.24	12211006.70
D11	3480741.90	12211212.28

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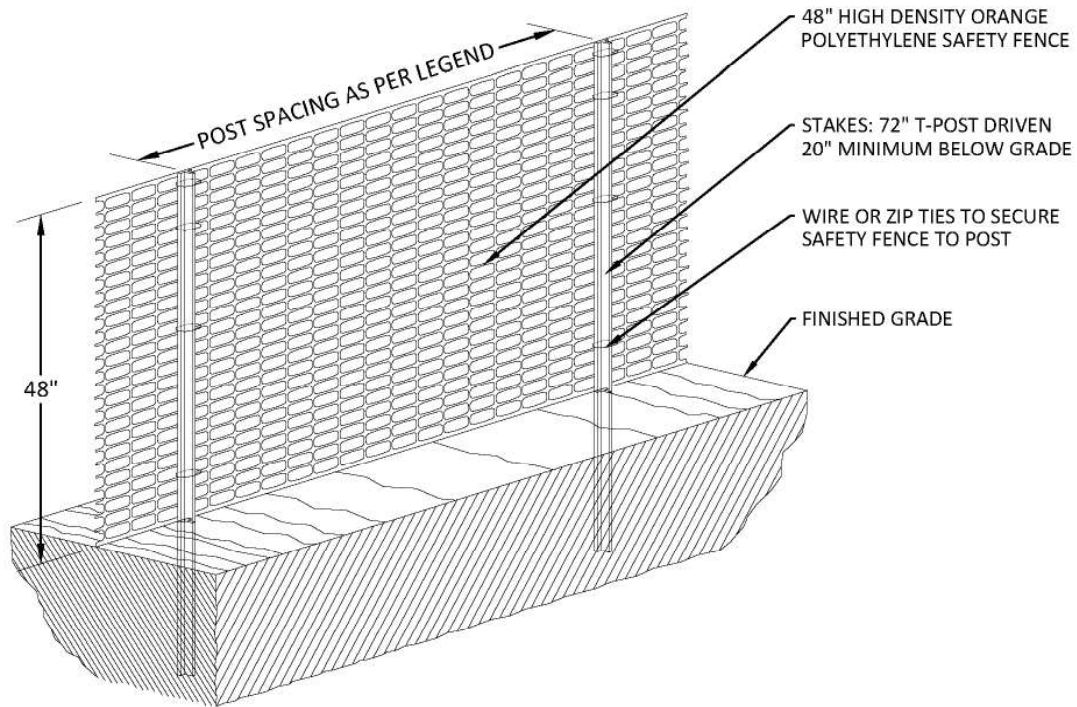
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 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 12 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23

48" ORANGE SAFETY FENCE, 72" T-POSTS SENSITIVE AREA / TREE PROTECTION

LEGEND	
SAF12	48" ORANGE FENCE, 12 FEET ON CENTER
SAF11	48" ORANGE FENCE, 11 FEET ON CENTER
SAF10	48" ORANGE FENCE, 10 FEET ON CENTER
SAF9	48" ORANGE FENCE, 9 FEET ON CENTER
SAF8	48" ORANGE FENCE, 8 FEET ON CENTER
SAF7	48" ORANGE FENCE, 7 FEET ON CENTER
SAF6	48" ORANGE FENCE, 6 FEET ON CENTER



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PURPOSE: BOATING ACCESS
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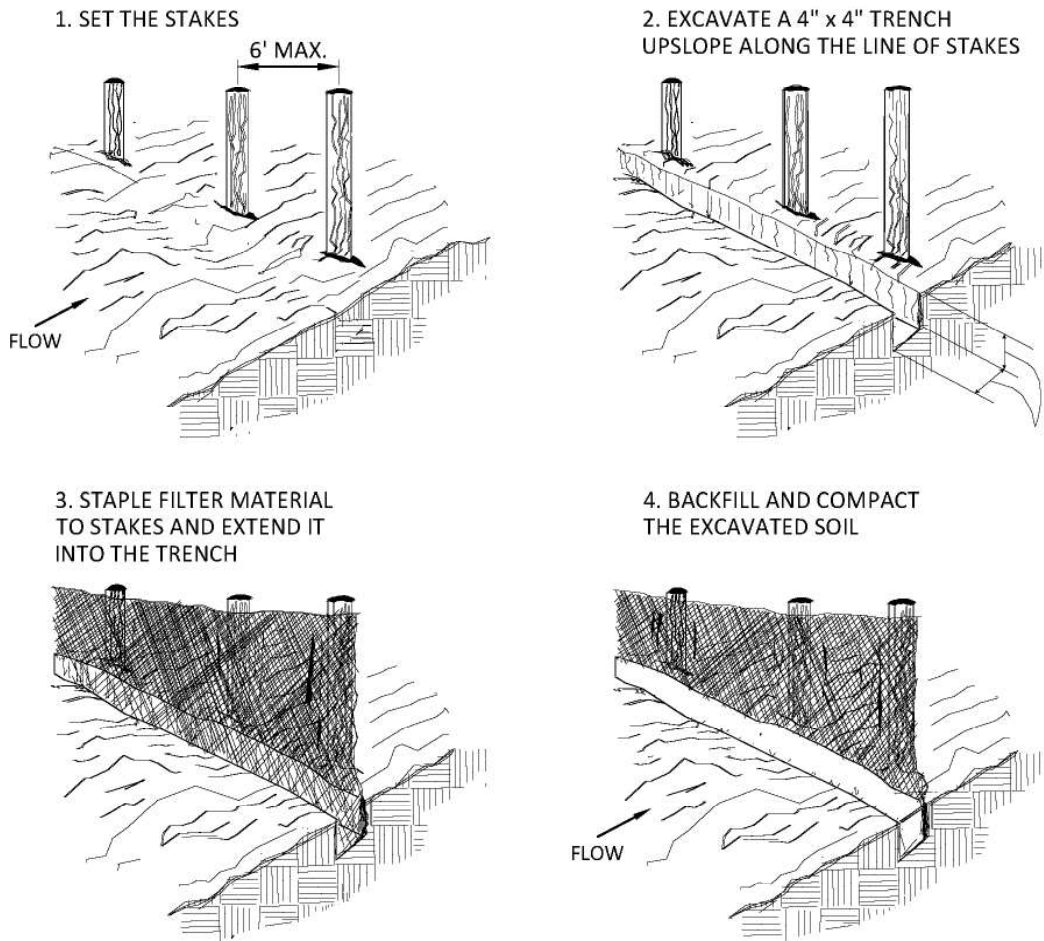
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 PIER, LIFTS, & MOORING PILES
 IN: LINKHORN BAY
 AT: 904 WINWOOD DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY: ANDREW B. KELLAM
 SHEET: 13 OF 15
 DATE: MAY 9, 2023

REV: 06/07/23

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)



SHEET PILE INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

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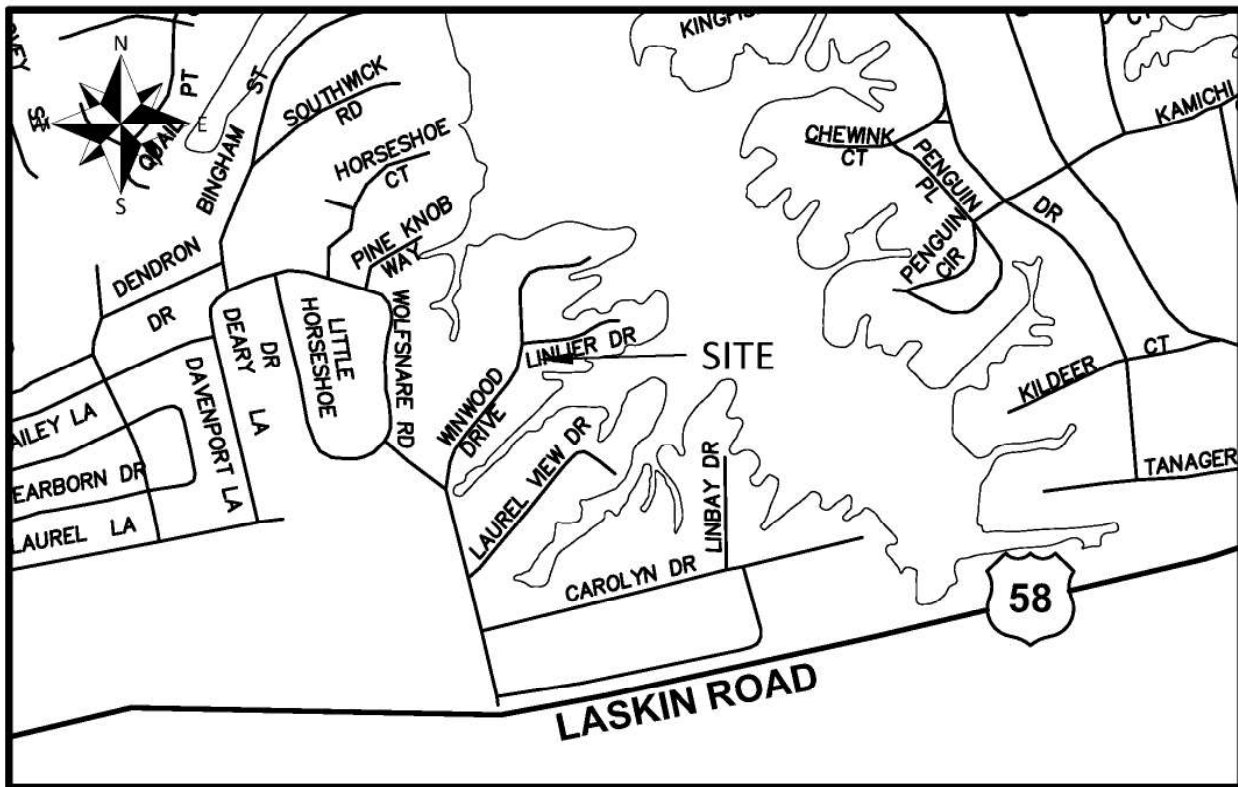
REV: 06/07/23

SITE INFORMATION

LEGAL DESCRIPTION: **LOT 12, LINLIER**
 REFERENCE: **MAP BOOK 26, PAGE 1**, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA
 GPIN: **2418-00-8857**
 ZONING: **R-40 RESIDENTIAL**

SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP

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 APPLICATION BY: ANDREW B. KELLAM
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 DATE: MAY 9, 2023

REV: 06/07/23

AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Building permit #: _____ DSC Plan # : _____

Location: 904 Winwood Drive GPIN: 2418-00-8857

Watershed: Lynnhaven-Poquoson HUC: 02080108

In lieu of providing a detailed Stormwater Management Plan, designed and sealed by a licensed professional, the undersigned agrees to comply with all applicable provisions of Appendix D, Stormwater Management Ordinance of the City Code of the City of Virginia Beach and the Virginia Stormwater Management Regulations. The undersigned also agrees to comply with all additional requirements deemed necessary by the Department of Planning, based upon established stormwater management practices to provide adequate treatment and control of stormwater runoff resulting from this development.

The undersigned intends to use the following Stormwater Management Controls, and install them pursuant to the DEQ BMP Clearinghouse website:

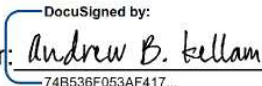
Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	Sheetflow to Vegetated Filter (1 or 2)		Construction Activity Operator
	Grass Channel		Construction Activity Operator
	Rainwater harvesting		Construction Activity Operator
	Permeable Paving (1 or 2)		Construction Activity Operator

Select all that apply	Stormwater Management Controls	Estimated Installation Date	Responsible Party
	Infiltration (1 or 2)		Construction Activity Operator
	Bioretention (1 or 2)		Construction Activity Operator
x	Others (describe) Restore impacted buffer to preconstruction condition or enhance per plan.		Construction Activity Operator

The undersigned further understand that such control measures must not be removed or altered, and must be properly maintained in order to operate as they were constructed. In addition, they must be inspected by the owner of the property, or their agent, annually.

The undersigned understand that failure to comply with the requirements of Appendix D, Stormwater Management, and the construction and maintenance of the stormwater controls listed above may result in enforcement proceedings under Section 1-32 of the Stormwater Management Ordinance.

The undersigned owner hereby grants the City of Virginia Beach the right to enter the subject property periodically for inspections to ensure compliance with the Stormwater Management Ordinance.

Signature of Owner:  Andrew B. Kellam RT & Courtney K. Kellam RT
74B536F053AF417... Print Name: _____

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Justin M. John
896 Winwood Drive
Virginia Beach, VA 23451

**RE: Proposed Riprap, Bulkhead, Pier, Lifts, Mooring Piles & Dredging
Located at 904 Winwood Drive, Virginia Beach, VA 23451**

Dear Justin M. John

This letter is to notify you that your neighbor(s), Andrew B. Kellam RT & Courtney K. Kellam RT have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from the date of this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Andrew B. Kellam RT & Courtney K. Kellam RT , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Justin M. John, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Andrew B. Kellam RT & Courtney K. Kellam RT.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated May 11, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Candice L. Berlin Trust
1409 Linlier Drive
Virginia Beach, VA 23451

**RE: Proposed Riprap, Bulkhead, Pier, Lifts, Mooring Piles & Dredging
Located at 904 Winwood Drive, Virginia Beach, VA 23451**

Dear Candice L. Berlin Trust

This letter is to notify you that your neighbor(s), Andrew B. Kellam RT & Courtney K. Kellam RT have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from the date of this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: Andrew B. Kellam RT & Courtney K. Kellam RT , Applicant

Office: (757) 425-8244
2589 Quality Court, Ste. 323

Mobile: (757) 619-7302

bob@waterfrontconsulting.net
Virginia Beach, VA 23454

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Candice L. Berlin Trust, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of Andrew B. Kellam RT & Courtney K. Kellam RT.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated May 11, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form, be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

6. 2023-WTRA-00135

James M. & Marjorie L. Cromwell

[Applicants & Owners]

1528 E Bay Shore Drive

GPIN 2419-21-1286

City Council District: District 6, formerly Lynnhaven

Waterway – Rainey’s Gut

Subdivision – Bay Colony

Request: To construct a rip rap revetment involving wetlands.



Disclosure Statement



The disclosures contained in this form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Virginia Beach requiring action by the City Council or a City board, commission or other body.

Applicant Disclosure

Applicant Name James M. Cromwell

Does the applicant have a representative? **Yes** **No**

- If **yes**, list the name of the representative.

Robert Simon - Waterfront Consulting, Inc.

Is the applicant a corporation, partnership, firm, business, trust or an unincorporated business? **Yes** **No**

- If **yes**, list the names of all officers, directors, members, trustees, etc. below. (Attach a list if necessary)

- If **yes**, list the businesses that have a parent-subsiary¹ or affiliated business entity² relationship with the applicant. (Attach a list if necessary)

¹ "Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

² "Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Disclosure Statement



Known Interest by Public Official or Employee

Does an **official or employee of the City of Virginia Beach** have an interest in the subject land or any proposed development contingent on the subject public action? **Yes** **No**

- If **yes**, what is the name of the official or employee and what is the nature of the interest?
-

Applicant Services Disclosure

1. Does the applicant have **any existing financing (mortgage, deeds of trust, cross-collateralization, etc) or are they considering any financing** in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the financial institutions.
-

2. Does the applicant have a **real estate broker/agent/realtor** for current and anticipated future sales of the subject property? **Yes** **No**

- If **yes**, identify the real estate broker/realtor.
-

3. Does the applicant have services for **accounting and/or preparation of tax returns** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

4. Does the applicant have services from an **architect/landscape architect/land planner** provided in connection with the subject of the application or any business operating or to be operated on the property? **Yes** **No**

- If **yes**, identify the firm or individual providing the service.
-

5. Is there any other **pending or proposed purchaser** of the subject property? **Yes** **No**

- If **yes**, identify the purchaser and purchaser's service providers.
-

Disclosure Statement



6. Does the applicant have a **construction contractor** in connection with the subject of the application or any business operating or to be operated on the property? Yes No
- If **yes**, identify the construction contractor.

7. Does the applicant have an **engineer/surveyor/agent** in connection with the subject of the application or any business operating or to be operated on the property? Yes No
- If **yes**, identify the engineer/surveyor/agent.

Agent - Robert Simon, Waterfront Consulting, Inc. Engineer - Sean E. Green, P.E. of Stone Green Consulting, LLC

8. Is the applicant receiving **legal services** in connection with the subject of the application or any business operating or to be operated on the property? Yes No
- If **yes**, identify the name of the attorney or firm providing legal services.

Applicant Signature

I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate. I understand that, upon receipt of notification that the application has been scheduled for public hearing, **I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, VBDA, CBPA, Wetlands Board or any public body or committee in connection with this application.**

DocuSigned by:
James M. Cromwell
74B636F063AF417...

Applicant Signature

James M. Cromwell

Print Name and Title

5/31/2023

Date

- Is the applicant also the owner of the subject property? Yes No

- If **yes**, you do not need to fill out the owner disclosure statement.

FOR CITY USE ONLY/ All disclosures must be updated two (2) weeks prior to any Planning Commission and City Council meeting that pertains to the applications

<input type="checkbox"/>	No changes as of	Date	Signature	
			Print Name	

- ❖ DEQ: Permit application fees required for Virginia Water Protection permits – while detailed in 9VAC25-20 – are conveyed to the applicant by the applicable DEQ office (<http://www.deq.virginia.gov/Locations.aspx>). Complete the Permit Application Fee Form and submit it per the instructions to the address listed on the form. Instructions for submitting any other fees will be provided to the applicant by DEQ staff.
- ❖ VMRC: An application fee of \$300 may be required for projects impacting tidal wetlands, beaches and/or dunes when VMRC acts as the LWB. VMRC will notify the applicant in writing if the fee is required. Permit fees involving subaqueous lands are \$25.00 for projects costing \$10,000 or less and \$100 for projects costing more than \$10,000. Royalties may also be required for some projects. The proper permit fee and any required royalty is paid at the time of permit issuance by VMRC. VMRC staff will send the permittee a letter notifying him/her of the proper permit fees and submittal requirements.
- ❖ LWB: Permit fees vary by locality. Contact the LWB for your project area or their website for fee information and submittal requirements. Contact information for LWBs may be found at http://ccrm.vims.edu/permits_web/guidance/local_wetlands_boards.html.

FOR AGENCY USE ONLY	
	Notes:
	JPA # 23-1271

APPLICANTS

Part 1 – General Information

PLEASE PRINT OR TYPE ALL ANSWERS: If a question does not apply to your project, please print N/A (not applicable) in the space provided. If additional space is needed, attach 8-1/2 x 11 inch sheets of paper.

<u>Check all that apply</u>				
Pre-Construction Notification (PCN) <input type="checkbox"/>	NWP # _____ (For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)		Regional Permit 17 (RP-17) <input type="checkbox"/>	
County or City in which the project is located: <u>Virginia Beach</u>				
Waterway at project site: <u>Rainey's Gut</u>				
PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)				
Historical information for past permit submittals can be found online with VMRC - https://webapps.mrc.virginia.gov/public/habitat/ - or VIMS - http://ccrm.vims.edu/perms/newpermits.html				
Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial

Part 1 - General Information (continued)

1. Applicant's legal name* and complete mailing address: Contact Information:
James M. Cromwell Home () _____
808 Costa Grande Drive Work () _____
Virginia Beach, VA 23456 Fax () _____
Cell () _____
e-mail cromwell@evergreenvb.com
State Corporation Commission Name and ID Number (if applicable) _____
2. Property owner(s) legal name* and complete address, if different from applicant: Contact Information:
Home () _____
Work () _____
Fax () _____
Cell () _____
e-mail _____
State Corporation Commission Name and ID Number (if applicable) _____
3. Authorized agent name* and complete mailing address (if applicable): Contact Information:
Waterfront Consulting, Inc. Home () _____
2589 Quality Court, Ste. 323 Work (757) 425-8244
Virginia Beach, VA 23454 Fax (757) 425-8244
Cell (757) 619-7302
e-mail bob@waterfrontconsulting.net
State Corporation Commission Name and ID Number (if applicable) 047-4381-1

*** If multiple applicants, property owners, and/or agents, each must be listed and each must sign the applicant signature page.**

4. Provide a detailed description of the project in the space below, including the type of project, its dimensions, materials, and method of construction. Be sure to include how the construction site will be accessed and whether tree clearing and/or grading will be required, including the total acreage. If the project requires pilings, please be sure to include the total number, type (e.g. wood, steel, etc), diameter, and method of installation (e.g. hammer, vibratory, jetted, etc). If additional space is needed, provide a separate sheet of paper with the project description.

The project is to remove (6) trees, grade approximately 2,150 SF of bank to a 3:1 slope and plant with native grasses, construct approximately 115 LF of granite quarry stone riprap revetment, and construct a private open pile pier with a floating pier, gangway, & four pile boat lift.

The pier will use (48) 8" timber piles, the boat lift will use (4) 10" timber piles, and the float will use (2) 10" timber piles that will be driven via a vibratory hammer mounted to an excavator on a barge.

Part 1 - General Information (continued)

5. Have you obtained a contractor for the project? ___ Yes* No. *If your answer is "Yes" complete the remainder of this question and submit the Applicant's and Contractor's Acknowledgment Form (enclosed)

Contractor's name* and complete mailing address:

Contact Information:

Home () _____

Work () _____

Fax () _____

Cell () _____

email _____

State Corporation Commission Name and ID Number (if applicable) _____

*** If multiple contractors, each must be listed and each must sign the applicant signature page.**

6. List the name, address and telephone number of the newspaper having general circulation in the area of the project. Failure to complete this question may delay local and State processing.

Name and complete mailing address:

Telephone number

Virginian Pilot
150 W. Brambleton Avenue
Norfolk, VA 23510

(757) 622-1455 _____

7. Give the following project location information:

Street Address (911 address if available) 1528 E. Bay Shore Drive _____

Lot/Block/Parcel# 115 x 510 FT, Crystal Lake _____

Subdivision Bay Colony _____

City / County Virginia Beach _____ ZIP Code 23451 _____

Latitude and Longitude at Center Point of Project Site (Decimal Degrees):

36.88488 / -76.00631 _____ (Example: 36.41600/-76.30733)

If the project is located in a rural area, please provide driving directions giving distances from the best and nearest visible landmarks or major intersections. *Note: if the project is in an undeveloped subdivision or property, clearly stake and identify property lines and location of the proposed project. A supplemental map showing how the property is to be subdivided should also be provided.*

The project is located on public roads.

8. What are the *primary and secondary purposes of and the need for* the project? For example, the primary purpose may be "to protect property from erosion due to boat wakes" and the secondary purpose may be "to provide safer access to a pier."

Primary Purpose: Erosion Control

Secondary Purpose: Boating Access

Part 1 - General Information (continued)

9. Proposed use (check one):
 Single user (private, non-commercial, residential)
 Multi-user (community, commercial, industrial, government)
10. Describe alternatives considered and the measures that will be taken to avoid and minimize impacts, to the maximum extent practicable, to wetlands, surface waters, submerged lands, and buffer areas associated with any disturbance (clearing, grading, excavating) during and after project construction. *Please be advised that unavoidable losses of tidal wetlands and/or aquatic resources may require compensatory mitigation.*
- A living shoreline was not proposed here do to the existing topography of the lot. To achieve a 8:1 or 10:1 slope for a living shoreline would not be suitable for the topography of the site or either adjoining site. A riprap revetment at the existing toe of slope with grading and plantings with native grasses will include 397 SF of NVW rock on mud impacts that will be self mitigating.
11. Is this application being submitted for after-the-fact authorization for work which has already begun or been completed? Yes No. If yes, be sure to clearly depict the portions of the project which are already complete in the project drawings.
12. Approximate cost of the entire project (materials, labor, etc.): \$ TBD
Approximate cost of that portion of the project that is channelward of mean low water:
\$ TBD
13. Completion date of the proposed work: Approximately 1 year from permit date - _____
14. Adjacent Property Owner Information: List the name and complete **mailing address**, including zip code, of each adjacent property owner to the project. (NOTE: If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.) Failure to provide this information may result in a delay in the processing of your application by VMRC.
- | | | |
|----------------------|-------------------------|--------------------------|
| Randall K. Wilson RT | 1532 E. Bay Shore Drive | Virginia Beach, VA 23451 |
| Mia S. Lanese Trust | 1524 E. Bay Shore Drive | Virginia Beach, VA 23451 |

Part 2 - Signatures

1. Applicants and property owners (if different from applicant).

NOTE: REQUIRED FOR ALL PROJECTS

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for all permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

James M. Cromwell

Applicant's Legal Name (printed/typed)

(Use if more than one applicant)

DocuSigned by:
James M. Cromwell

Applicant's Signature

(Use if more than one applicant)

5/31/2023

Date

Property Owner's Legal Name (printed/typed)
(If different from Applicant)

(Use if more than one owner)

Property Owner's Signature

(Use if more than one owner)

Date

Part 2 – Signatures (continued)

2. Applicants having agents (if applicable)

CERTIFICATION OF AUTHORIZATION

I (we), James M. Cromwell, hereby certify that I (we) have authorized Waterfront Consulting, Inc.
(Applicant’s legal name(s)) (Agent’s name(s))

to act on my behalf and take all actions necessary to the processing, issuance and acceptance of this permit and any and all standard and special conditions attached.

We hereby certify that the information submitted in this application is true and accurate to the best of our knowledge.

Robert E. Simon, V.P.

(Agent’s Signature)
James M. Cromwell
(Date)

(Use if more than one agent)

5/31/2023

(Applicant’s Signature)
James M. Cromwell
(Date)

(Use if more than one applicant)

3. Applicant’s having contractors (if applicable)

CONTRACTOR ACKNOWLEDGEMENT

I (we), James M. Cromwell, have contracted _____
(Applicant’s legal name(s)) (Contractor’s name(s))

to perform the work described in this Joint Permit Application, signed and dated _____.

We will read and abide by all conditions set forth in all Federal, State and Local permits as required for this project. We understand that failure to follow the conditions of the permits may constitute a violation of applicable Federal, state and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, we agree to make available a copy of any permit to any regulatory representative visiting the project to ensure permit compliance. If we fail to provide the applicable permit upon request, we understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all terms and conditions.

Contractor’s name or name of firm

Contractor’s or firms address

Contractor’s signature and title

Contractor’s License Number

Applicant’s signature

(use if more than one applicant)

Date

Part 3 – Appendices

Please complete and submit the appendix questions applicable to your project, and attach the required vicinity map(s) and drawings to your application. If an item does not apply to your project, please write “N/A” in the space provided.

Appendix A: (TWO PAGES) Projects for Access to the water such as private and community piers, boathouses, marinas, moorings, and boat ramps. Answer all questions that apply.

1. **Briefly describe your proposed project.**

The project is to construct a private open pile pier with a floating pier, gangway, & four pile boat lift.

2. **For private, noncommercial piers:**

Do you have an existing pier on your property? ___ Yes No

If yes, will it be removed? ___ Yes ___ No

Is your lot platted to the mean low water shoreline? Yes ___ No

What is the overall length of the proposed structure? 142 feet.

Channelward of Mean High Water? 115 feet.

Channelward of Mean Low Water? 30 feet.

What is the area of the piers and platforms that will be constructed over

Tidal non-vegetated wetlands 98 square feet.

Tidal vegetated wetlands 457 square feet.

Submerged lands 574 square feet.

What is the total size of any and all L- or T-head platforms? 400 sq. ft.

For boathouses, what is the overall size of the roof structure? N/A sq. ft.

Will your boathouse have sides? ___ Yes ___ No.

NOTE: All proposals for piers, boathouses and shelter roofs must be reviewed by the Virginia Marine Resources Commission (Commission or VMRC), however, pursuant to § [28.2-1203](#) A 5 of the Code of Virginia a VMRC permit may not be required for such structures (except as required by subsection D of § [28.2-1205](#) for piers greater than 100 feet in length involving commercially productive leased oyster or clam grounds), provided that (i) the piers do not extend beyond the navigation line or private pier lines established by the Commission or the United States Army Corps of Engineers (USACE), (ii) the piers do not exceed six feet in width and finger piers do not exceed five feet in width, (iii) any L or T head platforms and appurtenant floating docking platforms do not exceed, in the aggregate, 400 square feet, (iv) if prohibited by local ordinance open-sided shelter roofs or gazebo-type structures shall not be placed on platforms as described in clause (iii), but may be placed on such platforms if not prohibited by local ordinance, and (v) the piers are determined not to be a navigational hazard by the Commission. Subject to any applicable local ordinances, such piers may include an attached boat lift and an open-sided roof designed to shelter a single boat slip or boat lift. In cases in which open-sided roofs designed to shelter a single boat, boat slip or boat lift will exceed 700 square feet in coverage or the open-sided shelter roofs or gazebo structures exceed 400 square feet, and in cases in which an adjoining property owner objects to a proposed roof structure, permits shall be required as provided in § [28.2-1204](#).

Part 3 – Appendices (continued)

Appendix B: Projects for Shoreline Stabilization in tidal wetlands, tidal waters and dunes/beaches including riprap revetments and associated backfill, marsh toe stabilization, bulkheads and associated backfill, breakwaters, beach nourishment, groins, jetties, and living shoreline projects. Answer all questions that apply. Please provide any reports provided from the Shoreline Erosion Advisory Service or VIMS.

NOTE: It is the policy of the Commonwealth that living shorelines are the preferred alternative for stabilizing tidal shorelines (Va. Code § 28.2-104.1). **Information on non-structural, vegetative alternatives (i.e., Living Shoreline) for shoreline stabilization is available at http://ccrm.vims.edu/coastal_zone/living_shorelines/index.html.**

1. Describe each **revetment, bulkhead, marsh toe, breakwater, groin, jetty, other structure, or living shoreline project** separately in the space below. Include the overall length in linear feet, the amount of impacts in acres, and volume of associated backfill below mean high water and/or ordinary high water in cubic yards, as applicable:

The project is to remove (6) trees, grade approximately 2,150 SF of bank to achieve a 3:1 slope and plant with native plantings, and construct approximately 115 LF of granite quarry stone riprap revetment. There will be no fill placed below the plane of MHW and 0.01 acres of aquatic impact.

2. What is the maximum encroachment channelward of mean high water? 4 feet.
Channelward of mean low water? 0 feet.
Channelward of the back edge of the dune or beach? N/A feet.
3. Please calculate the square footage of encroachment over:
 - Vegetated wetlands 0 square feet
 - Non-vegetated wetlands 397 square feet
 - Subaqueous bottom 0 square feet
 - Dune and/or beach N/A square feet
4. For bulkheads, is any part of the project maintenance or replacement of a previously authorized, currently serviceable, existing structure? Yes No.

If yes, will the construction of the new bulkhead be no further than two (2) feet channelward of the existing bulkhead? Yes No.

If no, please provide an explanation for the purpose and need for the additional encroachment.

Part 3 – Appendices (continued)

5. Describe the type of construction and **all** materials to be used, including source of backfill material, if applicable (e.g., vinyl sheet-pile bulkhead, timber stringers and butt piles, 100% sand backfill from upland source; broken concrete core material with Class II quarry stone armor over filter cloth).

NOTE: Drawings must include construction details, including dimensions, design and all materials, including fittings if used.

Rip Rap - Class 1 & A1 quarry stone, heavy duty filter cloth, upland fill

6. If using stone, broken concrete, etc. for your structure(s), what is the average weight of the:

Core (inner layer) material 75-150 pounds per stone Class size 1 & A1

Armor (outer layer) material 75-150 pounds per stone Class size 1 & A1

7. For **beach nourishment**, including that associated with breakwaters, groins or other structures, provide the following:

- Volume of material _____ cubic yards channelward of mean low water
 _____ cubic yards landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Area to be covered _____ square feet channelward of mean low water
 _____ square feet landward of mean low water
 _____ cubic yards channelward of mean high water
 _____ cubic yards landward of mean high water

- Source of material, composition (e.g. 90% sand, 10% clay): _____

- Method of transportation and placement:

- Describe any proposed vegetative stabilization measures to be used, including planting schedule, spacing, monitoring, etc. Additional guidance is available at <http://www.vims.edu/about/search/index.php?q=planting+guidelines>:

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 1528 E. Bay Shore Drive

APPLICANT'S NAME: James M. Cromwell

APPLICANT'S ADDRESS: 808 Costa Grande Drive

Virginia Beach, VA 23456

ENGINEER OF RECORD: Sean E. Green, P.E.

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: Riprap, Grading, Plantings, Pier, Float, & Boat Lift

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.



SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

Sean E. Green, P.E.

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DocuSigned by:



5/31/2023

SIGNATURE OF APPLICANT

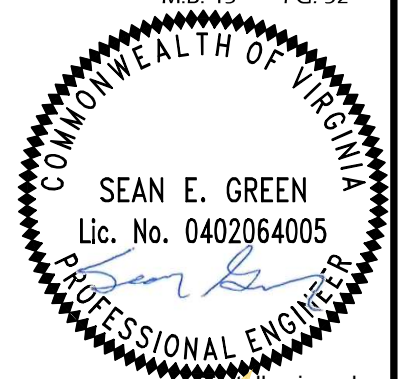
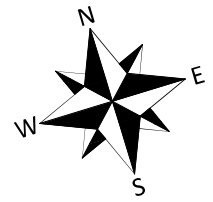
DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR

DATE

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____

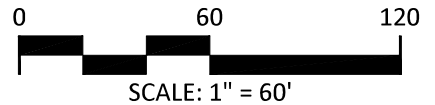


Sean E. Green
Digitally signed by: Sean E. Green
Date: 2023.06.06 21:34:06 -05'00'

APO #2
NOW OR FORMERLY
MIA S. LANESE TRUST
1524 E. BAY SHORE DRIVE
GPIN: 2419-21-3202

APO #1
NOW OR FORMERLY
RANDALL K. WILSON RT
1532 E. BAY SHORE DRIVE
GPIN: 2419-21-0371

EXISTING CONDITIONS



PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
DATUM: MLW = 0.00'
APOS:
1. RANDALL K. WILSON RT
2. MIA S. LANESE TRUST

REV:



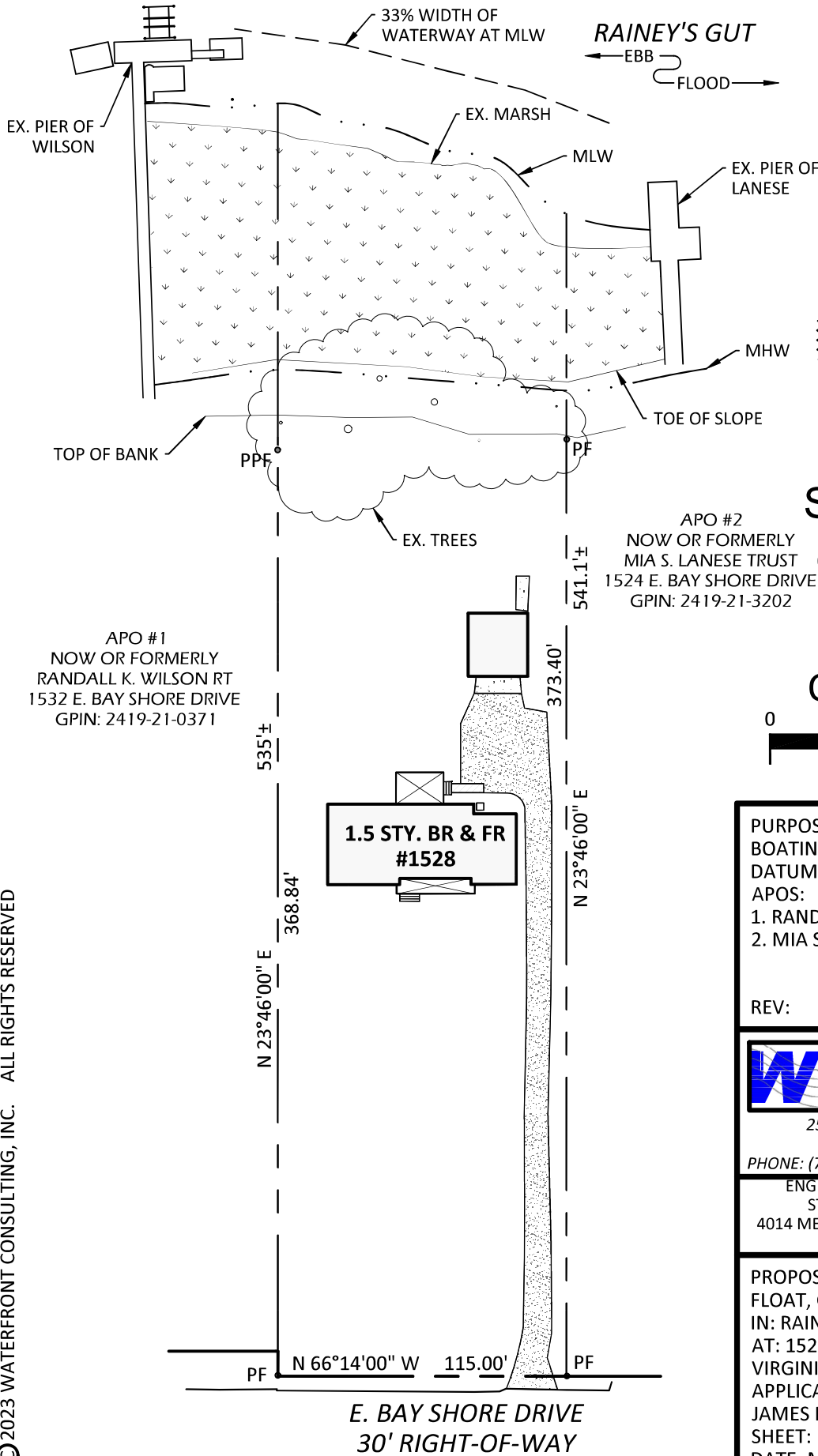
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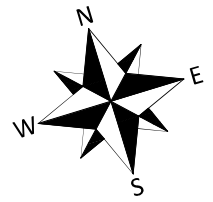
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
STONE GREEN CONSULTING, LLC
4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

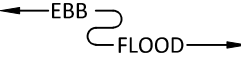
PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
IN: RAINEYS GUT
AT: 1528 E. BAY SHORE DRIVE
VIRGINIA BEACH, VA 23451
APPLICATION BY:
JAMES M. CROMWELL
SHEET: 1 OF 10
DATE: MAY 31, 2023

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RAINEY'S GUT



33% WIDTH OF WATERWAY AT MLW

EX. PIER OF WILSON

EX. MARSH

MLW

EX. PIER OF LANESE

MHW

TOE OF SLOPE

TOP OF BANK

ACCESSWAY = 6,439 SF
AREA IS APPROXIMATE

APO #1
NOW OR FORMERLY
RANDALL K. WILSON RT
1532 E. BAY SHORE DRIVE
GPIN: 2419-21-0371

REMOVE (6)
TREES FOR
GRADING AND
PLANTING

APO #2
NOW OR FORMERLY
MIA S. LANESE TRUST
1524 E. BAY SHORE DRIVE
GPIN: 2419-21-3202

SITE ACCESS & DISTURBANCE



SCALE: 1" = 40'

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
DATUM: MLW = 0.00'

- APOS:
1. RANDALL K. WILSON RT
 2. MIA S. LANESE TRUST

REV:



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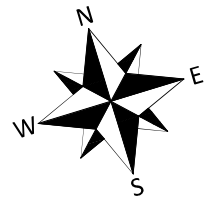
2589 QUALITY COURT, SUITE 323
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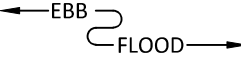
PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
IN: RAINEYS GUT

AT: 1528 E. BAY SHORE DRIVE
VIRGINIA BEACH, VA 23451
APPLICATION BY:

JAMES M. CROMWELL
SHEET: 2 OF 10
DATE: MAY 31, 2023



RAINEY'S GUT



33% WIDTH OF WATERWAY AT MLW

EX. PIER OF WILSON

EX. MARSH

MLW

EX. PIER OF MANESE

PROPOSED PIER WITH L-HEAD, FLOATING PIER, 3'x12' GANGWAY, AND FOUR PILE BOAT LIFT

397 SF OF NVW ROCK ON MUD IMPACTS

TOP OF BANK

PPF

115'

6'

PF

TOE OF SLOPE

ACCESSWAY = 6,439 SF AREA IS APPROXIMATE

PROPOSED 115 LF OF GRANITE QUARRY STONE RIPRAP REVETMENT AND 2,150± SF OF GRADING AND PLANTINGS TO ACHIEVE A 3:1 SLOPE ON THE BANK

APO #1
NOW OR FORMERLY
RANDALL K. WILSON RT
1532 E. BAY SHORE DRIVE
GPIN: 2419-21-0371

APO #2
NOW OR FORMERLY
MIA S. LANESE TRUST
1524 E. BAY SHORE DRIVE
GPIN: 2419-21-3202

PROPOSED SITE IMPROVEMENTS



SCALE: 1" = 40'

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS

DATUM: MLW = 0.00'

APOS:

- 1. RANDALL K. WILSON RT
- 2. MIA S. LANESE TRUST

REV:



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VIRGINIA BEACH, VA 23454

PHONE: (757) 425-8244, MOBILE: (757) 619-7302

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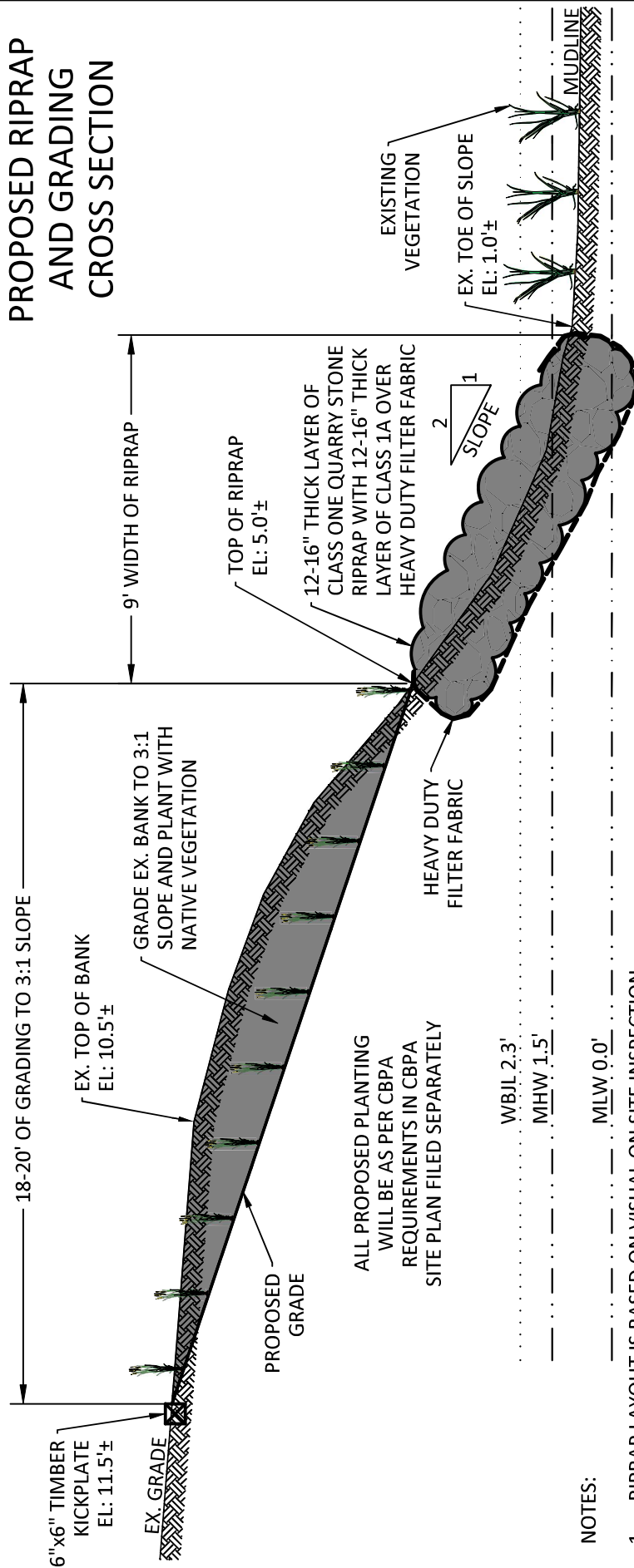
PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT

IN: RAINEYS GUT
AT: 1528 E. BAY SHORE DRIVE
VIRGINIA BEACH, VA 23451

APPLICATION BY:

JAMES M. CROMWELL
SHEET: 3 OF 10
DATE: MAY 31, 2023

PROPOSED RIPRAP AND GRADING CROSS SECTION



NOTES:

1. RIPRAP LAYOUT IS BASED ON VISUAL ON SITE INSPECTION.
2. ADDITIONAL STONE MAY BE REQUIRED THAN SHOWN DUE TO SETTLEMENT DURING CONSTRUCTION.
3. DIMENSIONS SHOWN ARE DIMENSIONS UPON COMPLETION OF THE PROJECT AFTER INITIAL CONSTRUCTION SETTLEMENT.

DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS. NO SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS. LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE DESIGN. CONTRACTOR SHALL FIELD VERIFY BOTTOM CONDITIONS TO ASSURE THAT FIRM MATERIAL IS IN PLACE. THE ENGINEER IS TO BE NOTIFIED OF ANY ABNORMAL SOIL CONDITIONS.

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
 DATUM: MLW = 0.00'



APOS:
 1. RANDALL K. WILSON RT
 2. MIA S. LANESE TRUST

REV:



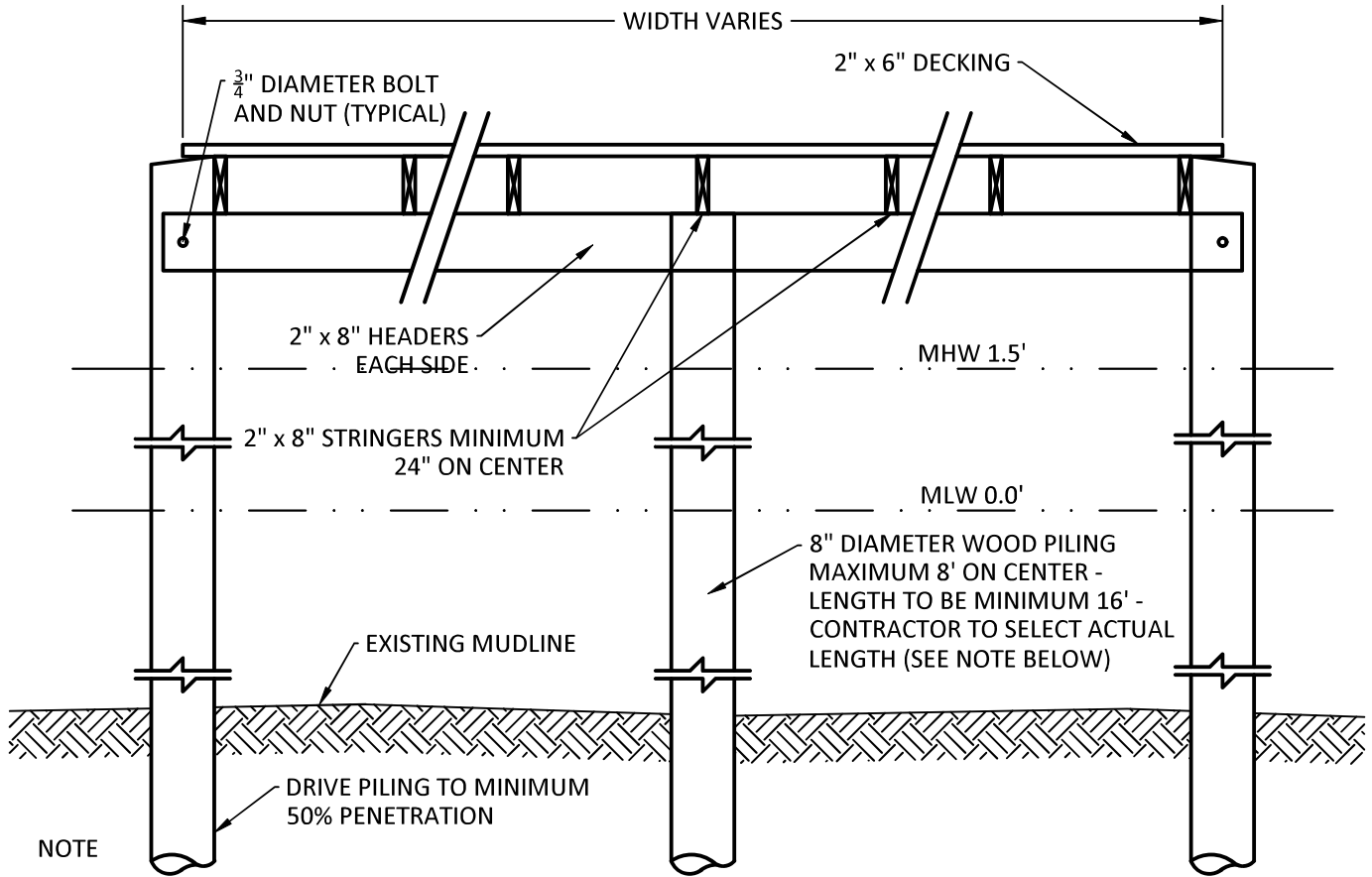
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 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

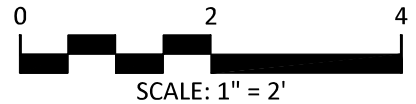
PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
 IN: RAINEYS GUT
 AT: 1528 E. BAY SHORE DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 4 OF 10
 DATE: MAY 31, 2023

PROPOSED PIER OVER WATER CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. RANDALL K. WILSON RT
 2. MIA S. LANESE TRUST



**WATERFRONT
CONSULTING, INC.**

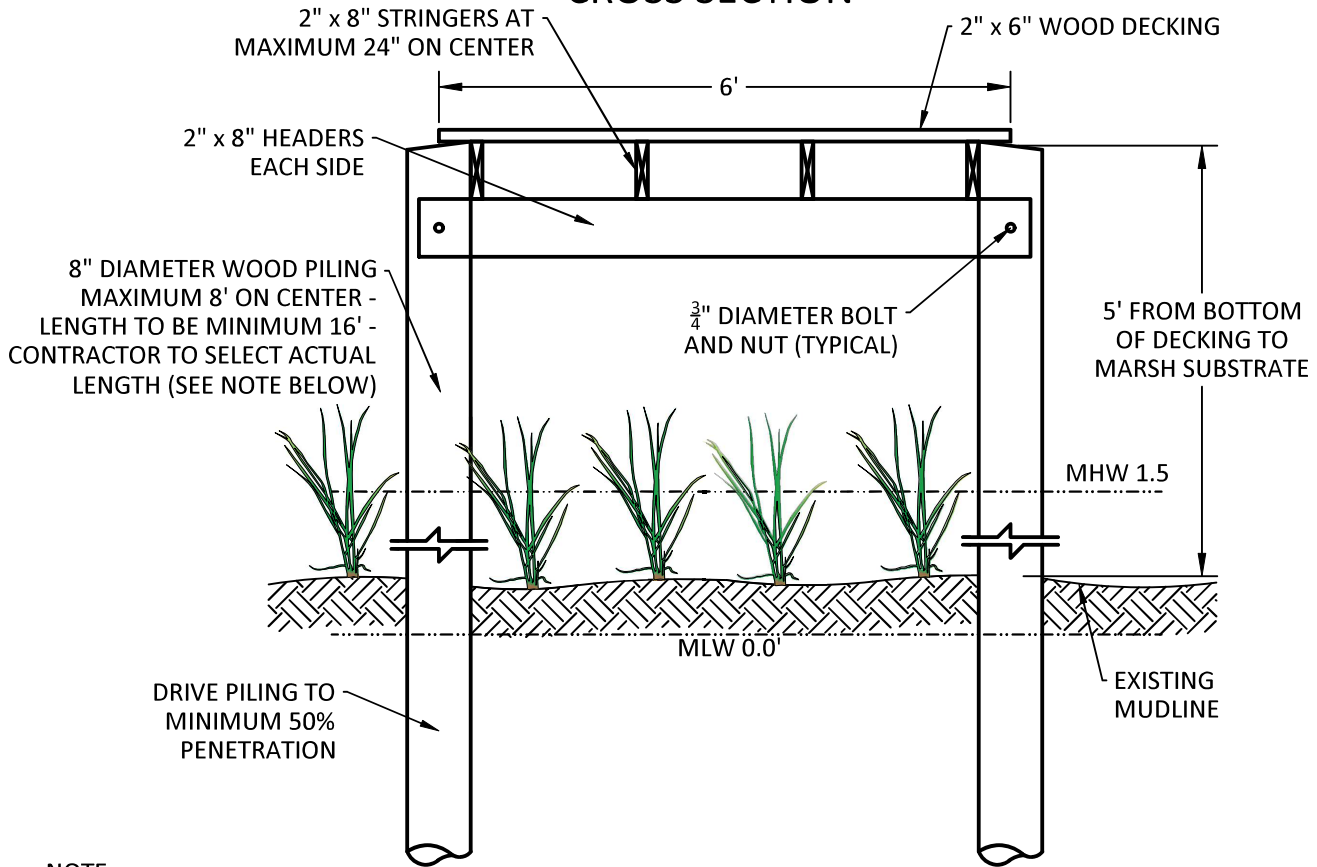
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 PHONE: (757) 425-8244, MOBILE: (757) 619-7302

ENGINEERING SERVICES PROVIDED BY:
 STONE GREEN CONSULTING, LLC
 4014 MEDINA ROAD #1015, AKRON, OH 44333
 (330) 883-2117

PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
 IN: RAINEYS GUT
 AT: 1528 E. BAY SHORE DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 5 OF 10
 DATE: MAY 31, 2023

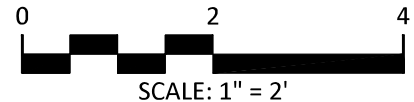
REV:

PROPOSED PIER OVER MARSH CROSS SECTION



NOTE

1. ALL TIMBER MATERIAL FOR USE IN THIS MARINE ENVIRONMENT SHALL BE PRESERVATIVE TREATED IN ACCORDANCE WITH THE AWPA
2. ALL HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A-153.
3. DRAWINGS ARE FOR PERMIT PURPOSES ONLY, AND DO NOT CONSTITUTE FULL DESIGN DRAWINGS.
4. NO HYDROGRAPHIC SURVEYS OR SOIL BORINGS HAVE BEEN TAKEN TO CONFIRM SUBSURFACE SOIL CONDITIONS (FOR PILE LENGTH DETERMINATION).
5. PIER LAYOUT IS BASED ON VISUAL ON-SITE INSPECTION.
6. ABNORMAL SITE CONDITIONS NOT READILY APPARENT HAVE NOT BEEN TAKEN INTO ACCOUNT, AND MAY REQUIRE MODIFICATIONS TO THE MINIMUM PILE LENGTHS SHOWN.
7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY DEPTH OF WATER AND SUBSURFACE CONDITIONS AND TO SELECT PILE LENGTHS ADEQUATE FOR THE STRUCTURE.



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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
 1. RANDALL K. WILSON RT
 2. MIA S. LANESE TRUST



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ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
 IN: RAINEYS GUT
 AT: 1528 E. BAY SHORE DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 6 OF 10
 DATE: MAY 31, 2023

REV:

NLAA COMPLIANCE

ITEM	8" PILE	10" PILE	12" PILE		
PIER	40				
BOAT LIFT		4			
FLOAT		2			

ALL NOTED PILES ARE CHANNELWARD OF MEAN HIGH WATER AND ARE TO BE TIMBER, DRIVEN WITH EXCAVATOR MOUNTED VIBRATORY HAMMER

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
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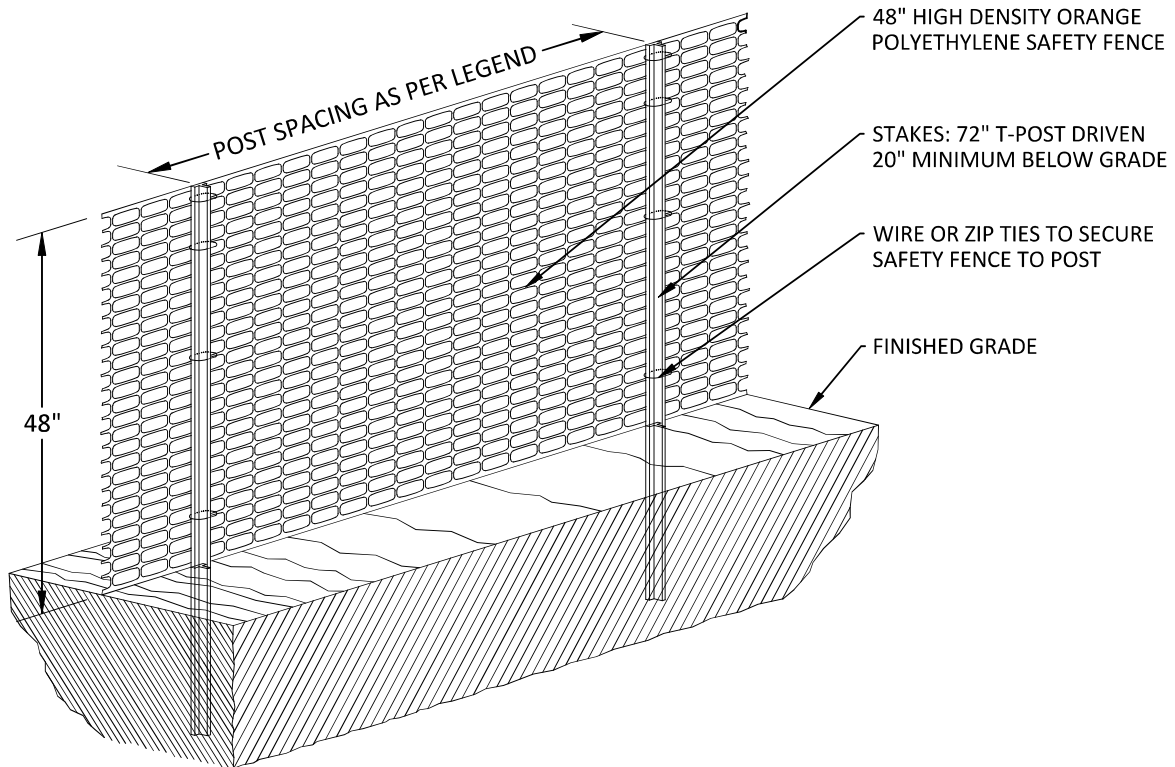
ENGINEERING SERVICES PROVIDED BY:
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 (330) 883-2117

PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
 IN: RAINEYS GUT
 AT: 1528 E. BAY SHORE DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 7 OF 10
 DATE: MAY 31, 2023

REV:

48" ORANGE SAFETY FENCE, 72" T-POSTS SENSITIVE AREA / TREE PROTECTION

LEGEND	
SAF12	48" ORANGE FENCE, 12 FEET ON CENTER
SAF11	48" ORANGE FENCE, 11 FEET ON CENTER
SAF10	48" ORANGE FENCE, 10 FEET ON CENTER
SAF9	48" ORANGE FENCE, 9 FEET ON CENTER
SAF8	48" ORANGE FENCE, 8 FEET ON CENTER
SAF7	48" ORANGE FENCE, 7 FEET ON CENTER
SAF6	48" ORANGE FENCE, 6 FEET ON CENTER



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PURPOSE: SHORELINE PROTECTION &
BOATING ACCESS
DATUM: MLW = 0.00'
APOS:
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**WATERFRONT
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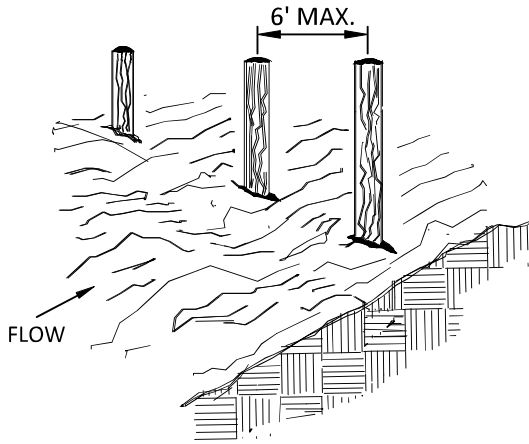
ENGINEERING SERVICES PROVIDED BY:
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4014 MEDINA ROAD #1015, AKRON, OH 44333
(330) 883-2117

PROPOSED: RIPRAP, GRADING, PIER,
FLOAT, GANGWAY, & BOAT LIFT
IN: RAINEYS GUT
AT: 1528 E. BAY SHORE DRIVE
VIRGINIA BEACH, VA 23451
APPLICATION BY:
JAMES M. CROMWELL
SHEET: 8 OF 10
DATE: MAY 31, 2023

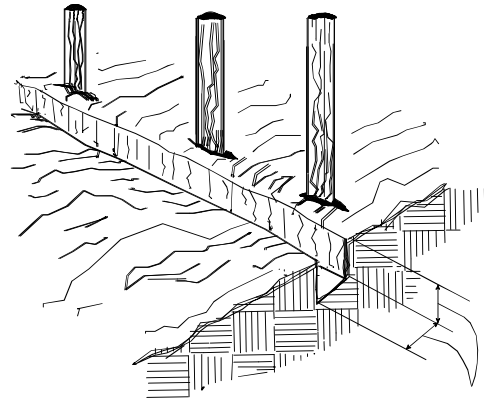
REV:

CONSTRUCTION OF A SILT FENCE (WITHOUT WIRE SUPPORT)

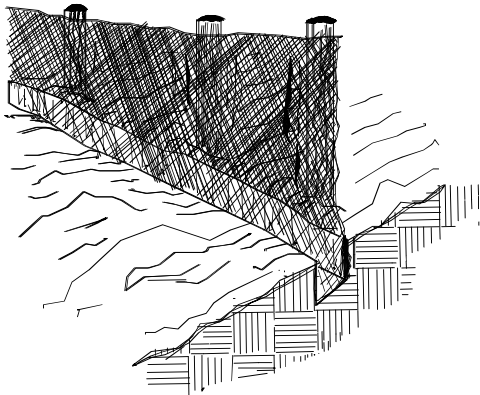
1. SET THE STAKES



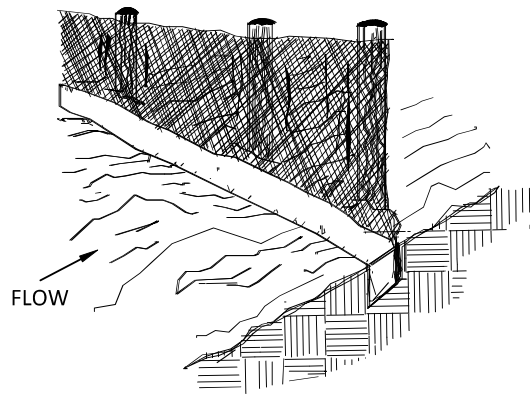
2. EXCAVATE A 4" x 4" TRENCH UPSLOPE ALONG THE LINE OF STAKES



3. STAPLE FILTER MATERIAL TO STAKES AND EXTEND IT INTO THE TRENCH



4. BACKFILL AND COMPACT THE EXCAVATED SOIL



SHEET FLOW INSTALLATION (PERSPECTIVE VIEW)

SOURCE: Adapted from Installation of Straw and Fabric Filter Barriers for Sediment Control, VA. DSWC Sherwood and Wyant PLATE 3.05-2

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
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 APOS:
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PROPOSED: RIPRAP, GRADING, PIER, FLOAT, GANGWAY, & BOAT LIFT
 IN: RAINEYS GUT
 AT: 1528 E. BAY SHORE DRIVE
 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 9 OF 10
 DATE: MAY 31, 2023

REV:

SITE INFORMATION

LEGAL DESCRIPTION: 115 x 510 FT, CRYSTAL LAKE

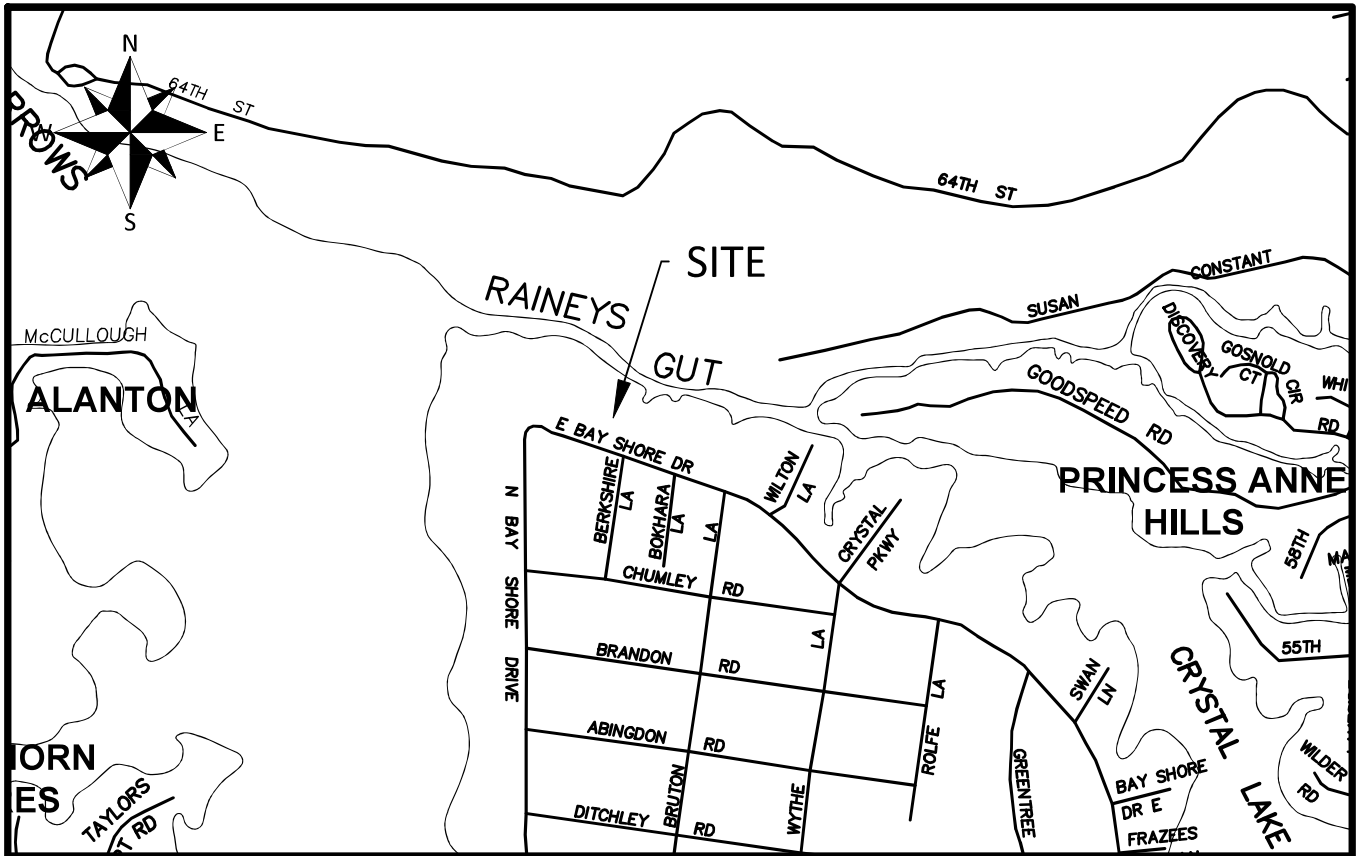
REFERENCE: MAP BOOK 45, PAGE 52, ON FILE AT THE CLERK'S OFFICE, VIRGINIA BEACH, VA

GPIN: 2419-21-1286

ZONING: R-40 RESIDENTIAL

SEQUENCE OF EVENTS

1. OBTAIN ALL NECESSARY PERMITS.
2. SCHEDULE ON-SITE PRE-CONSTRUCTION MEETING WITH COASTAL ZONE INSPECTOR.
3. MOBILIZE EQUIPMENT TO SITE, MARK ACCESS WAY WITH SAFETY FENCE.
4. CONSTRUCT IMPROVEMENTS.
5. DEMOBILIZE EQUIPMENT FROM SITE WHILE ADDING TOP SOIL AND SEED TO ALL AREAS DENUDED / DAMAGED BY CONSTRUCTION OPERATIONS.



VICINITY MAP

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PURPOSE: SHORELINE PROTECTION & BOATING ACCESS
 DATUM: MLW = 0.00'
 APOS:
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 VIRGINIA BEACH, VA 23451
 APPLICATION BY:
 JAMES M. CROMWELL
 SHEET: 10 OF 10
 DATE: MAY 31, 2023

REV:

AGREEMENT IN LIEU OF A STORMWATER MANAGEMENT PLAN FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT

Building permit #: _____ DSC Plan # : _____

Location: 1528 E. Bay Shore Drive GPIN: 2419-21-1286

Watershed: Lynnhaven-Poquoson HUC: 02080108

In lieu of providing a detailed Stormwater Management Plan, designed and sealed by a licensed professional, the undersigned agrees to comply with all applicable provisions of Appendix D, Stormwater Management Ordinance of the City Code of the City of Virginia Beach and the Virginia Stormwater Management Regulations. The undersigned also agrees to comply with all additional requirements deemed necessary by the Department of Planning, based upon established stormwater management practices to provide adequate treatment and control of stormwater runoff resulting from this development.

The undersigned intends to use the following Stormwater Management Controls, and install them pursuant to the DEQ BMP Clearinghouse website:

Select all that apply	Stormwater Management Control	Estimated installation date	Responsible party
	Post-development Stormwater Management controls provided by a Larger Common Plan of Development or Sale	NA	Common Plan Construction Activity Operator
	Rooftop Disconnection		Construction Activity Operator
	Sheetflow to Vegetated Filter (1 or 2)		Construction Activity Operator
	Grass Channel		Construction Activity Operator
	Rainwater harvesting		Construction Activity Operator
	Permeable Paving (1 or 2)		Construction Activity Operator

Select all that apply	Stormwater Management Controls	Estimated Installation Date	Responsible Party
	Infiltration (1 or 2)		Construction Activity Operator
	Bioretention (1 or 2)		Construction Activity Operator
X	Others (describe) Restore impacted buffer to preconstruction condition or enhance per plan.		Construction Activity Operator

The undersigned further understand that such control measures must not be removed or altered, and must be properly maintained in order to operate as they were constructed. In addition, they must be inspected by the owner of the property, or their agent, annually.

The undersigned understand that failure to comply with the requirements of Appendix D, Stormwater Management, and the construction and maintenance of the stormwater controls listed above may result in enforcement proceedings under Section 1-32 of the Stormwater Management Ordinance.

The undersigned owner hereby grants the City of Virginia Beach the right to enter the subject property periodically for inspections to ensure compliance with the Stormwater Management Ordinance.

DocuSigned by:
 Signature of Owner: James M. Cromwell Print Name: James M. Cromwell
74B530F033AF417...

Signature of Permittee: _____ Print Name: _____

Date: _____



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Randall K. Wilson RT
1532 E. Bay Shore Drive
Virginia Beach, VA 23451

**RE: Proposed Riprap, Grading, Plantings, Pier, Float, & Boat Lift
Located at 1528 E. Bay Shore Drive, Virginia Beach, VA 23451**

Dear Randall K. Wilson RT

This letter is to notify you that your neighbor(s), James M. Cromwell have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

Virginia Marine Resources Commission
Habitat Management Division
380 Fenwick Road, Bldg. 96
Fort Monroe, VA 23651

We thank you in advance for your timely response and please feel free to call me with any questions. If we do not receive a response within 15 days from receiving this letter, it will be assumed that you have no objection to the project.

Kind Regards,

Robert E. Simon

Robert E. Simon, Vice President

CC: James M. Cromwell , Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

ADDITIONAL INFORMATION/REVISIONS Received by VMRC June 8, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

I (we), Randall K. Wilson RT, own land next to (across the water
(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of James M. Cromwell.
(Print applicant's name(s))

I have reviewed the applicant's project drawings dated May 31, 2023
(Date)

to be submitted for all necessary federal, state and local permits.

I HAVE NO COMMENT ABOUT THE PROJECT.

I DO NOT OBJECT TO THE PROJECT.

I OBJECT TO THE PROJECT.

The applicant has agreed to contact me for additional comments if the proposal changes prior to construction of the project.

(Before signing this form be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.



WATERFRONT CONSULTING, INC.
“Specializing in Permit Processing”

Mia S. Lanese Trust
1524 E. Bay Shore Drive
Virginia Beach, VA 23451

**RE: Proposed Riprap, Grading, Plantings, Pier, Float, & Boat Lift
Located at 1528 E. Bay Shore Drive, Virginia Beach, VA 23451**

Dear Mia S. Lanese Trust

This letter is to notify you that your neighbor(s), James M. Cromwell have submitted a Joint Permit Application for waterfront improvements as shown on the enclosed drawings. Please review the drawings and should you have any questions or concerns, please do not hesitate to call.

If you do not object to the project or have no comment, we would ask that you return the enclosed Adjacent Property Owners Acknowledgement form via email to bob@waterfrontconsulting.net or the USPS to Waterfront Consulting, Inc.

If you object to the project, you may still return the Adjacent Property Owners Acknowledgement form to Waterfront Consulting, Inc. or by USPS to:

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Robert E. Simon

Robert E. Simon, Vice President

CC: James M. Cromwell , Applicant

Office: (757) 425-8244 Mobile: (757) 619-7302 bob@waterfrontconsulting.net
2589 Quality Court, Ste. 323 Virginia Beach, VA 23454

ADDITIONAL INFORMATION/REVISIONS Received by VMRC June 8, 2023 /blh

Part 2 – Signatures (continued)

ADJACENT PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

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(Print adjacent/nearby property owner's name)

from/on the same cove as) the land of James M. Cromwell.
(Print applicant's name(s))

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(Before signing this form, be sure you have checked the appropriate option above).

Adjacent/nearby property owner's signature(s)

Date

Note: If you object to the proposal, the reason(s) you oppose the project must be submitted in writing to VMRC. An objection will not necessarily result in denial of the project; however, valid complaints will be given full consideration during the permit review process.

7. 2023-WTRA-00136

Chelsea Waterway Associates, Inc. [Applicant]

Marlyn B Fabrizio Revocable Trust [Owner]

1825 Green Hill Road

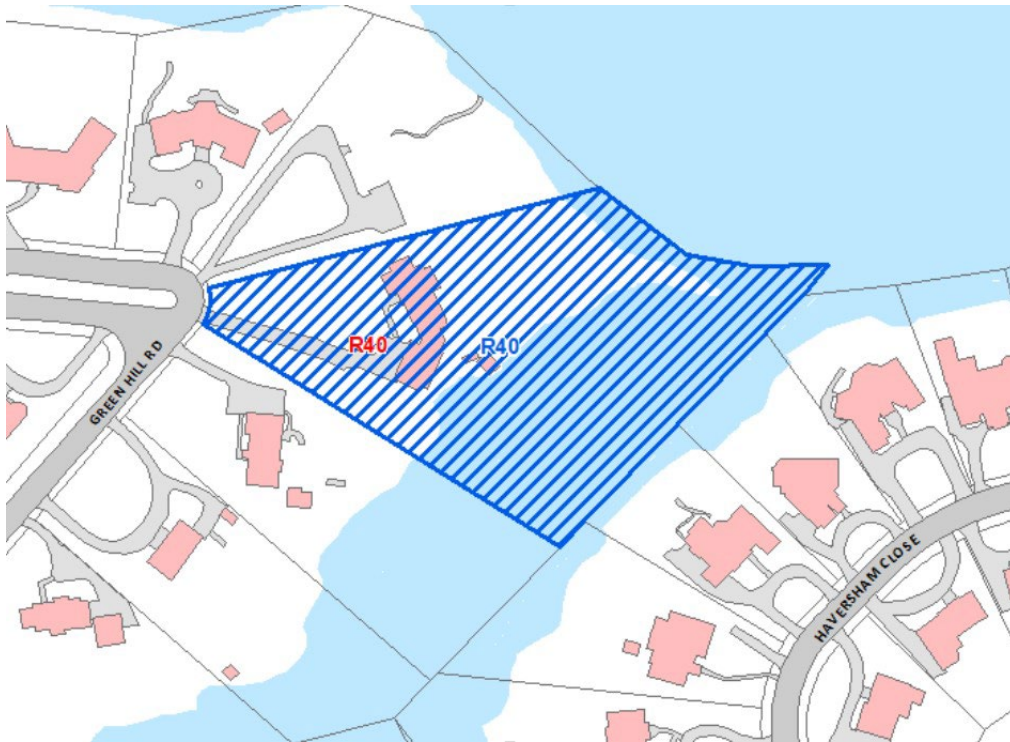
GPIN 1499-86-9178

City Council District: District 8, formerly Lynnhaven

Waterway – Broad Bay

Subdivision – Green Hill Farm

Request: To maintenance dredge involving wetlands.



PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. *If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.*

<u>CHECK ONE, if applicable:</u>	Pre-Construction Notification (PCN) <input type="checkbox"/> <i>(For Nationwide Permits ONLY)</i>	SPGP <input type="checkbox"/>
---	--	-------------------------------

1. PROJECT LOCATION INFORMATION (Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction.)	
Street Address 1825 GREEN HILL ROAD	City/County/Zipcode 23455
Subdivision GREEN HILL FARM	Lot/Block/Parcel # LOT 5
Name of water body(ies) within project boundaries and drainage area (acres or square miles) MAN MADE CANAL & BROAD BAY DRAINING 0.24 SQUARE MILES	
Tributary(ies) to: <u>BROAD BAY</u> Basin: <u>LYNNHAVEN</u> Subbasin: <u>BROAD BAY</u> <i>(Example: Basin: <u>James River</u> Subbasin: <u>Middle James River</u>)</i>	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): _____	
Project type (check one) _____ Single user (private, non-commercial, residential) _____ <input checked="" type="checkbox"/> Multi-user (community, commercial, industrial, government)	
Latitude and longitude at center of project site: <u>36</u> - <u>53</u> - <u>45</u> / <u>76</u> - <u>03</u> - <u>10</u>	
USGS topographic map name: <u>NONE</u>	
8- digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): <u>02080108</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see http://dswcapps.dcr.virginia.gov/htdocs/maps/HUEXplorer.htm): _____	
Name of your project (Example: <i>Water Creek driveway crossing</i>) <u>Chelsea Maintenance Dredge 2023</u>	
Is there an access road to the project? <input checked="" type="checkbox"/> Yes ___ No. If yes, check all that apply: <input checked="" type="checkbox"/> public ___ private ___ improved ___ unimproved	
Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections: The project is located on the owners property (non-participants) at 1825 Green Hill Road and could be accessed from that address, however, the easiest way to access and observe the site is via private pier at 2261 Haversham Close. Both accesses are private and require some advanced notice of the visit. Also, the individual driveways are accessible from their respective street address location.	
Does your project site cross boundaries of two or more localities (i.e. cities/counties/towns)? ___ Yes <input checked="" type="checkbox"/> No If so, name those localities: _____	

FOR AGENCY USE ONLY	
	Notes:
JPA# 23-1274	

2. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued. The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please use the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Applicant(s) (For a company, use SCC-registered name) CHELSEA WATERWAY ASSOCIATES INC			Agent (if applicable) (For a company, use SCC-registered name) MARINE ENGINEERING LLC		
Mailing address 2504 QUEENS ELM PLACE			Mailing address 1932 CHARLA LEE LN		
City VIRGINIA BEACH	State VA	Zip Code 23454	City VIRGINIA BEACH	State VA	Zip Code 23455
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile/pager 757 615-5114	E-mail CHELSEACANALPROJECT@GMAIL.COM		Mobile/pager 757 477-4787	E-mail DAVID@MARINEENGINEERINGLLC.COM	
State Corporation Commission ID number (if applicable)			State Corporation Commission ID number (if applicable)		

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: CHELSEACANALPROJECT@GMAIL.COM

Property owner(s), if different from applicant (For a company, use SCC-registered name) MARLYN B FABRIZIO REV TRUST			Contractor, if known (For a company, use SCC-registered name) NA		
Mailing address 1825 GREEN HILL ROAD			Mailing address		
City VIRGINIA BEACH	State VA	Zip code 23454	City	State	Zip code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile/pager 757 375-0650	E-mail MDFABRIZ@GMAIL.COM		Mobile/pager	E-mail	
State Corporation Commission ID number (if applicable)			State Corporation Commission ID number (if applicable)		

3. PROVIDE A DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE, AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose must include any new development or expansion of an existing land use and/or proposed future use of residual land
- Describe the physical alteration of surface waters
- Include a description of alternatives considered to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For major surface water withdrawals, public surface water supply withdrawals, or projects that will alter in-stream flows, include the water supply issues that form the basis of the proposed project.

Maintenance dredge neighborhood canal inlet to broad bay to remove accumulations of sand shoals deposited by littoral drift to allow watercraft to navigate through inlet at low tide water levels. Proposed dredge cut is within previously permitted dredge area and limited to area between cutoff walls with extension toward Broad Bay but stopping before reaching state bottom. The overall maximum dimensions of proposed dredging is an area 28 feet wide and 138 feet long to a depth of 4.5 feet at MLW.

This particular location receives sand from littoral drift and has been cleaned out multiple times, more recently the period has been on about two year cycles but as surrounding accumulations pile up the canal fills in more rapidly. Therefore, the applicant requests to be allowed to maintain permitted depths annually for some period of time such as 5 years or more if possible.

The sandy shoals that repeatedly redevelop as a bottle neck as well as adjacent buffers have been compensated previously and the existing cutoff wall provides protection to limit buffer impacts. Typically, the drift begins encroaching immediately with little chance of indirect impacts associated with buffer slumping.

3. PROVIDE A DESCRIPTION OF THE PROJECT (Continued)

Date of proposed commencement of work (MM/DD/YYYY) <small>7/1/2023</small> _____	Date of proposed completion of work (MM/DD/YYYY) <small>8/31/2023</small> _____
Are you submitting this application at the direction of any State, local, or Federal agency? _____ Yes <input checked="" type="checkbox"/> No	Has any work commenced or has any portion of the project for which you are seeking a permit been completed? _____ Yes <input checked="" type="checkbox"/> No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.
NA

Are you aware of any unresolved violations of environmental law or litigation involving the property? _____ Yes No
(If yes, please explain)

4. PREVIOUS SITE VISITS AND/OR PERMITS RELATED TO THE PROPOSED WORK (Include all Federal, State, and Local pre-application coordination or previous permits)

Agency	Activity	Permit/Project number, and explanation of non-reporting Nationwide permits previously used	Action taken ** and Date of Action	If denied, give reason for denial
USACE	DREDGE	96-0029-08 08-3318	APPROVED	
VMRC VB LWB	DREDGE DREDGE	08-2123 16-0838 18-1737 08-222 16-00092 18-00215 21-00082	APPROVED APPROVED	

** Issued, denied, site visit

5. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ 100,000.00

Approximate cost of only the portion of the project affecting State waters (below mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ 0

6. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

- Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Property owner's name	Mailing address	City	State	Zip code
ELISE M BALCOM REV TRUST	2257 HAVERSHAM CLOSE	VIRGINIA BEACH	VA	23454
ERIC M & JOAN JOFFE REV TRUST	2261 HAVERSHAM CLOSE	VIRGINIA BEACH	VA	23454
BETSY H HARRIS LIVING TRUST	2265 HAVERSHAM CLOSE	VIRGINIA BEACH	VA	23454
MATHEW & MARIE ELLMER	1829 GREEN HILL ROAD	VIRGINIA BEACH	VA	23454

Name of newspaper having general circulation in the area of the project: VIRGINIAN PILOT

Address and phone number (including area code) of newspaper 150 W BRAMBLETON AVE NORFOLK, VA 23509 (757) 222-5346

Have adjacent property owners been notified with forms in Appendix A? Yes No (attach copies of distributed forms)

7. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or your Corps' waters and wetlands delineation confirmation. Contact information for the Virginia Department of Game and Inland Fisheries and the Virginia Department of Conservation and Recreation, Division of Natural Heritage can be found on page 4 of this package.

NONE

8. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

Are any historic properties located within or adjacent to the project site? Yes No Uncertain
If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? Yes No Uncertain
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? Yes No Uncertain
If Yes, please indicate which district: _____

8. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?
 ___ Yes No ___ Uncertain

If Yes, please provide the following information: Date of Survey: _____

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? ___ Yes ___ No Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? ___ Yes ___ No ___ Uncertain

9. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 18.

	Impact site number 1	Impact site number 2	Impact site number 3
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)	EX T PE SB NV		
Wetland/waters impact area (square feet)	3377		
Dune/beach impact area (square feet)			
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)			
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)	0		
Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO;</i> <i>Example stream: wide; bank eroding;</i> <i>braided channel;</i> <i>Example stream: 'C' channel</i>	UB- 2,3 US - 2 EM - 1		
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second)	TIDAL		
Contributing drainage area (acres or square miles)	0.24 SQUARE MILES		

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)	
Is/Are the Applicant(s) and Owner(s) the same? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Legal name & title of Applicant CHELSEA WATERWAY ASSOCIATES INC	Second applicant's legal name & title, if applicable
Applicant's signature <i>Tim E. Jensen</i>	Second applicant's signature
Date MAY 26, 2023	Date
Property owner's legal name, if different from Applicant MARLYN B FABRIZIO REV TRUST	Second property owner's legal name, if applicable
Property owner's signature, if different from Applicant <i>Marlyn B Fabrizio</i>	Second property owner's signature
Date 5/27/23	Date
CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT(S)'S BEHALF (IF APPLICABLE)	
I (we), <u>CHELSEA WATERWAY ASSOCIATES INC</u> (and) _____, APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant	
hereby certify that I (we) have authorized <u>MARINE ENGINEERING LLC</u> (and) _____ AGENT'S NAME(S) – complete the second blank if more than one Agent	
to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.	
Applicant's signature <i>Tim E. Jensen</i>	Second applicant's signature, if applicable
Date MAY 26, 2023	Date
Agent's signature and title <i>[Signature]</i> mgr	Second agent's signature and title, if applicable
Date 5/30/2023	Date
CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)	
I (we), _____ (and) _____, APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant	
have contracted _____ (and) _____ CONTRACTOR'S NAME(S) – complete the second blank if more than one Contractor	
to perform the work described in this Joint Permit Application, signed and dated _____.	
I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.	
Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address
Contractor's signature and title	Contractor's license number
	Date
Applicant's signature	Second applicant's signature, if applicable
Date	Date

18. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands							-	-
Nonvegetated wetlands							66	393
Subaqueous land							134	2984
Totals							200	3377
Is this a one-time dredging event? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no", how many dredging cycles are anticipated: <u>5-10</u> (<u>200</u> initial cycle in cu. yds.) (<u>200</u> subsequent cycles in cu. yds.)								
Composition of material (percentage sand, silt, clay, rock): Provide documentation (i.e. laboratory results or analytical reports) that <i>dredged</i> material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e. bill of lading from commercial supplier or disposal site). 85% SAND & 15% SILT								
Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross section drawings of the dewatering area and associated outfall. <small>ALL DREDGE MATERIALS WILL BE REMOVED BY A LICENSED MARINE CONTRACTOR, LOADED INTO BARGE CONTAINERS AND TRANSPORTED TO EITHER: (1) LYNNHAVEN DMMA AT CRAB CREEK THEN TRANSFERRED INTO TRUCKS TO BE HAULED TO WHITEHURST DDMA OR (2) THE CONTRACTOR'S APPROVED SITE IN PORTSMOUTH THEN TRANSFERRED INTO TRUCKS TO BE HAULED TO THE ISLE OF WIGHT DISPOSAL FACILITY OR OTHER APPROVED LOCATION.</small>								
Will the dredged material be used for any commercial purpose or beneficial use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please explain:								
If this is a maintenance dredging project, what was the date that the dredging was last performed? <u>5/2021</u> Permit number of original permit: <u>2008-3328</u> (It is important that you attach a copy of the original permit.)								
For mining projects: On separate sheets of paper, explain the operation plans, including: 1) the frequency (i.e., every six weeks, for example), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL. Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? <input type="checkbox"/> Yes <input type="checkbox"/> No								
Contributing drainage area: _____ square miles					Average stream flow at site (flow rate under normal rainfall conditions): _____ cfs			

**ENGINEER/SURVEYOR'S INSPECTION STATEMENT
FOR
WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS**

REVISED 10-09-03

PROJECT LOCATION: 1825 GREEN HILL RD

APPLICANT'S NAME: CHELSEA WATERWAY ASSOCIATES INC

APPLICANT'S ADDRESS: 2504 QUEENS ELM PLACE

Virginia Beach, VA 23454

ENGINEER OF RECORD: David Kledzik

PROFESSIONAL ENGINEER/ SURVEYOR
CERTIFYING PROJECT

CONSTRUCTION: David Kledzik

AT THE COMPLETION OF A WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECT IT IS REQUIRED THAT A CERTIFICATION BY THE APPROVING ENGINEER/SURVEYOR BE SUBMITTED, STATING THAT THEY HAVE INSPECTED THE REFERENCED PROJECT SITE AND TO THE BEST OF THEIR KNOWLEDGE, THE WATERFRONT/COASTAL PRIMARY SAND DUNE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS. SUCH CERTIFICATION SHALL BE SEALED BY THE ENGINEER OR SURVEYOR CERTIFYING THE CONSTRUCTION.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT OF PLANNING, WATERFRONT OPERATIONS OFFICE WITH ALL APPLICATIONS FOR WATERFRONT CONSTRUCTION/COASTAL PRIMARY SAND DUNE PROJECTS AT THE TIME OF SUBMITTAL.



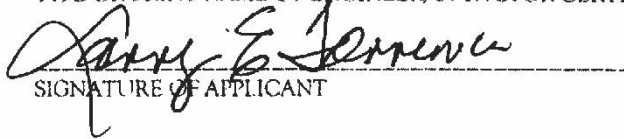
5/30/2023

SIGNATURE OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION

DATE

David Kledzik

TYPE OR PRINT NAME OF ENGINEER/SURVEYOR CERTIFYING CONSTRUCTION



SIGNATURE OF APPLICANT



DATE

SIGNATURE OF COASTAL ZONE ADMINISTRATOR

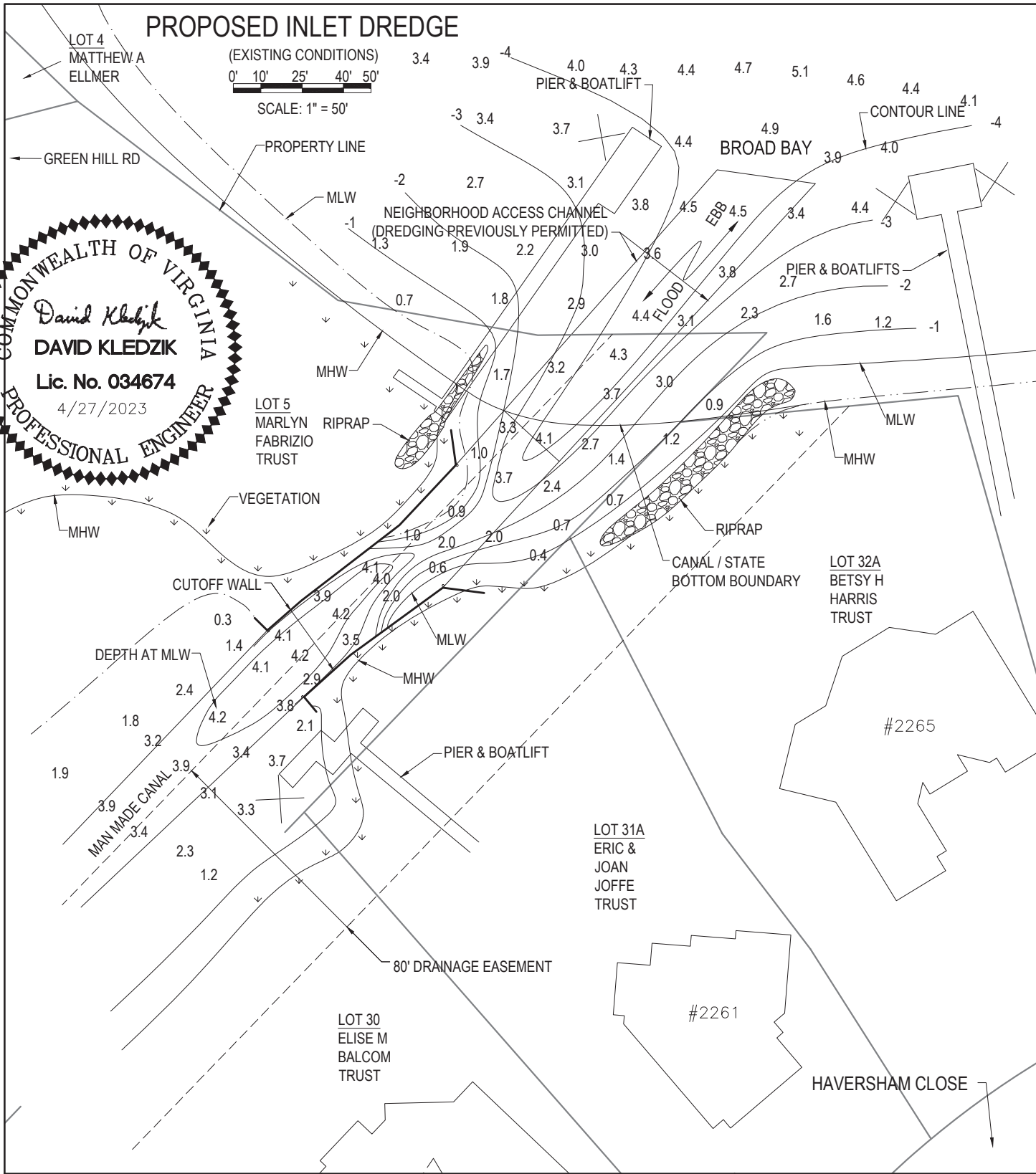
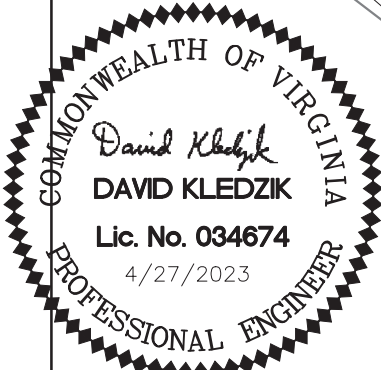
DATE

ANY ALTERATION OF THIS FORM OR ITS ENDORSEMENTS WITHOUT THE EXPRESS CONSENT FROM THE ORIGINATOR SHALL INVALIDATE THIS INSTRUMENT.

APPLICATION NO. _____

PROPOSED INLET DREDGE

(EXISTING CONDITIONS)
 0' 10' 25' 40' 50'
 SCALE: 1" = 50'



APPLICATION BY
 CHELSEA WATERWAY ASSOCIATION INC
 2504 QUEENS ELM PLACE
 VIRGINIA BEACH, VA 23454

ADJACENT PROPERTY OWNERS
 SHOWN ON SHEET ONE

MARINE ENGINEERING LLC
 1932 CHARLA LEE LN
 VIRGINIA BEACH, VA 23455
 PH: (757) 477-4787

PROPOSED PROJECT FOR
 WATERCRAFT ACCESS

DATUM: MLW = 0.00'

SHEET 1 OF 4
 DATE: APRIL 27, 2023
 REV-

JOB NUMBER 23015



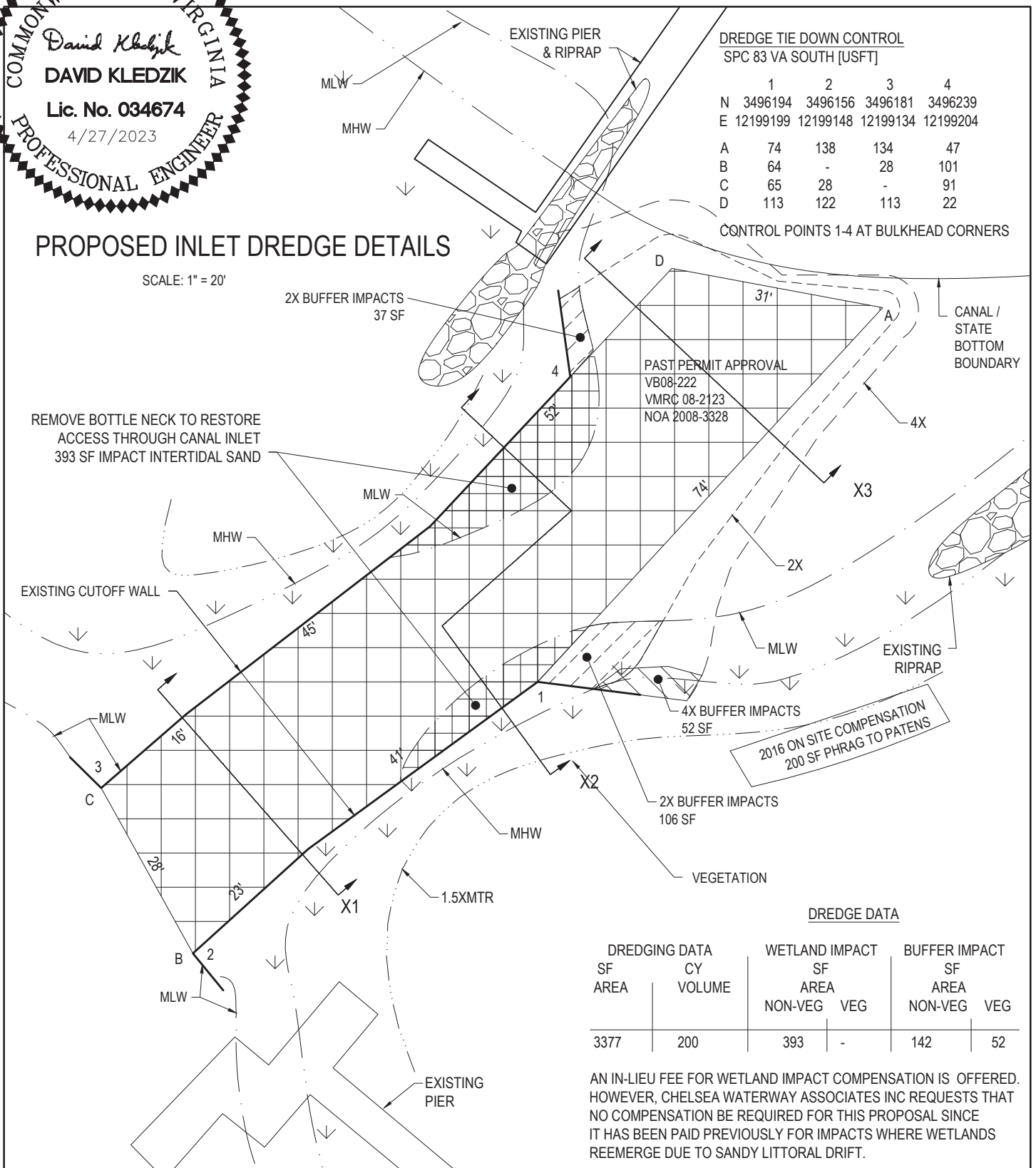
PROPOSED INLET DREDGE DETAILS

SCALE: 1" = 20'

DREDGE TIE DOWN CONTROL SPC 83 VA SOUTH [USFT]

	1	2	3	4
N	3496194	3496156	3496181	3496239
E	12199199	12199148	12199134	12199204
A	74	138	134	47
B	64	-	28	101
C	65	28	-	91
D	113	122	113	22

CONTROL POINTS 1-4 AT BULKHEAD CORNERS



PAST PERMIT APPROVAL
VB08-222
VMRC 08-2123
NOA 2008-3328

2016 ON SITE COMPENSATION
200 SF PHRAG TO PATENS

DREDGE DATA

DREDGING DATA		WETLAND IMPACT		BUFFER IMPACT	
SF AREA	CY VOLUME	SF AREA NON-VEG	SF AREA VEG	SF AREA NON-VEG	SF AREA VEG
3377	200	393	-	142	52

AN IN-LIEU FEE FOR WETLAND IMPACT COMPENSATION IS OFFERED. HOWEVER, CHELSEA WATERWAY ASSOCIATES INC REQUESTS THAT NO COMPENSATION BE REQUIRED FOR THIS PROPOSAL SINCE IT HAS BEEN PAID PREVIOUSLY FOR IMPACTS WHERE WETLANDS REEMERGE DUE TO SANDY LITTORAL DRIFT.

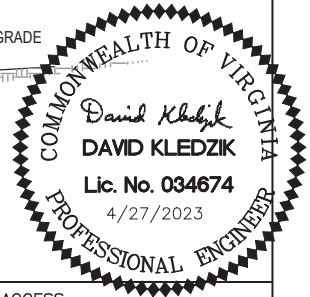
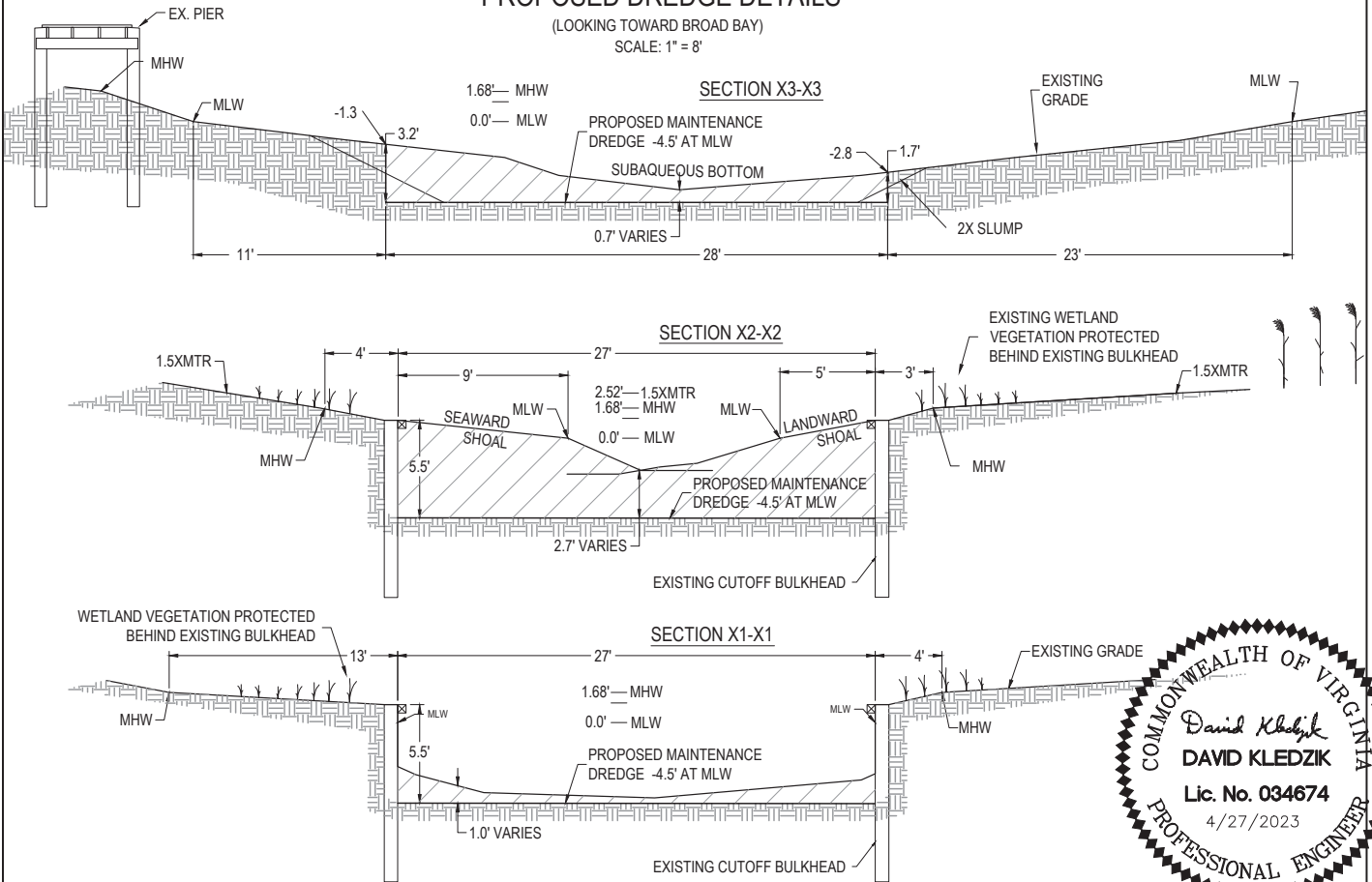
APPLICATION BY
CHELSEA WATERWAY ASSOCIATION INC
2504 QUEENS ELM PLACE
VIRGINIA BEACH, VA 23454

MARINE ENGINEERING LLC
1932 CHARLA LEE LN
VIRGINIA BEACH, VA 23455
PH: (757) 477-4787

PROPOSED PROJECT FOR
WATERCRAFT ACCESS
DATUM: MLW = 0.00'
SHEET 2 OF 4
DATE: APRIL 27, 2023
REV-

PROPOSED DREDGE DETAILS

(LOOKING TOWARD BROAD BAY)
SCALE: 1" = 8'



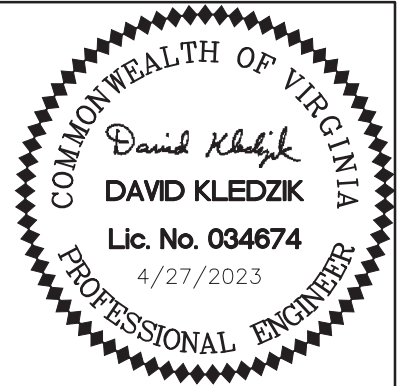
APPLICATION BY
 CHELSEA WATERWAY ASSOCIATION INC
 2504 QUEENS ELM PLACE
 VIRGINIA BEACH, VA 23454

MARINE ENGINEERING LLC
 1932 CHARLA LEE LN
 VIRGINIA BEACH, VA 23455
 PH: (757) 477-4787

PROPOSED PROJECT FOR WATERCRAFT ACCESS
 DATUM: MLW = 0.00'
 SHEET 3 OF 4
 DATE: APRIL 27, 2023
 REV-

DREDGE DATA

DESCRIPTION	SPOILS		WETLAND AREA [SF]		BUFFER AREA [SF]	
	AREA [SF]	VOL. [CY]	VEG	NON	VEG	NON
INLET @ 4.5' DEPTH	3377	200	0	393	52	142



AN IN-LIEU FEE FOR WETLAND IMPACT COMPENSATION IS OFFERED

393 SF X \$5.5 (-\$2161.5) + 142 SF X \$5.5 (-\$781) + 52 SF x \$25 (-\$1300) = \$4242.5 TOTAL

HOWEVER, CHELSEA WATERWAY ASSOCIATES INC REQUESTS THAT NO COMPENSATION BE REQUIRED FOR THIS PROPOSAL SINCE IT HAS BEEN PAID PREVIOUSLY FOR IMPACTS WHERE WETLANDS REEMERGE IN SAME LOCATION DUE TO SANDY LITTORAL DRIFT.

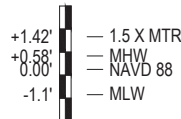
\$4537.50 PAID FOR VB08-222

\$2618.00 PAID FOR 2016 WTRA -00092

SEQUENCE OF DREDGING & DISPOSAL

1. OBTAIN ALL NECESSARY PERMITS
2. HOLD PRECONSTRUCTION MEETING
3. DREDGE BOTTOM FROM WATERSIDE BARGE
4. TRANSFER SPOIL TO CONTRACTOR'S TRANSPORT BARGE
5. MOVE BARGE TO CITY TRANSFER THEN TRUCK TO WHITEHURST - OR-
6. MOVE BARGE TO CONTRACTOR'S APPROVED TRANSFER FACILITY IN PORTSMOUTH VA
7. TRANSFER SPOILS TO TRUCK FOR DISPOSAL AT APPROVED FACILITY SUCH AS ISLE OF WIGHT MATERIALS.

VERTICAL DATUM



GENERAL NOTES:

1. BOTTOM SOUNDING DEPTHS IN FEET SHOWN ON SITE PLAN ARE REFERENCED FROM MLW & BASED ON THE 1983-2001 NTDE
2. HORIZONTAL COORDINATES ARE IN FEET REFERENCED TO NAD83 & VIRGINIA STATE PLANE, SOUTH ZONE
3. SURVEY & SOUNDINGS TAKEN BY NETWORK RTK & INTEGRATED SOUNDER ON FEBRUARY 16, 2023.
4. ALL DREDGE OPERATIONS WILL BE FROM WATERSIDE BARGE
5. DWELLINGS SCALED FROM GIS IMAGERY.
6. PRIOR TO DREDGING NEAR ANY VALUABLE STRUCTURE THE PROPERTY OWNER & DREDGE OPERATOR SHALL RECOGNIZE THE POTENTIAL FAILURE OF SAID STRUCTURE CONSIDERING THE UNKNOWN ASSOCIATED WITH THEIR DESIGN, INSTALLATION & CURRENT STATE OF INTEGRITY AND, IF NEEDED, AGREE TO LIMIT PERMITTED ENCROACHMENT BASED ON RISK TOLERANCE VERSUS THE BENEFIT OF DEEPER WATER.
7. BOX CUT DREDGE PROCEDURE WITH SLUMPED EDGE TYPICAL.
8. 2X AND 4X BUFFERS SHOWN BASED ON DEPTH OF DREDGE CUT. WHERE BOX CUT IS NOT SCULPTED OR TOE NOT CLEANED OUT, THE EFFECTIVE SLUMP DOES NOT REACH FULL BUFFER POTENTIAL THEREBY BECOMING CONSERVATIVE IN EFFECT.

APPLICATION BY
CHELSEA WATERWAY ASSOCIATION INC
2504 QUEENS ELM PLACE
VIRGINIA BEACH, VA 23454

MARINE ENGINEERING LLC
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VIRGINIA BEACH, VA 23455
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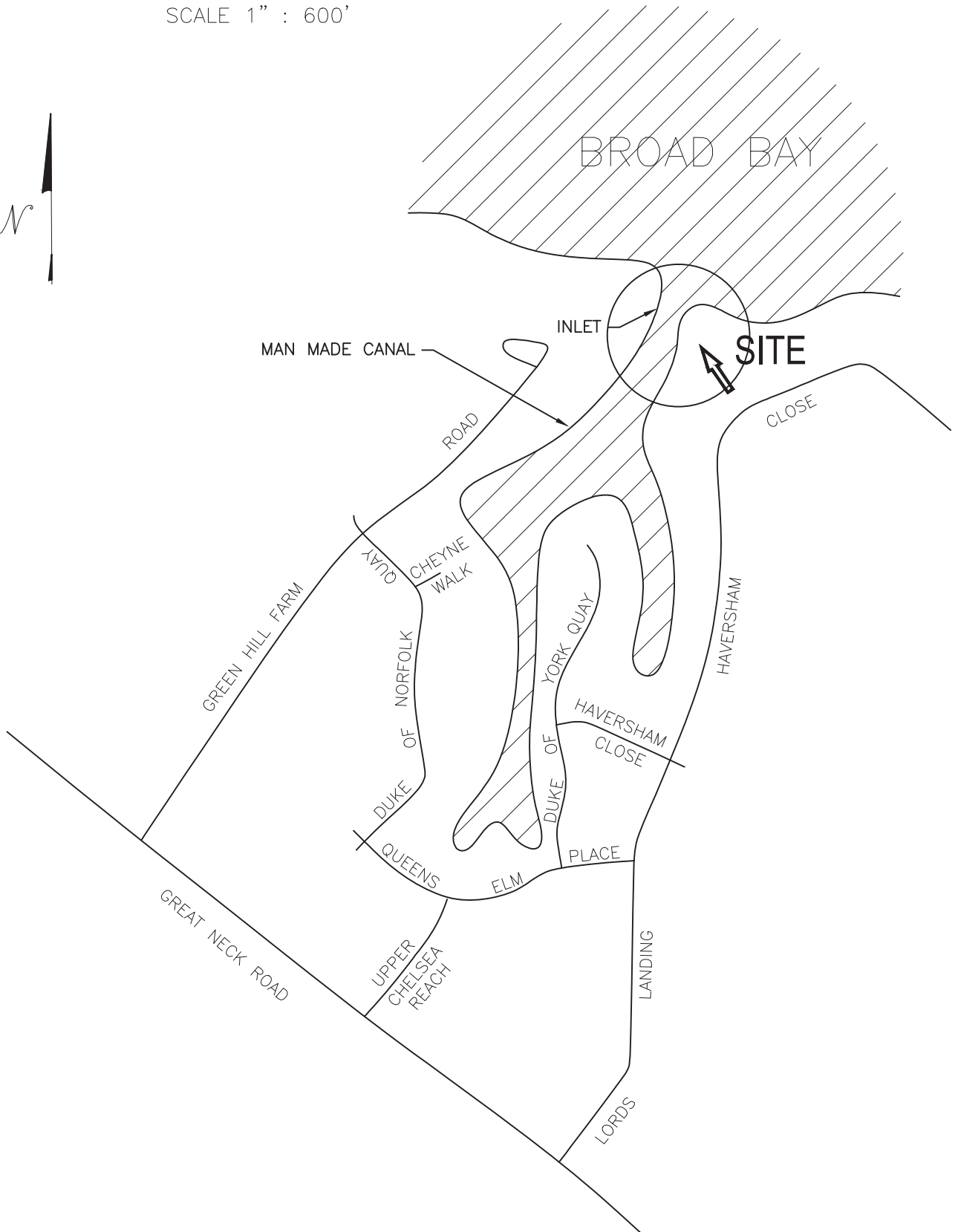
PROPOSED PROJECT FOR
WATERCRAFT ACCESS

DATUM: MLW = 0.00'

SHEET 4 OF 4
DATE: APRIL 27, 2023
REV-

AREA MAP OF CHELSEA WATERWAY ASSOCIATES INC.
AT 1825 GREEN HILL ROAD VIRGINIA BEACH VA 23454

SCALE 1" : 600'



8. 2022-WTRA-00233

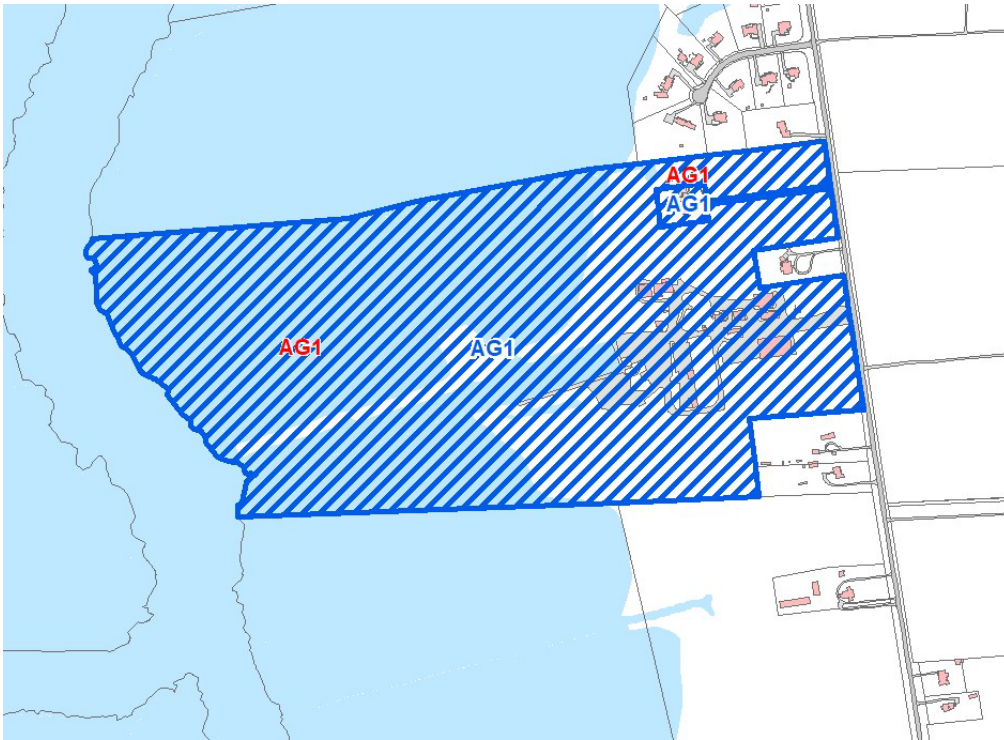
JHS GST Trust

[Applicant & Owner]

781 and 809 Princess Anne Road
GPINs 2309-37-6009 and 2309-48-1216
City Council District: District 2,
formerly Princess Anne

Waterway – Canal to North Landing River
Subdivision – Pungo

Request: To dredge involving wetlands.



FOR AGENCY USE ONLY

	Notes:
JPA# 22-2438	

APPLICANTS

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. **If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.**

Check all that apply			
Pre-Construction Notification (PCN) <input type="checkbox"/> NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	SPGP <input type="checkbox"/>	DEQ Reapplication <input type="checkbox"/> Existing permit number: _____	Receiving federal funds <input type="checkbox"/> Agency providing funding: _____
Regional Permit 17 (RP-17) <input type="checkbox"/>			

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre-application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)

Historical information for past permit submittals can be found online with VMRC - <https://webapps.mrc.virginia.gov/public/habitat/> - or VIMS - <http://ccrm.vims.edu/perms/newpermits.html>

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits	Date of Action	If denied, give reason for denial
	Private canal was dredged during the mid to late 1960s - prior to accessible permit records.			

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Legal Name(s) of Applicant(s)				Agent (if applicable)			
Mailing address				Mailing address			
City	State	ZIP Code		City	State	ZIP Code	
Phone number w/area code	Fax			Phone number w/area code	Fax		
Mobile	E-mail			Mobile	E-mail		
State Corporation Commission Name and ID number (if applicable)				State Corporation Commission Name and ID number (if applicable)			

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: _____

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)

Property owner(s) legal name, if different from applicant			Contractor, if known		
Mailing address			Mailing address		
City	State	ZIP code	City	State	ZIP code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile	E-mail		Mobile	E-mail	
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name ID number (if applicable)		

2. PROJECT LOCATION INFORMATION

(Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)

Street Address (911 address if available)	City/County/ZIP Code
Subdivision	Lot/Block/Parcel #
Name of water body(ies) within project boundaries and drainage area (acres or square miles).	
Tributary(ies) to: _____ Basin: _____ Sub-basin: _____ (Example: Basin: <u>James River</u> Sub-basin: <u>Middle James River</u>)	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.): _____	
Project type (check one) _____ Single user (private, non-commercial, residential) _____ Multi-user (community, commercial, industrial, government) _____ Surface water withdrawal	
Latitude and longitude at center of project site (decimal degrees): _____ / - _____ (Example: 37.33164/-77.68200)	
USGS topographic map name: _____	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surf/locate/index.cfm): _____ If known, indicate the 10-digit and 12-digit USGS HUCs (see http://dswcapps.dcr.virginia.gov/htdocs/maps/HUExplorer.htm): _____	
Name of your project (Example: <i>Water Creek driveway crossing</i>) _____	
Is there an access road to the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. If yes, check all that apply: <input type="checkbox"/> public <input checked="" type="checkbox"/> private <input checked="" type="checkbox"/> improved <input type="checkbox"/> unimproved	
Total size of the project area (in acres): _____	

2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections:

Does your project site cross boundaries of two or more localities (i.e., cities/counties/towns)? Yes No
If so, name those localities:

3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and *whether or not tree clearing will occur* (include the area in square feet and time of year).
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in-stream flows, include the water supply issues that form the basis of the proposed project.

Date of proposed commencement of work (MM/DD/YYYY)
immediat Immediate

Date of proposed completion of work (MM/DD/YYYY)

Are you submitting this application at the direction of any state, local, or federal agency? Yes No

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?
 Yes No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? Yes No
(If yes, please explain)

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ _____

Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ _____

5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove. If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Failure to provide this information may result in a delay in the processing of your application by VMRC.

Property owner's name	Mailing address	City	State	ZIP code

Name of newspaper having general circulation in the area of the project: _____
Address and phone number (including area code) of newspaper _____

Have adjacent property owners been notified with forms in Appendix A? ____ Yes ____ No (attach copies of distributed forms)

6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

7. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the USACE, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

Are any historic properties located within or adjacent to the project site? ____ Yes ____ No ____ Uncertain
If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? ____ Yes ____ No ____ Uncertain
If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? ____ Yes ____ No ____ Uncertain

If Yes, please indicate which district: _____

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

Yes No Uncertain

If Yes, please provide the following information: Date of Survey: _____

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? Yes No Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? Yes No Uncertain

8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)					
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)					
Dune/beach impact area (square feet)					
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)					
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)					

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i>					
Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)					
Contributing drainage area in acres or square miles (<i>VMRC cannot complete review without this information</i>)					
DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+9					
<p>For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.</p>					
<p>For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.</p>					

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?

Yes No Uncertain

If Yes, please provide the following information: Date of Survey: _____

Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? Yes No Uncertain

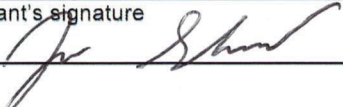
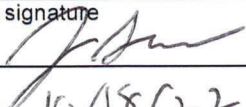
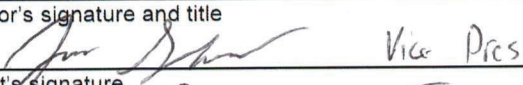
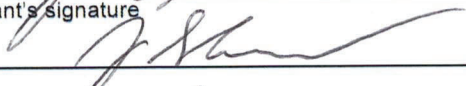
Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? Yes No Uncertain

8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example: F, NT, PE, V)	Impacts for natural portion of North Landing River - possible new work <OHW EX, PE, SB, NT 4,530 sf				
Latitude / Longitude (in decimal degrees)	36.6298/76.0525				
Wetland/waters impact area (square feet / acres)	4,530 sf(0.10 a)				
Dune/beach impact area (square feet)	0				
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)	"wind tides" NLR ~ 650 ft Canal ~ 130 ft				
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)	0 cy				

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)		
Is/Are the Applicant(s) and Owner(s) the same? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Legal name & title of Applicant James Howard Salmons	Second applicant's legal name & title, if applicable	
Applicant's signature 	Second applicant's signature	
Date	Date	
Property owner's legal name, if different from Applicant	Second property owner's legal name, if applicable	
Property owner's signature, if different from Applicant	Second property owner's signature	
Date 10/18/22	Date	
CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S) BEHALF (IF APPLICABLE)		
I (we), <u>James Howard Salmons</u> (and) _____, APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant		
hereby certify that I (we) have authorized <u>Rebecca Francese</u> (and) _____ AGENT'S NAME(S) – complete the second blank if more than one Agent		
to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.		
Applicant's signature 	Second applicant's signature, if applicable	
Date 10/18/22	Date	
Agent's signature and title Rebecca S. Francese	Second agent's signature and title, if applicable	
Date	Date	
Digitally signed by Rebecca S. Francese DN: cn=Rebecca S. Francese, o=Waterway Surveys & Engineering, email=bsf@waterway.net, c=US Date: 2022.11.07 08:58:58 -05'00'		
CONTRACTOR'S KNOWLEDGEMENT (IF APPLICABLE)		
I (we), <u>James Salmons</u> (and) _____, APPLICANT'S LEGAL NAME(S) – complete the second blank if more than one Applicant		
have contracted <u>Salmons Inc</u> (and) _____ CONTRACTOR'S NAME(S) – complete the second blank if more than one Contractor		
to perform the work described in this Joint Permit Application, signed and dated _____.		
I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.		
Contractor's name or name of firm (printed/typed) <u>Salmons Inc</u>	Contractor's or firm's mailing address <u>P.O. Box 57008</u>	
Contractor's signature and title  Vice Pres	Contractor's license number <u>2705-07342A</u>	Date <u>10/18/22</u>
Applicant's signature 	Second applicant's signature, if applicable	
Date 10/18/22	Date 10/18/22	

16. BEACH NOURISHMENT (Continued)

Describe the type(s) of vegetation proposed for stabilization and the proposed planting plan, including schedule, spacing, monitoring, etc. Attach additional sheets if necessary.

17. DREDGING, MINING, AND EXCAVATING

FILL OUT THE FOLLOWING TABLE FOR DREDGING PROJECTS

	NEW dredging				MAINTENANCE dredging			
	Hydraulic		Mechanical (clamshell, dragline, etc.)		Hydraulic		Mechanical (clamshell, dragline, etc.)	
	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet	Cubic yards	Square feet
Vegetated wetlands								
Non-vegetated wetlands								
Subaqueous land								
Totals								

Is this a one-time dredging event? ___Yes ___No If "no", how many dredging cycles are anticipated: _____
 (___ initial cycle in cu. yds.) (___ subsequent cycles in cu. yds.)

Composition of material (percentage sand, silt, clay, rock):
 Provide documentation (i.e., laboratory results or analytical reports) that *dredged* material from on-site areas is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site).

Please include a dredged material management plan that includes specifics on how the dredged material will be handled and retained to prevent its entry into surface waters or wetlands. If on-site dewatering is proposed, please include plan view and cross-sectional drawings of the dewatering area and associated outfall.

Will the dredged material be used for any commercial purpose or beneficial use? ___Yes ___No
 If yes, please explain:

If this is a maintenance dredging project, what was the date that the dredging was last performed? _____
 Permit number of original permit: _____ (It is important that you attach a copy of the original permit.)

17. DREDGING, MINING, AND EXCAVATING (Continued)

For mining projects: On separate sheets of paper, explain the operation plans, including: 1) the frequency (e.g., every six weeks), duration (i.e., April through September), and volume (in cubic yards) to be removed per operation; 2) the temporary storage and handling methods of mined material, including the dimensions of the containment berm used for upland disposal of dredged material and the need (or no need) for a liner or impermeable material to prevent the leaching of any identified contaminants into ground water; 3) how equipment will access the mine site; and 4) verification that dredging: a) will not occur in water body segments that are currently on the effective Section 303(d) Total Maximum Daily Load (TMDL) priority list ([available at http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.aspx](http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLDevelopment/TMDLProgramPriorities.aspx)) or that have an approved TMDL; b) will not exacerbate any impairment; and c) will be consistent with any waste load allocation/limit/conditions imposed by an approved TMDL (see, "What's in my backyard" or subsequent spatial files at <http://www.deq.virginia.gov/ConnectWithDEQ/VEGIS.aspx> to determine the extent of TMDL watersheds and impairment segments).

Have you applied for a permit from the Virginia Department of Mines, Minerals and Energy? ____ Yes ____ No If Yes:
Existing permit number: _____ Date permit issued: _____

Contributing drainage area: _____ square miles	Average stream flow at site (flow rate under normal rainfall conditions): _____ cfs
--	---

18. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES

Source and composition of fill material (percentage sand, silt, clay, rock):

Provide documentation (i.e., laboratory results or analytical reports) that fill material from off-site locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):

Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose:

Will the structure be placed on pilings? ____ Yes ____ No	Total area occupied by any structure. _____ Square Feet
How far will the structure be placed channelward from the back edge of the dune? _____ feet	How far will the structure be placed channelward from the back edge of the beach? _____ feet

19. NONTIDAL STREAM CHANNEL MODIFICATIONS FOR RESTORATION OR ENHANCMENT, or TEMPORARY OR PERMANENT RELOCATIONS

If proposed activities are being conducted for the purposes of compensatory mitigation, please attach separate sheets of paper providing all information required by the most recent version of the stream assessment methodology approved by the Norfolk District of the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, in lieu of completing the questions below. Required information outlined by the methodology can be found at: <http://www.nao.usace.army.mil/Missions/Regulatory/UnifiedStreamMethodology.aspx> or <http://www.deq.virginia.gov/Programs/Water/WetlandsStreams/Mitigation.aspx>.

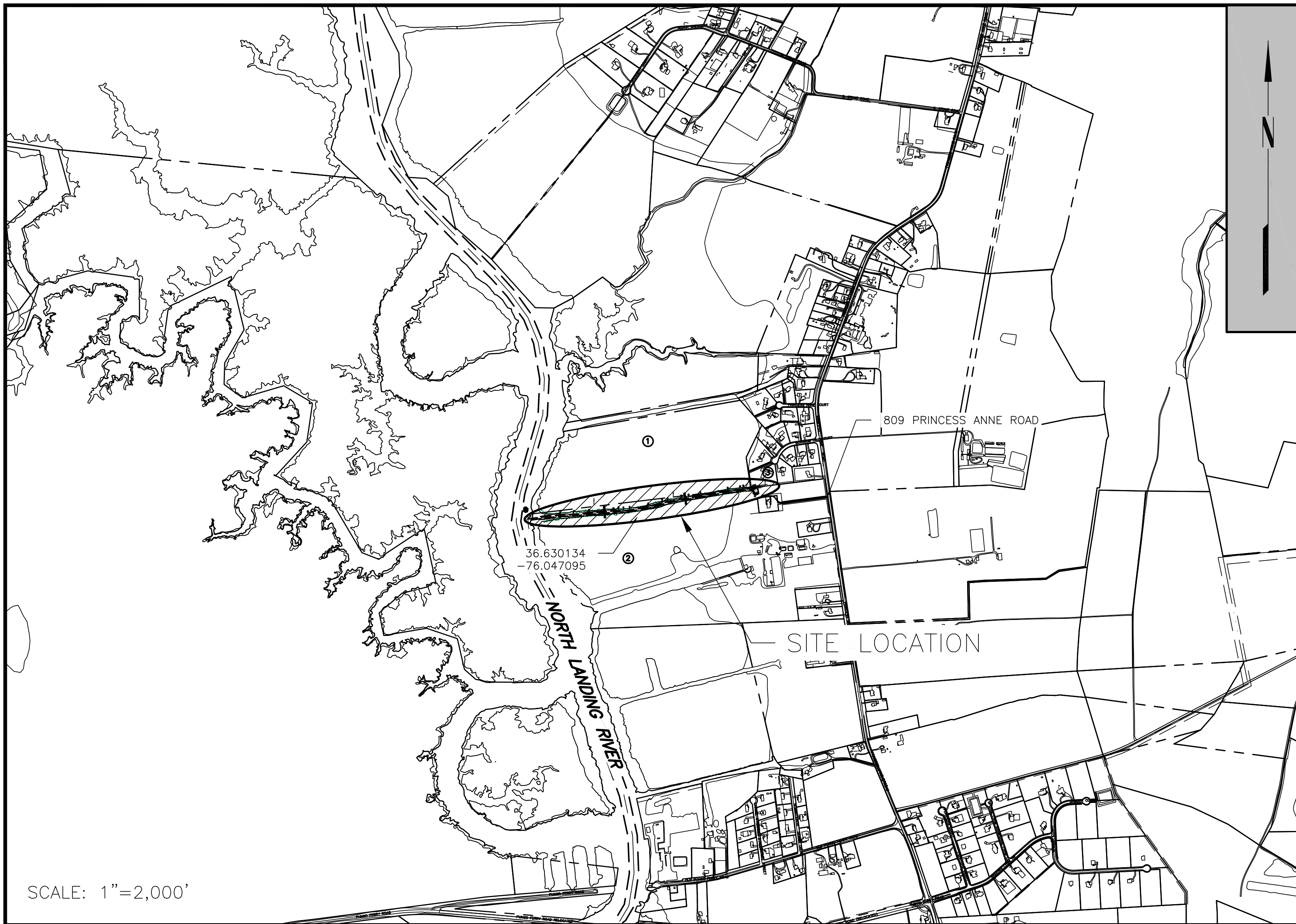
For all projects proposing stream restoration provide a completed Natural Channel Design Review Checklist and Selected Morphological Characteristics form. These forms and the associated manual can be located at: <https://www.fws.gov/chesapeakebay/StreamReports/NCD%20Review%20Checklist/Natural%20Channel%20Design%20Checklist%20Doc%20V2%20Final%2011-4-11.pdf>

Has the stream restoration project been designed by a local, state, or federal agency? ____ Yes ____ No. If yes, please include the name of the agency here: _____.

Is the agency also providing funding for this project? ____ Yes ____ No

Stream dimensions at impact site (length and average width in linear feet, and area in square feet):
L: _____ (feet) AW: _____ (feet) Area: _____ (square feet)

Contributing drainage area: _____ acres or _____ square miles



SCALE: 1"=2,000'

NOTES:

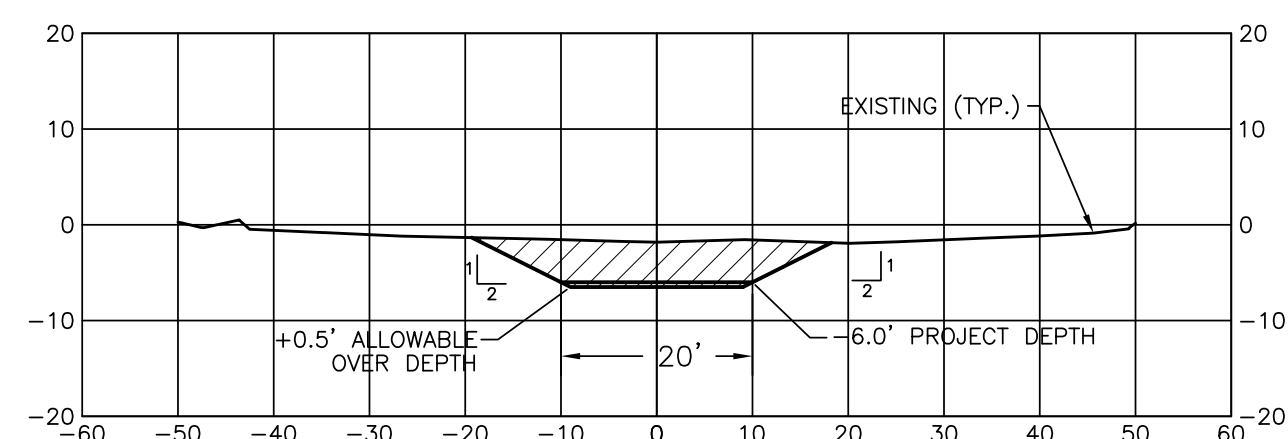
1. TOPOGRAPHIC FEATURES COMPOSITED FROM FIELD SURVEYS BY WATERWAY SURVEYS & ENGINEERING, LTD. ON JULY 2021.
2. COORDINATES ARE IN U.S. SURVEY FEET REFERRED TO THE VIRGINIA STATE GRID (SOUTH ZONE) BASED ON NAD83/93.
3. ELEVATIONS ARE IN FEET AND ARE REFERRED NAVD88.
4. BENCHMARK IS A BRASS DISK SET IN CONCRETE ON THE NORTH SIDE OF PUNGO FERRY ROAD EAST OF THE CONCRETE BRIDGE. ELEV.=13.94' NAVD88.
5. THIS LINE WAS NOT SURVEYED BY WATERWAY SURVEYS AND ENGINEERING, LTD. LINE IS THE EXTENSION OF THE SOUTHERN BOUNDARY FROM THE CITY OF VIRGINIA BEACH GIS 2019 OF BLOSSOM HILL ESTATES WESTWARD TO THE NORTH LANDING RIVER.

ADJACENT PROPERTY OWNERS:

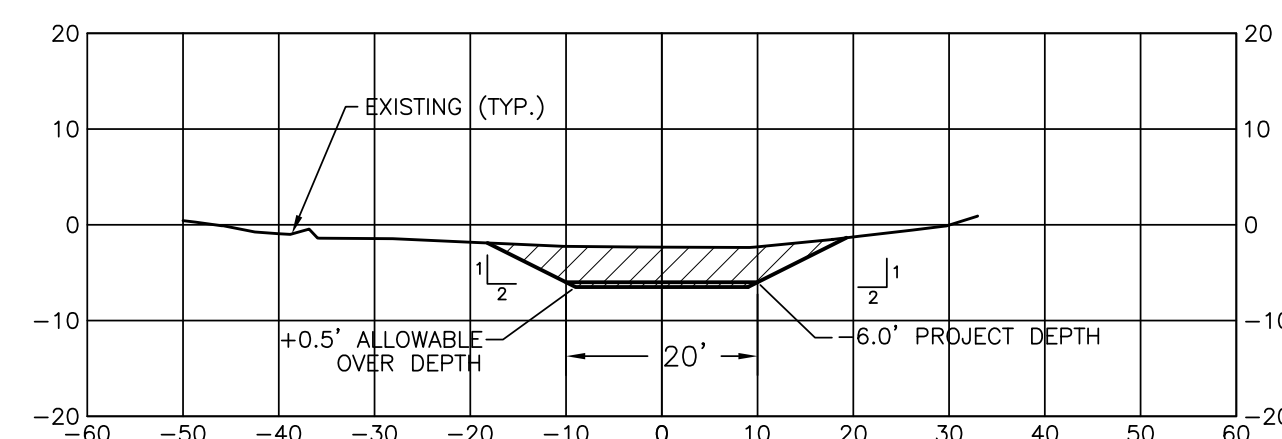
- ① NATURE CONSERVANCY
- ② JHS GST TRUST
- ③ DOUGLAS H BROWN, JR

SHEET INDEX:

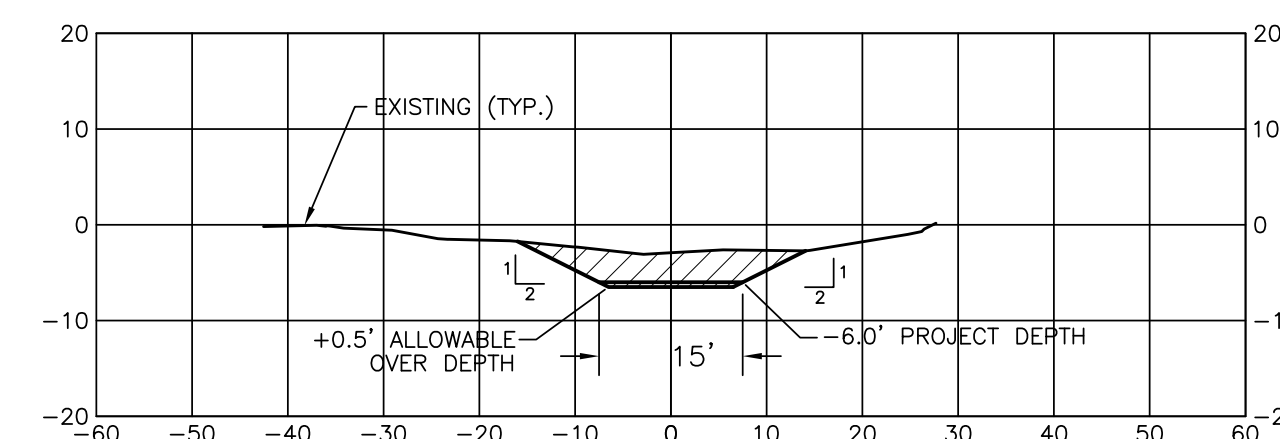
- JPA-01 LOCATION, CROSS SECTIONS AND NOTES
- JPA-02 PLAN VIEW



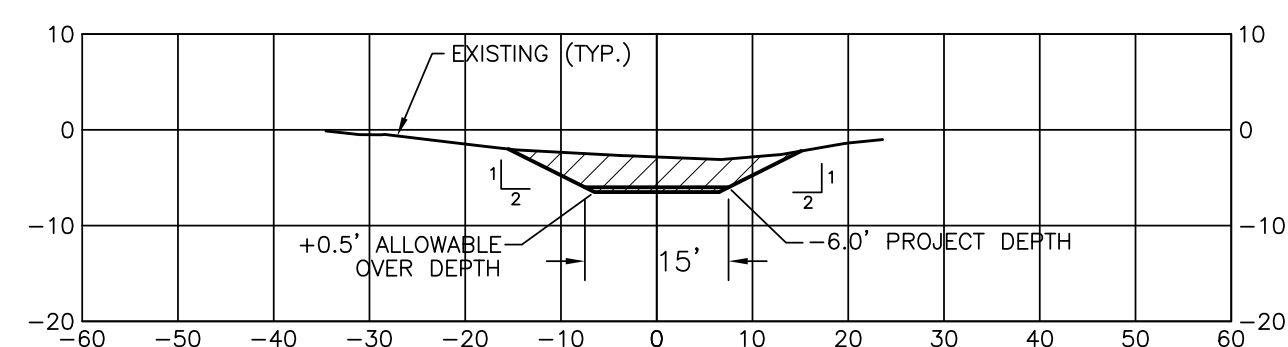
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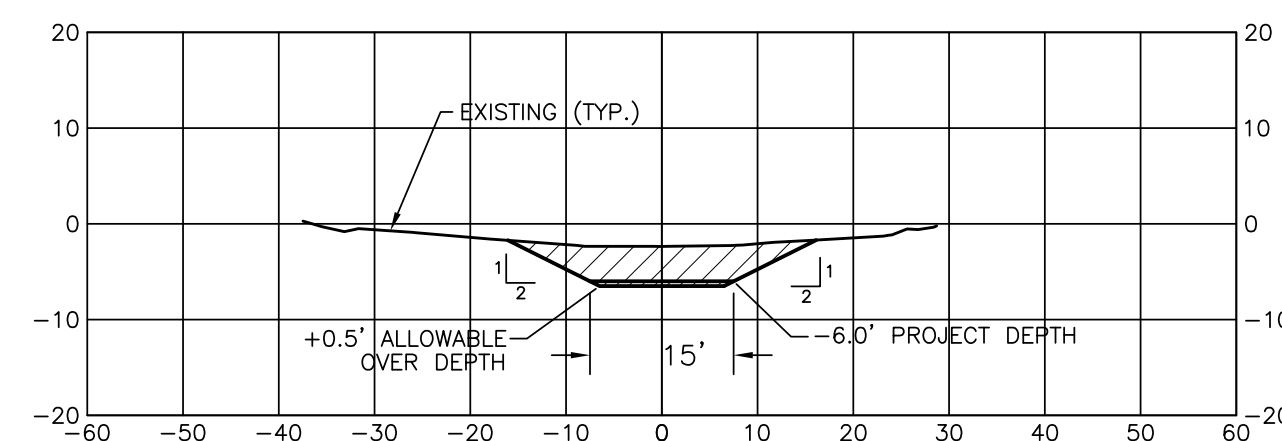
7+75



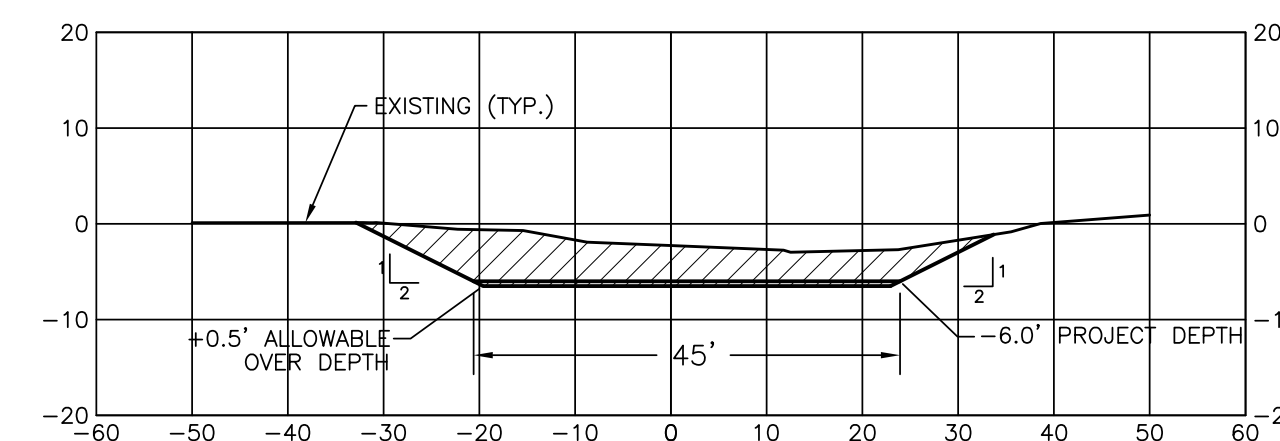
15+75



22+25

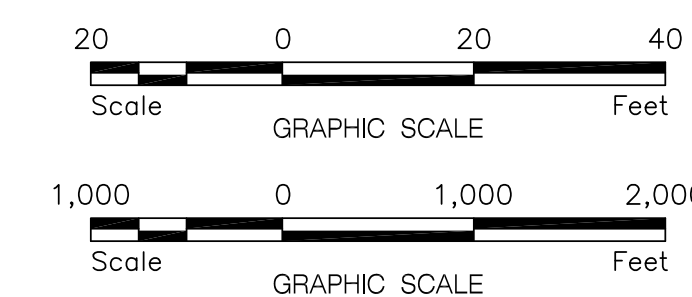


27+75



31+13

SCALE: 1"=20'



DATE	DESCRIPTION OF REVISION	BY	CHKD.
06/16/23	REVISED NOTE 5		

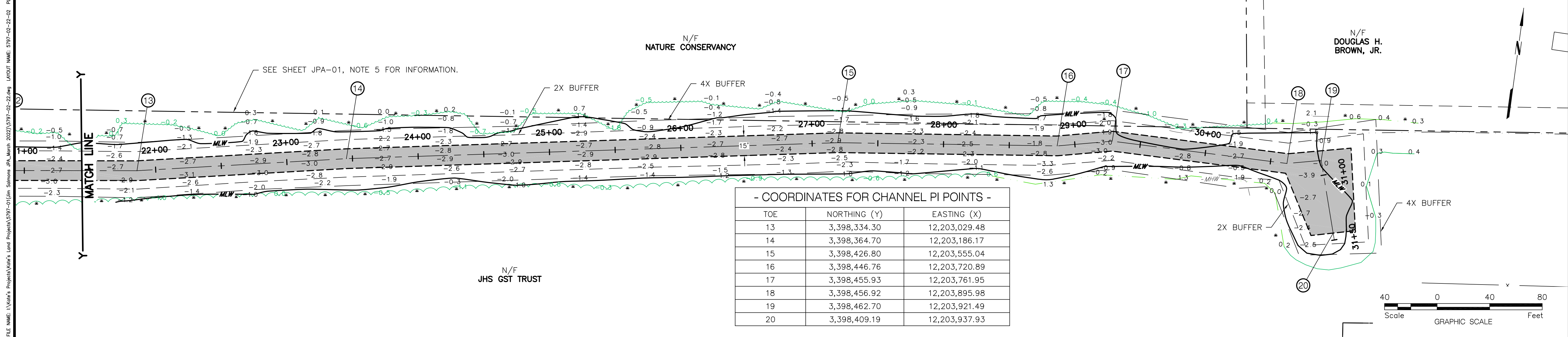
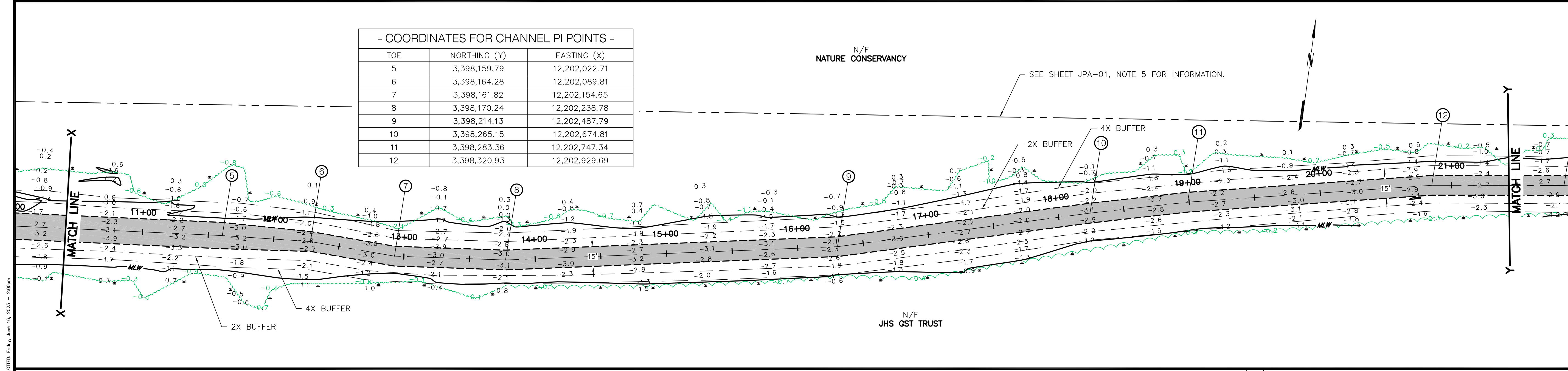
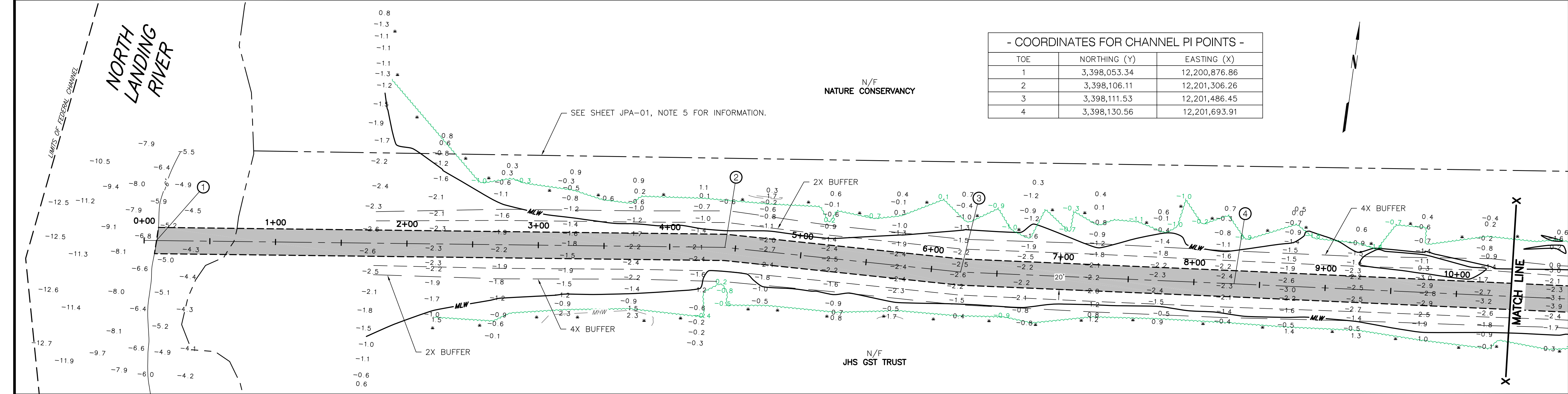
Waterway
 Surveys & Engineering, Ltd.
 321 Cleveland Place, Virginia Beach, Va. 23462
 Tel: (757) 490-1691 Fax: (757) 490-1348

JIM SALMONS
 VIRGINIA BEACH, VIRGINIA
 JOINT PERMIT APPLICATION
 LOCATION, CROSS SECTIONS AND NOTES
 NORTH LANDING RIVER

COMMONWEALTH OF VIRGINIA
 JOHN B. WALSH
 Lic. No. 11964
 11/14/2022
 PROFESSIONAL ENGINEER

SURVEYED	DESIGNED
J.D.D.	R.S.F.
DRAWN	REVIEWED
E.M.L./K.T.	R.S.F.
SCALE	DATE
AS SHOWN	11/14/22
DRAWING NO.	
5797-02-22-01	
JPA-01	
SHEET 1 OF 2	

FILE NAME: I:\Year's Projects\Year's Land Projects\0797-02-22-01_PLOTTED: 06/16/2023 1:56pm LAYOUT NAME: 5797-02-22-01_PLOTTED: 06/16/2023 1:56pm



NO.	DATE	BY	DESCRIPTION

Waterway
 Surveys & Engineering, Ltd.
 321 Cleveland Place, Virginia Beach, Va. 23462
 Tel: (757) 490-1691 Fax: (757) 490-1348

JIM SALMONS
 VIRGINIA BEACH, VIRGINIA
 JOINT PERMIT APPLICATION
 PLAN VIEW
 NORTH LANDING RIVER

COMMONWEALTH OF VIRGINIA
 JOHN B. WALSH
 Lic. No. 11964
 11/14/2022
 PROFESSIONAL ENGINEER

SURVEYED	DESIGNED
J.D.D.	N/A
DRAWN	REVIEWED
E.M.L./K.T.	R.S.F.
SCALE	DATE
1"=40'	11/14/22
DRAWING NO.	5797-00-22-02
JPA-02	
SHEET 2 OF 2	

FILE NAME: I:\Year's Projects\Year's Land Projects\5797-00-22-02.dwg LAYOUT NAME: 5797-00-22-02 PLOTTED: Friday, June 16, 2023 - 2:00pm

ADDITIONAL INFORMATION/REVISIONS Received by VMRC June 20, 2023 /blh



321 Cleveland Place, Virginia Beach, VA 23462
Phone (757) 490-1691 Fax (757) 490-1348

16 June 2023

RE: Salmons Farms North Boundary Location

To Whom it may concern:

The northern boundary of the Salmons Property (GPIN 2309 37 6009 0000) extending westerly beyond the southwest corner of Lot 5, Amended Subdivision Plat of Blossom Hill Estates (Map Book 216, Page 70-71) has not been surveyed by Waterway Surveys & Engineering, Ltd.

The current description of this line by the adjoining property on the North, The Nature Conservancy – Deed Book 3123, Page 1150, only describes its boundaries by reference to “Lot 21-A” as shown on “Subdivision of Lot 21, Blossom Hill Estates M.B. 216, Pg. 71” recorded in Map Book 221, Page 39. These plats do not depict or describe the extents of Lot 21-A, but it is shown only as a remainder parcel abutting the buildable lots (5, 6, 7, 13, and 14) of Blossom Hill Estates.

The previous description of this line in conveyance from William A. Cox, III, Sole Acting Trustee to Blossom Hill Estates, Ltd. reads: “Beginning at a cedar on the West side of a road now or formerly known as Pungo Road, a corner of property now or formerly owned by Batter and Guynn and running along a line of marked tree (sic) to North River;”.

Salmons deed (ex. Inst. 20200611000499600) describe this line only by “call for adjoiner”; “on the North by the lands now or formerly owned by W. J. Lawrence”.

Given the lack of accurate title descriptions and physical evidence to locate this boundary, Waterway Surveys & Engineering, Ltd. considers the property line (for the portion defined in first paragraph above) to be currently indeterminate.

In this Surveyor’s opinion, and presently lacking any evidence to the contrary, the boundary line would be best established as an extension of the recorded southern line of Blossom Hill Estates westward to the North Landing River.

Russell C. Sanderson, LS PLS
Waterway Surveys & Engineering, Ltd.



SALMONS PRIVATE DREDGING PROJECT OCTOBER, 2022

Project Location

The Salmons Private Dredging project is located at 809 Princess Anne Road in Virginia Beach. The man-made canal was excavated during the 1960's prior to formal permit requirements.

Purpose & Need

To restore navigational depths in the private canal. The attached sheets JPA-01, JPA-02, and JPA-02-Attachment accompany the JPA form and provide the project details and the project impacts.

Proposed Project

The proposed project includes the maintenance dredging of a 3,150 ft channel with toe widths ranging from 15 ft to 20 ft. The design depth is -6.5 ft NAVD, which matches ambient contours in the North Landing River. The estimated volume is 10,000 cy. This project will meet the purpose and need and minimize impacts to vegetated wetlands.

Avoidance and Minimization

The canal ranges in width from 50 ft to 100 ft between the PFO and EME wetland areas (Wetland Attachment). The design channel width was minimized to the most practicable extent possible and numerous PIs (bends) in the channel were added to reduce impacts to vegetated wetlands within the 4x buffer area. (There are no vegetated impacts in the 2x buffer.) The dredging will impact 820 sf of vegetated wetlands within the 4x buffer.

The North Landing River is non-tidal and water levels are driven by winds. The northerly winds blow the water out of Back Bay and lower the water level, while the southerly winds hold the water into Back Bay increasing the water level. The Virginia Marine Resources Commission (VMRC) and the Virginia Beach Wetlands Board established datums to represent tidal elevations in Back Bay. They use an elevation of +1.5 ft NAVD to represent MHW and -1.3 ft NAVD to represent MLW. The Corps does not recognize the established tidal datums and thus for federal regulatory purposes an elevation of +1.5 ft NAVD is used to represent OHW.

The JPA-02-Attachment includes the 2x and 4x buffers with the established impacts. The shaded green shows the impacts to vegetated wetlands within the 4x buffer and the light brown shade shows impacts to "non-vegetated" wetlands within the 2x buffer. The estimated impact to non-vegetated wetlands within the 2x buffer is 1,545 sf. Note that the Corps considers this area subaqueous since it is non-tidal and therefore is not considered a wetland environment.

Compensation and Mitigation

The Owner proposes to purchase credits for impacts to vegetated wetlands through the Virginia Beach Wetlands Board as part of their review or through an established bank. The Owner does not propose to mitigate for 1,545 sf of “non-vegetated” wetlands since the Corps considers the area to be subaqueous.

Environmental Justice

There are no environmental justice issues associated with this project. The private canal is located in a rural area of Virginia Beach that has been owned by the same family for more than a century.

Threatened and Endangered Species

The only listed species is the Northern Long Eared Bat. Note that there will not be any tree clearing associated with this project, therefore, there will not be any impacts to critical habitat.

Historical and Cultural Resources.

Attachment III provides the results from the VCRIS database search. Two resources were located within ~1/4 mile of the dredging area. Site 134-0367 is located about 1,500 ft south and site 134-0370 is located about 2,000 ft to the northeast. The dredging will not have any direct impact (dredging construction) or indirect impact (viewshed/noise) of these properties.

Dredging Plan

The material will be excavated (mechanically dredged) and placed in scow barges for transport to a transfer area at the shoreline. The transfer area will take place either in the private basin or at the Salmons yard south of the private basin. The material will then be hauled to selected farm fields for disposal.

Subaquatic Vegetation

There is no subaquatic vegetation in the dredging area.

Shellfish Leases

There are no shellfish leases in the dredging area.

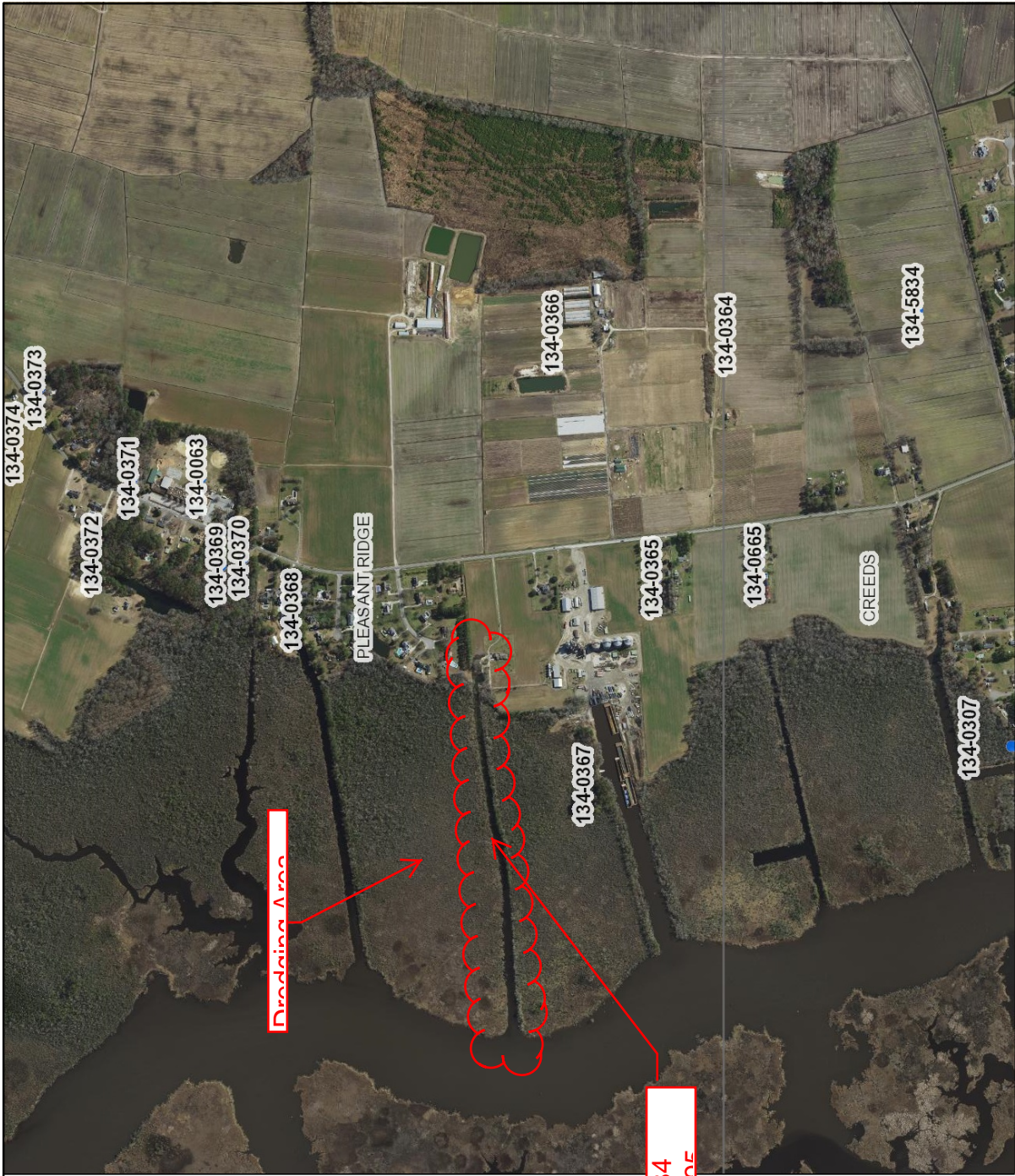
Salmons Private Canal Dredging Project - National Wetlands Inventory



Legend

- Architecture Labels
- Public View Architecture Points
- Public View Historic Districts
- County Boundaries
- Topo Quad Grid

36.630134
 76.047005



Feet



Title: Jim Salmons Private Dredging

Date: 10/10/2022

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.