Wetlands Board Staff Report

November 17, 2025



Planning & Community Development

Virginia Beach Wetlands Board Public Hearing Procedures

A Public Hearing of the Virginia Beach Wetlands Board will be held on **Monday, November 17, 2025** at 10:00 a.m. in the 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 the application, including proposed plans, ordinances or amendments call (757) 385-4621 or go to *VirginiaBeach.gov/wetlands* or visit the Department of Planning and Community Development, 2403 Courthouse Drive, Building 3, Virginia Beach, VA 23456 by appointment. Citizens may also submit comments to the Wetlands Board prior to the public hearing via email to *waterfront@vbgov.com* or via United States Mail to Waterfront Operations, 2403 Courthouse Drive, Municipal Center, Building 3, Virginia Beach, VA 23456

The Staff reviews some or all 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 Heaven Manning via email at *hmanning@vbgov.com* 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

Wetlands Board Public Hearing: November 17, 2025

9:00 AM INFORMAL STAFF BRIEFING OF PUBLIC HEARING AGENDA ITEMS
10:00 am FORMAL REVIEW OF PUBLIC HEARING AGENDA ITEMS

Administrative Agenda Items

- **Approval of the October 20, 2025 Wetlands Board Hearing Minutes**

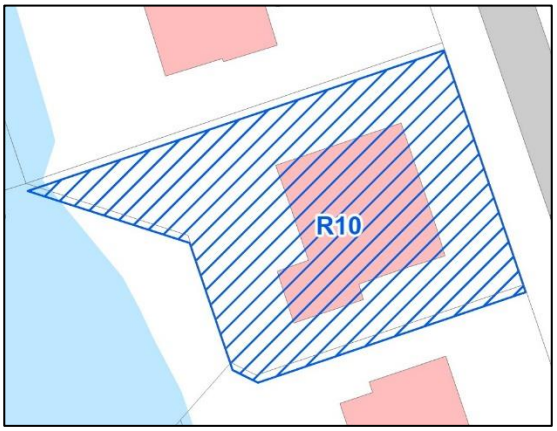
New Business – Wetlands Agenda Items

1. **2025-WTRA-00126**
   CTGHNG, LLC
   [Applicant & Owner]

   3049 Little Island Road
   GPIN: 2433-42-1084
   City Council: District 2 (Henley)

   Waterway: North Bay Inlet
   Subdivision: Back Bay Meadows

   Request: To construct a bulkhead and return walls involving wetlands and a covered boat lift.

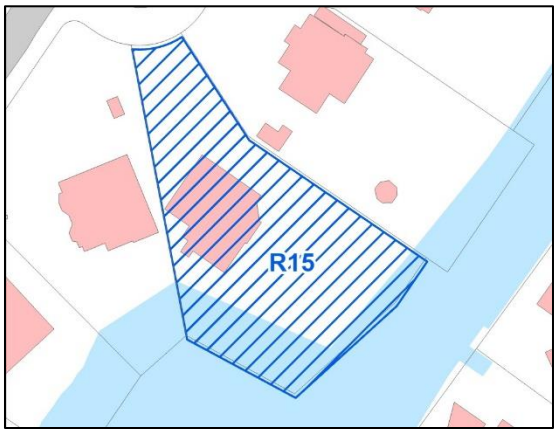


2. **2025-WTRA-00173**
   TLC Vacation, LLC
   [Applicant & Owner]

   345 Whiting Lane
   GPIN: 2433-31-6023
   City Council: District 2 (Henley)

   Waterway: North Bay Inlet
   Subdivision: Back Bay Meadows

   Request: To construct a bulkhead and return walls involving wetlands.



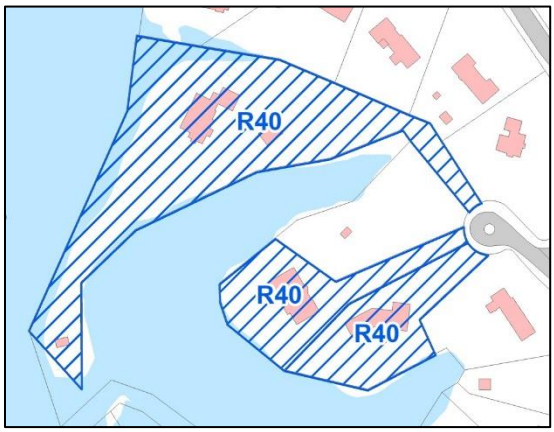
New Business – Wetlands Agenda Items (*continued*)

3. **2025-WTRA-00142**
   John L. Murrell, Sr. & Abbott J. Byrd III
   [Applicants & Owners]

   3755, 3759, & 3767 Oyster Point Quay
   GPINs: 1489-41-8495,
   1489-41-7541, 1489-41-6833
   City Council: District 8 (Cummings)

   Waterway: Poplar Cove
   Subdivision: Oyster Point

   Request: To dredge involving wetlands.



2026 Wetlands Hearing Dates

January 22 (Thursday)	**May 18**	**September 21**
February 19 (Thursday)	**June 15**	**October 19**
March 16	**July 20**	**November 16**
April 20	**August 17**	**December 14**

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 2403 Courthouse Drive, Building 3, Virginia Beach, VA 23456 or online at VirginiaBeach.gov/wetlands. For information call (757) 385-4621.

Agenda Item 1

Application Number: 2025-WTRA-00126
Applicant: CTGHNG, LLC
Wetlands Board Public Hearing: November 17, 2025
City Council: District 2 (Henley)

Applicant's Agent

Robert Simon - Waterfront Consulting, Inc.

Location

3049 Little Island Road

GPIN

2433-42-1084

Staff Planner

Heaven Manning

Proposal

To construct a bulkhead and return walls involving wetlands and a covered boat lift.

Waterway

North Bay Inlet

Subdivision

Back Bay Meadows

Impacts

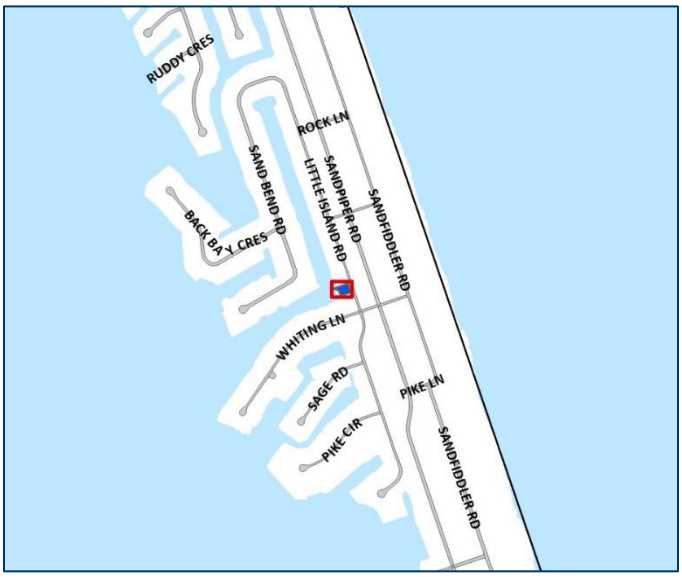
Non-Vegetated: 61 square feet
Subaqueous: 196 square feet
Overall length of proposed structures: 92 linear feet of bulkhead, two 8 linear foot return walls
Volume of Backfill: 35 cubic yards

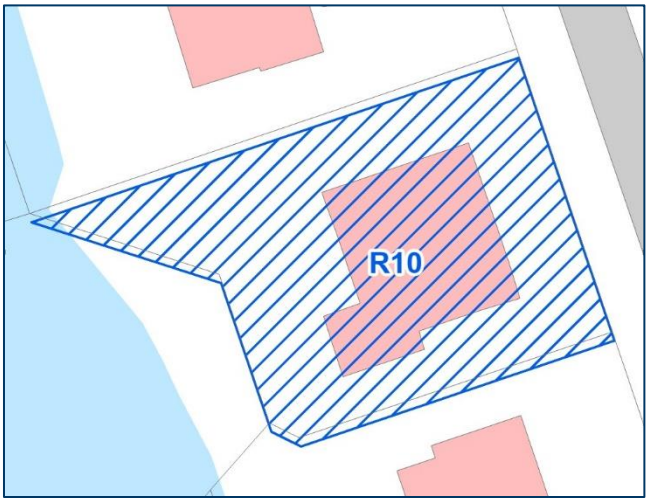
Proposed Mitigation and/or Compensation

Purchase credits from SWMP

Staff Recommendation

Approval as Modified





Wetlands Board Permit History

The property is located in the Southern Rivers Watershed. There are no known recent Wetlands Board actions or Joint Permit Applications for this property.

Summary of Proposal

The applicant is proposing to construct 92 linear feet of vinyl bulkhead with two 8 linear foot return walls. The proposed bulkhead will be constructed two feet channelward of the existing bulkhead. Approximately 35 cubic yards of backfill will be used for the project. The existing concrete boat ramp will be removed. The proposed project will impact 61 square feet of non-vegetated rock habitat for enclosing the existing boat ramp. The applicant proposes to mitigate the wetlands impacts by purchasing credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

Evaluation & Staff Recommendations

The project is in Sandbridge within a man-made canal that connects to North Bay. Staff concurs that the proposed bulkhead is warranted for this property, as the existing bulkhead is reaching the end of its construction lifespan and showing signs of deterioration. The applicant's agent indicated that a living shoreline was not feasible for this property due to the significant fetch and wave action, shoreline conditions of adjacent properties, and existing improvements on the lot.

The property is designated as Floodplain Subject to Special Restrictions. The Floodplain Ordinance (Appendix K, City Code) allows for shoreline stabilization structures provided they are in line with surrounding structures and use the minimum fill necessary. The height of the proposed bulkhead is proposed at elevation 3.4 feet (NAVD 88), which is similar to many bulkheads in Sandbridge and does not significantly increase the elevation of the property. Staff is of the opinion that the proposed project meets the criteria of Appendix K, Section 4.10 as the proposed fill is limited to the area to allow for a straight alignment of the bulkhead, which is the minimum necessary to support the project. The request to construct the new bulkhead will not create additional non-vegetated wetlands. Therefore, to address compensation, Staff supports the purchase of credits from SWMP for the non-vegetated wetlands impacts.

Accordingly, the Department of Planning and Community Development recommends that the application be **approved as modified** with the following condition:

1. The proposed project requires an encroachment agreement with the City of Virginia Beach. Such an agreement shall be obtained prior to the release of a Wetlands Board Permit or issuance of a building permit.

Next Steps

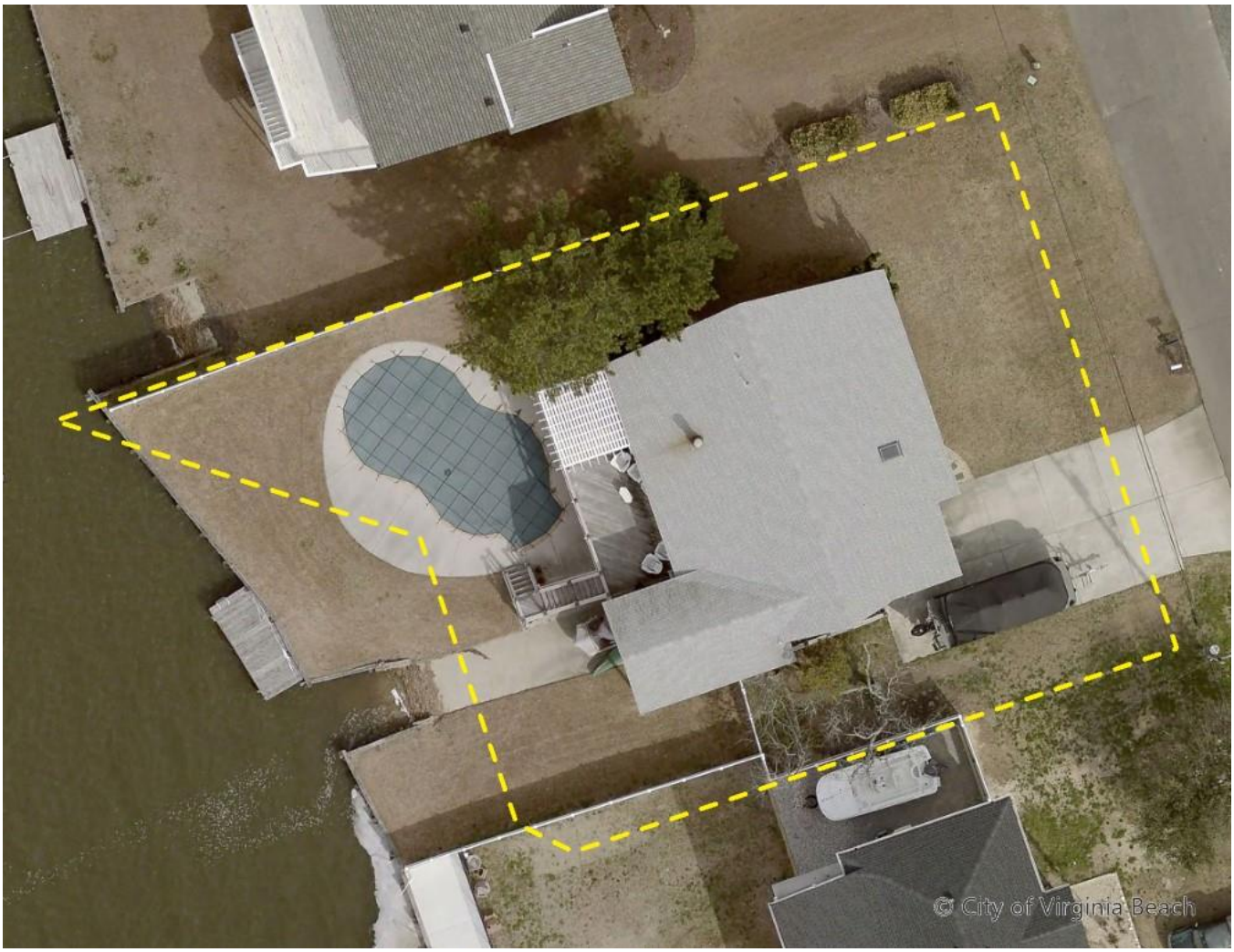
Wetlands Board decisions can be reviewed by or appealed to the Virginia Marine Resources Commission. The Virginia Marine Resources Commission must receive the appeal request within 10 days of the hearing. Accordingly, no approvals can be issued until at least 10 days after the hearing.

Following the Wetlands Board meeting, applicants and their agents can expect to receive a Board Actions Summary via email.

Within 14 days of the Wetlands Board hearing, applicants and their agents can expect to receive a letter detailing any fees owed, any revisions required, and next steps to obtain their permit.

All questions related to Board decisions or information required to obtain a permit can be directed toward the City of Virginia Beach Planning Department – Waterfront Operations Division at 757-385-8246.

Site Aerial Map



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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 the existing boat ramp and construct 92 LF of vinyl bulkhead with (2) 8 LF returns as shown in the permit drawings.

   There will be 0.006 acres of aquatic impact and approximately 35 CYs of backfill placed below the plane of MHW

2. What is the maximum encroachment channelward of mean high water? 2 feet.
   Channelward of mean low water? 2 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 61 square feet
   - Subaqueous bottom 196 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.

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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 pile, timber piles and walers, H.D. galvanized hardware, backfill from an approved upland source

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
     _____ square feet channelward of mean high water
     _____ square feet 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:

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Letter of Credit Availability

The Nature Conservancy
nature.org

The Nature Conservancy in Virginia
652 Peter Jefferson Pkwy, Suite 190
Charlottesville, VA 22911
Tel: (434) 295-6106
nature.org/swmp

November 6, 2025

Robert Simon
Waterfront Consulting, INC
2589 Quality Ct. #323
Virginia Beach, VA 23464

Subject: Virginia Stream and Wetland Mitigation Program Credit Availability for CTGHNG, LLC (the Applicant)

The Nature Conservancy (TNC) of Virginia has mitigation credits available for sale to the Applicant in the hydrologic unit code (HUC) 03010205.

This letter confirms that 0.0014 advance tidal wetland credits are available for the Applicant to purchase for impacts in HUC 03010205 for a period of 60 days. These credits will be used as compensatory mitigation for impacts to 0.0014 acres of tidal wetlands in HUC 03010205 in accordance with permit number 2025-1561.

TNC acknowledges that the above-mentioned credits will be available for purchase by the Applicant until 1/5/2026 for the price of $1M/tidal wetland credit. The total purchase price for 0.0014 advance tidal wetland credits is therefore $1,400. **There is no guarantee of availability beyond this date. If purchase of credits is not made prior to the date listed, the Applicant must contact TNC to determine credit availability status.**

This letter does not document payment for impacts. TNC does not assume liability for the above-mentioned impacts through this correspondence. Please be advised that a purchase of mitigation credits from The Nature Conservancy's Virginia Stream and Wetland Mitigation Program is a payment for service and therefore is not, and shall not be acknowledged as, a charitable contribution.

Instructions for submitting payment: When the applicant is ready to submit payment for the above-mentioned credits, please submit a completed Conflict Inquiry Form and Credit Payment Checklist along with the payment written out to "**Virginia Stream and Wetland Mitigation Program".** Mail the Conflict Inquiry Form, checklist and check to SWMP at the address shown in the above letterhead. TNC reserves the right to refuse to accept payment until any conflict (whether disclosed by the form or not) is reviewed and approved by TNC.

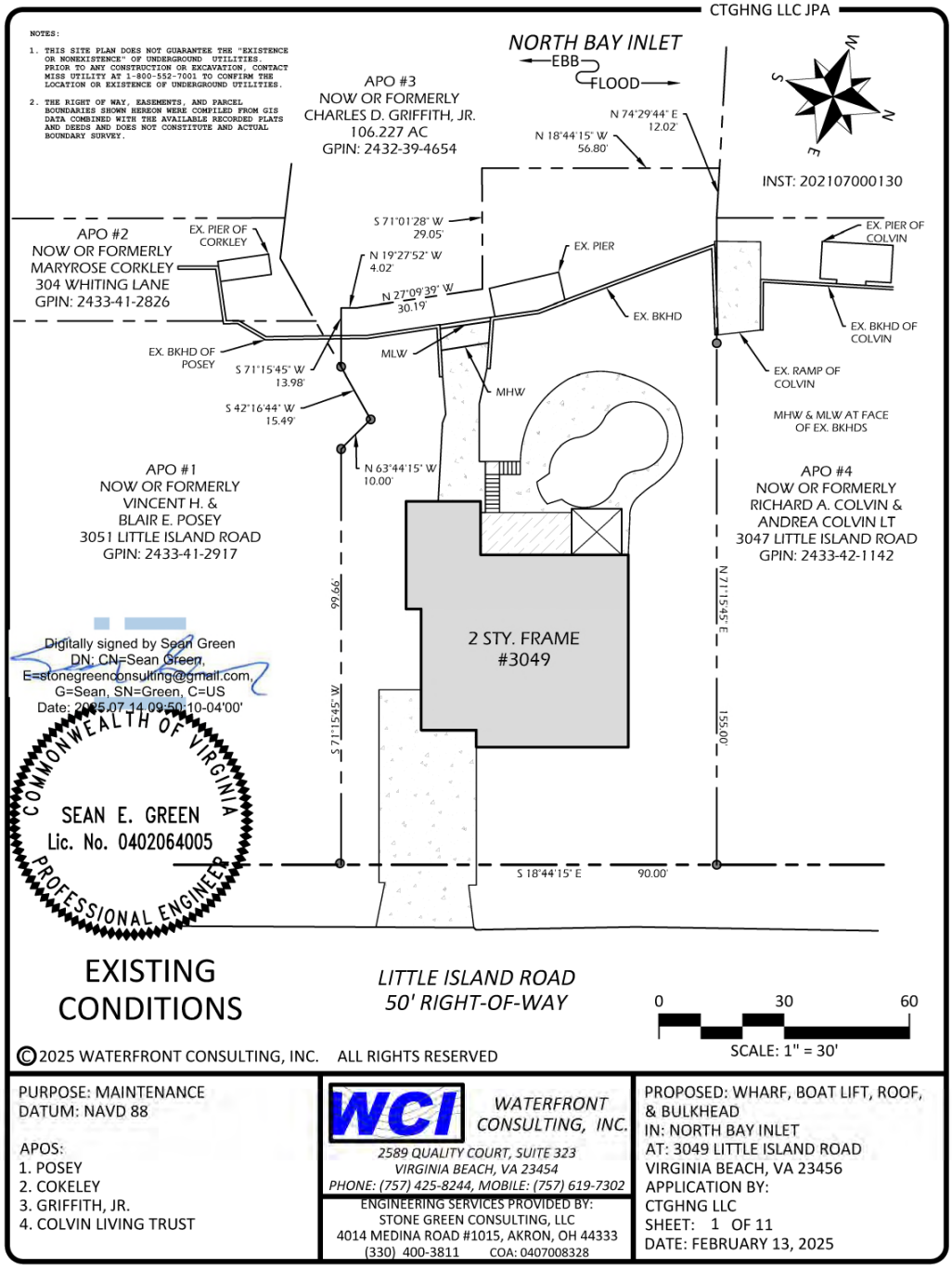
Sincerely,

Nicole M. Rovner

Nikki Rovner
Associate State Director

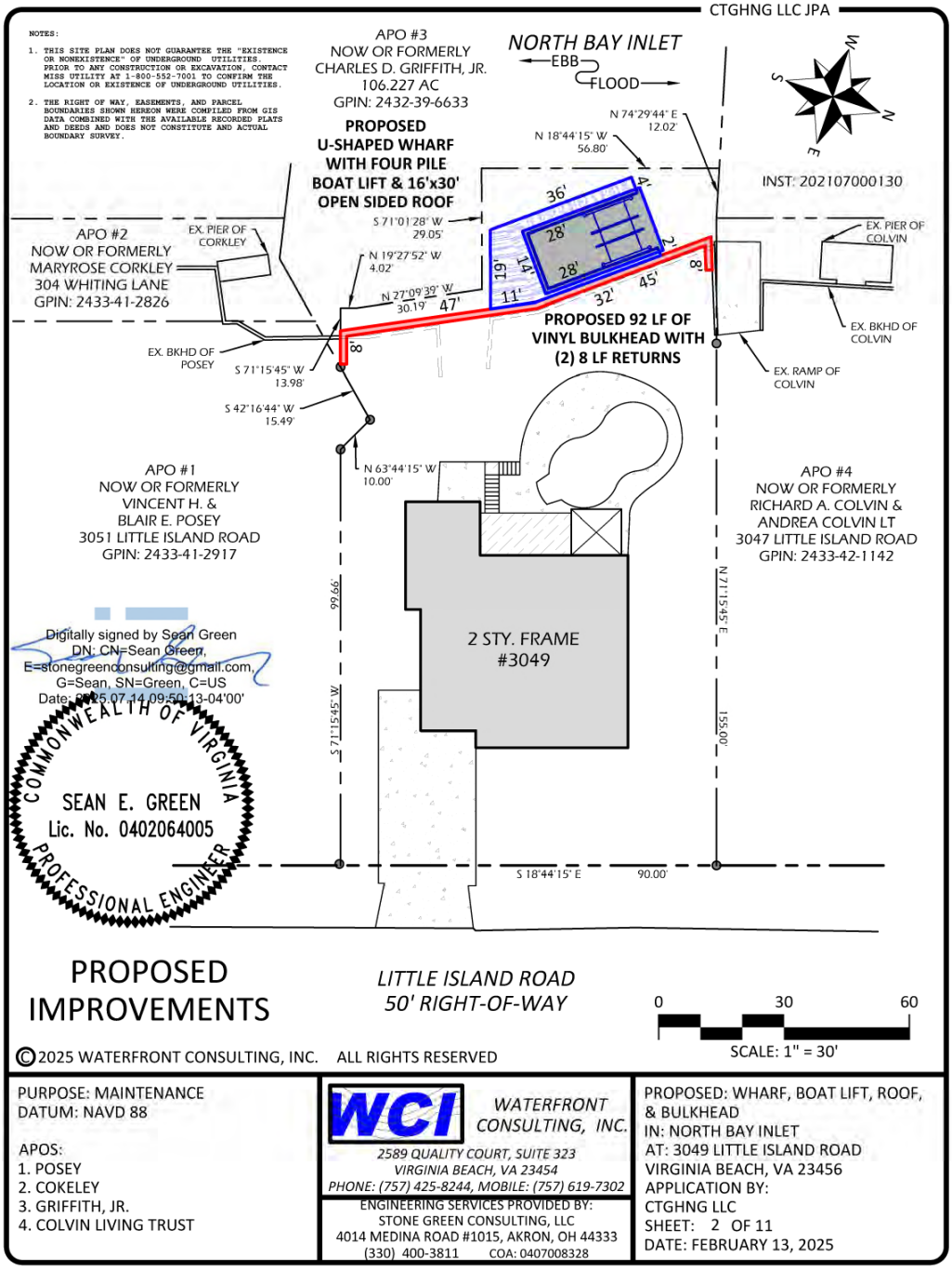
VIRGINIA
STREAM AND WETLAND
MITIGATION PROGRAM

Existing Conditions



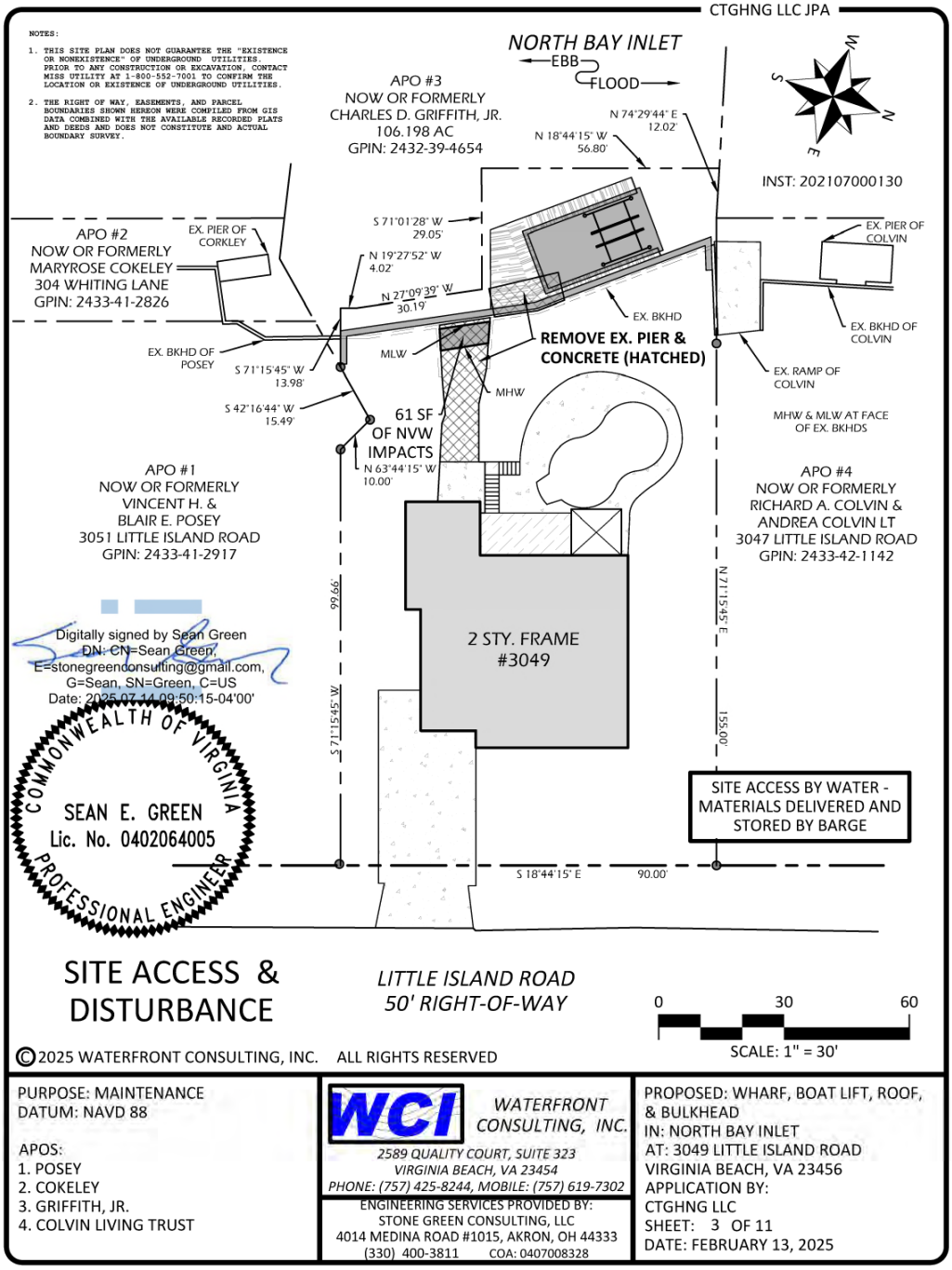
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Proposed Improvements



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Wetlands Impacts

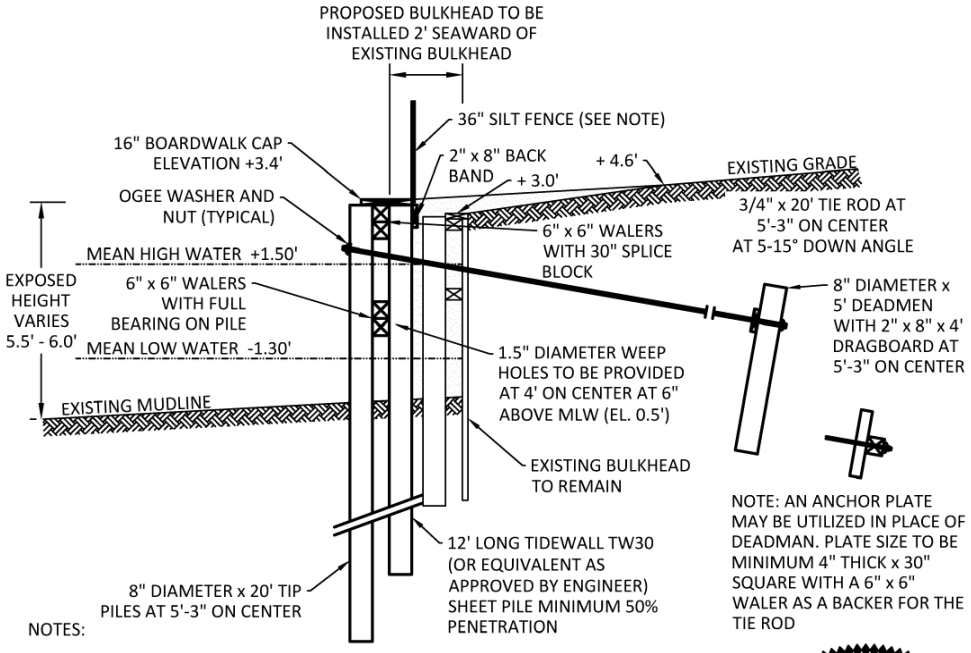


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Bulkhead Cross Section

CTGHNG LLC JPA

PROPOSED BULKHEAD CROSS SECTION



NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 30" SQUARE WITH A 6" x 6" WALER AS A BACKER FOR THE TIE ROD

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 - FINAL DESIGN BY OTHERS. 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.

COMMONWEALTH OF VIRGINIA
SEAN E. GREEN
Lic. No. 0402064005
Digitally signed by Sean Green
DN: CN=Sean Green, E=stonegreenconsulting@gmail.com, G=Sean, SN=Green, C=US
Date: 2025.07.14 09:50:18-04'00'

0 4 8
SCALE: 1" = 4'

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PURPOSE: MAINTENANCE
DATUM: NAVD 88

APOS:
1. POSEY
2. COKELEY
3. GRIFFITH, JR.
4. COLVIN LIVING TRUST

WCI 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) 400-3811 COA: 0407008328

PROPOSED: WHARF, BOAT LIFT, ROOF, & BULKHEAD
IN: NORTH BAY INLET
AT: 3049 LITTLE ISLAND ROAD
VIRGINIA BEACH, VA 23456
APPLICATION BY:
CTGHNG LLC
SHEET: 4 OF 11
DATE: FEBRUARY 13, 2025

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Site Photos





Site Photos





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CITY OF VIRGINIA 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. 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, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application **CTGHNG LLC**

Is Applicant also the Owner of the subject property? Yes (•) No ( )

If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes (•) No ( )

If yes, name Representative: Robert Simon - Waterfront Consulting, Inc.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes (•) No ( )

If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary [1] or affiliated business entity [2] relationship with the applicant. (Attach list if necessary.)

charles t gundlach

mary h gundlach

Does the subject property have a proposed or pending purchaser? Yes ( ) No (•)

If yes, name proposed or pending purchaser: _____

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, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: *The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	(X)	( )	Towne Bank
Real Estate Broker/Agent/Realtor	( )	(•)	

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Disclosure Statement – Page 2 – Signed

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SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Accounting/Tax Return Preparation	☒	○	Charles T Gundlach
Architect/Designer/Landscape Architect/Land Planner	○	◉	
Construction Contractor	○	◉	
Engineer/Surveyor/Agent	◉	○	Robert E. Simon, VP of Waterfront Consulting, Inc. Sean E. Green, P.E. of Stone Green Consulting, LLC
Legal Services	○	◉	

APPLICANT CERTIFICATION

READ: *I certify that all information contained in this 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 three 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.*

CTGHNG LLC	DocuSigned by: Charles T Gundlach D28440[illegible]	2/24/2025
Applicant Name (Print)	Applicant Signature	Date

[1] "Parent-subsidiary 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-subsidiary 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.

FOR CITY USE ONLY:

No changes as of (date): 10/22/2025

Heaven Manning	Heaven Manning	10/22/2025
Staff Name (Print)	Staff Signature	Date

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AS NEEDED, PAGE LEFT BLANK

Agenda Item 2

Application Number: 2025-WTRA-00173
Applicant: TLC Vacation, LLC
Wetlands Board Public Hearing: November 17, 2025
City Council: District 2 (Henley)

Applicant's Agent

Robert Simon - Waterfront Consulting, Inc.

Location

345 Whiting Lane

GPIN

2433-31-6023

Staff Planner

Heaven Manning

Proposal

To construct a bulkhead and return walls involving wetlands.

Waterway

North Bay Inlet

Subdivision

Back Bay Meadows

Impacts

Non-Vegetated: 35 square feet
Subaqueous: 331 square feet
Overall length of proposed structures: 183 linear feet of bulkhead, three 15 linear foot return walls, one 10 linear foot return wall
Volume of Backfill: 47 cubic yards

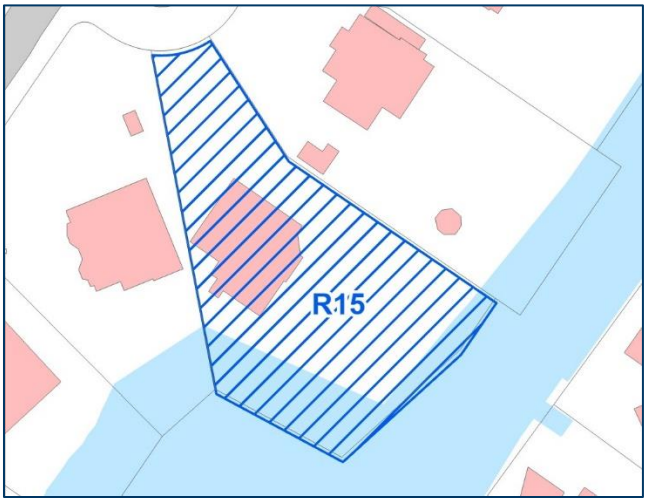
Proposed Mitigation and/or Compensation

Purchase credits from SWMP

Staff Recommendation

Approval as Submitted





Wetlands Board Permit History

The property is located in the Southern Rivers Watershed. There are no known recent Wetlands Board actions found for this property. In 2017, a Joint Permit Application was submitted to reconstruct the pier.

Summary of Proposal

The applicant is proposing to construct 183 linear feet of vinyl bulkhead, three 15 linear foot return walls, and one 10 linear foot return wall. The proposed bulkhead will be constructed two feet channelward of the existing bulkhead. Approximately 47 cubic yards of backfill will be used for the project.

The majority of the project will impact subaqueous bottom. Approximately 35 square feet of non-vegetated rock habitat will be removed at the western end of the project. The applicant proposes to mitigate the wetlands impacts by purchasing credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

Evaluation & Staff Recommendations

The project is in Sandbridge within a man-made canal that connects to North Bay. Staff concurs that the proposed bulkhead is warranted for this property, as the existing bulkhead is reaching the end of its construction lifespan and showing signs of deterioration. The applicant's agent indicated that a living shoreline was not feasible for this property due to the topography of the site, existing improvements on the lot, and significant wave action. The applicant's agent provided that rip rap was not utilized because it would greatly impact subaqueous bottom.

The property is designated as Floodplain Subject to Special Restrictions. The Floodplain Ordinance (Appendix K, City Code) allows for shoreline stabilization structures provided they are in line with surrounding structures and use the minimum fill necessary. The height of the proposed bulkhead is proposed at elevation 3 feet (NAVD 88), which is similar to many bulkheads in Sandbridge and does not significantly increase the elevation of the property. Staff is of the opinion that the proposed project meets the criteria of Appendix K, Section 4.10 as the proposed fill is limited to the area to allow for a straight alignment of the bulkhead, which is the minimum necessary to support the project. The request to construct the new bulkhead will not create additional non-vegetated wetlands. Therefore, to address compensation, Staff supports the purchase of credits from SWMP for the non-vegetated wetlands impacts.

Accordingly, the Department of Planning and Community Development recommends that the application be **approved as submitted** as shown on the plans for TLC Vacation, LLC at 345 Whiting Lane, sealed on October 17, 2025, and received by the Virginia Marine Resources Commission on October 20, 2025.

Next Steps

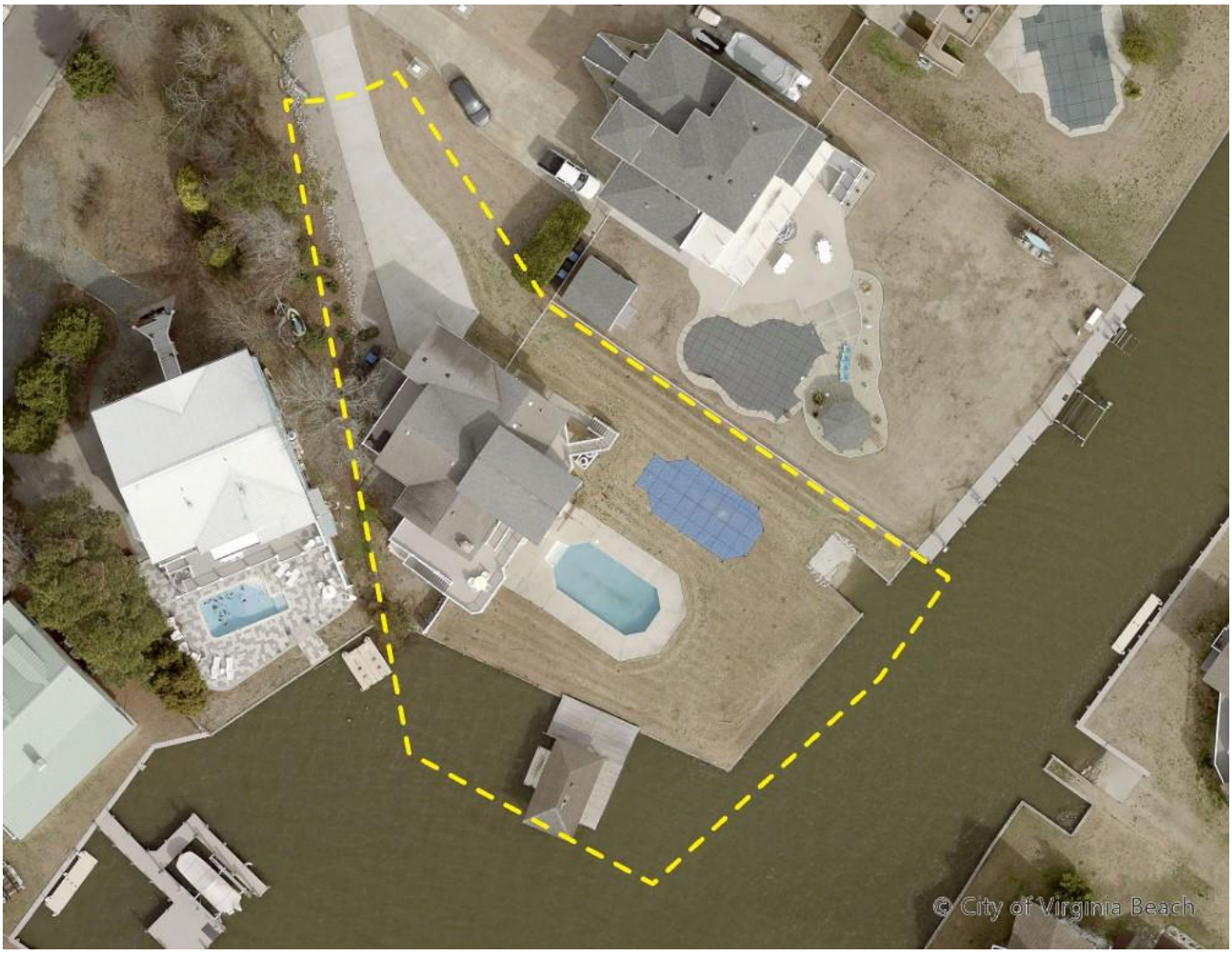
Wetlands Board decisions can be reviewed by or appealed to the Virginia Marine Resources Commission. The Virginia Marine Resources Commission must receive the appeal request within 10 days of the hearing. Accordingly, no approvals can be issued until at least 10 days after the hearing.

Following the Wetlands Board meeting, applicants and their agents can expect to receive a Board Actions Summary via email.

Within 14 days of the Wetlands Board hearing, applicants and their agents can expect to receive a letter detailing any fees owed, any revisions required, and next steps to obtain their permit.

All questions related to Board decisions or information required to obtain a permit can be directed toward the City of Virginia Beach Planning Department – Waterfront Operations Division at 757-385-8246.

Site Aerial Map



Docusign Envelope ID: 85C913F7-EBE9-4B31-9D0C-A122D394D16E

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 a section of existing riprap, remove (2) return walls along the existing boat ramp, construct approximately 183 LF of vinyl bulkhead no more than 2 LF channelward of the existing bulkhead, construct (3) 15 LF return walls, and construct a 10 LF return wall as shown in the permit drawings.

   There will be 0.008 acres of aquatic impact and approximately 47 CYs of fill placed below the plane of MHW.

2. What is the maximum encroachment channelward of mean high water? 2 feet.
   Channelward of mean low water? 2 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 35 square feet
   - Subaqueous bottom 331 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.

Additional Information/Revision Received by VMRC October 20, 2025 / Ira

Docusign Envelope ID: 85C913F7-EBE9-4B31-9D0C-A122D394D16E

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 pile, timber piles and walers, H.D. galvanized hardware, backfill from an approved upland source

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
     _____ square feet channelward of mean high water
     _____ square feet 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:

Additional Information/Revision Received by VMRC October 20, 2025 / Ira

Letter of Credit Availability

The Nature Conservancy
nature.org

The Nature Conservancy in Virginia
652 Peter Jefferson Pkwy, Suite 190
Charlottesville, VA 22911
Tel: (434) 295-6106
nature.org/swmp

November 6, 2025

Robert Simon
Waterfront Consulting, INC
2589 Quality Ct. #323
Virginia Beach, VA 23464

Subject: Virginia Stream and Wetland Mitigation Program Credit Availability for TLC Vacation (the Applicant)

The Nature Conservancy (TNC) of Virginia has mitigation credits available for sale to the Applicant in the hydrologic unit code (HUC) 03010205.

This letter confirms that 0.0008 advance tidal wetland credits are available for the Applicant to purchase for impacts in HUC 03010205 for a period of 60 days. These credits will be used as compensatory mitigation for impacts to 0.0008 acres of tidal wetlands in HUC 03010205 in accordance with permit number 2025-2223.

TNC acknowledges that the above-mentioned credits will be available for purchase by the Applicant until 1/5/2026 for the price of $1M/tidal wetland credit. The total purchase price for 0.0008 advance tidal wetland credits is therefore $800. **There is no guarantee of availability beyond this date. If purchase of credits is not made prior to the date listed, the Applicant must contact TNC to determine credit availability status.**

This letter does not document payment for impacts. TNC does not assume liability for the above-mentioned impacts through this correspondence. Please be advised that a purchase of mitigation credits from The Nature Conservancy's Virginia Stream and Wetland Mitigation Program is a payment for service and therefore is not, and shall not be acknowledged as, a charitable contribution.

Instructions for submitting payment: When the applicant is ready to submit payment for the above-mentioned credits, please submit a completed Conflict Inquiry Form and Credit Payment Checklist along with the payment written out to "**Virginia Stream and Wetland Mitigation Program".** Mail the Conflict Inquiry Form, checklist and check to SWMP at the address shown in the above letterhead. TNC reserves the right to refuse to accept payment until any conflict (whether disclosed by the form or not) is reviewed and approved by TNC.

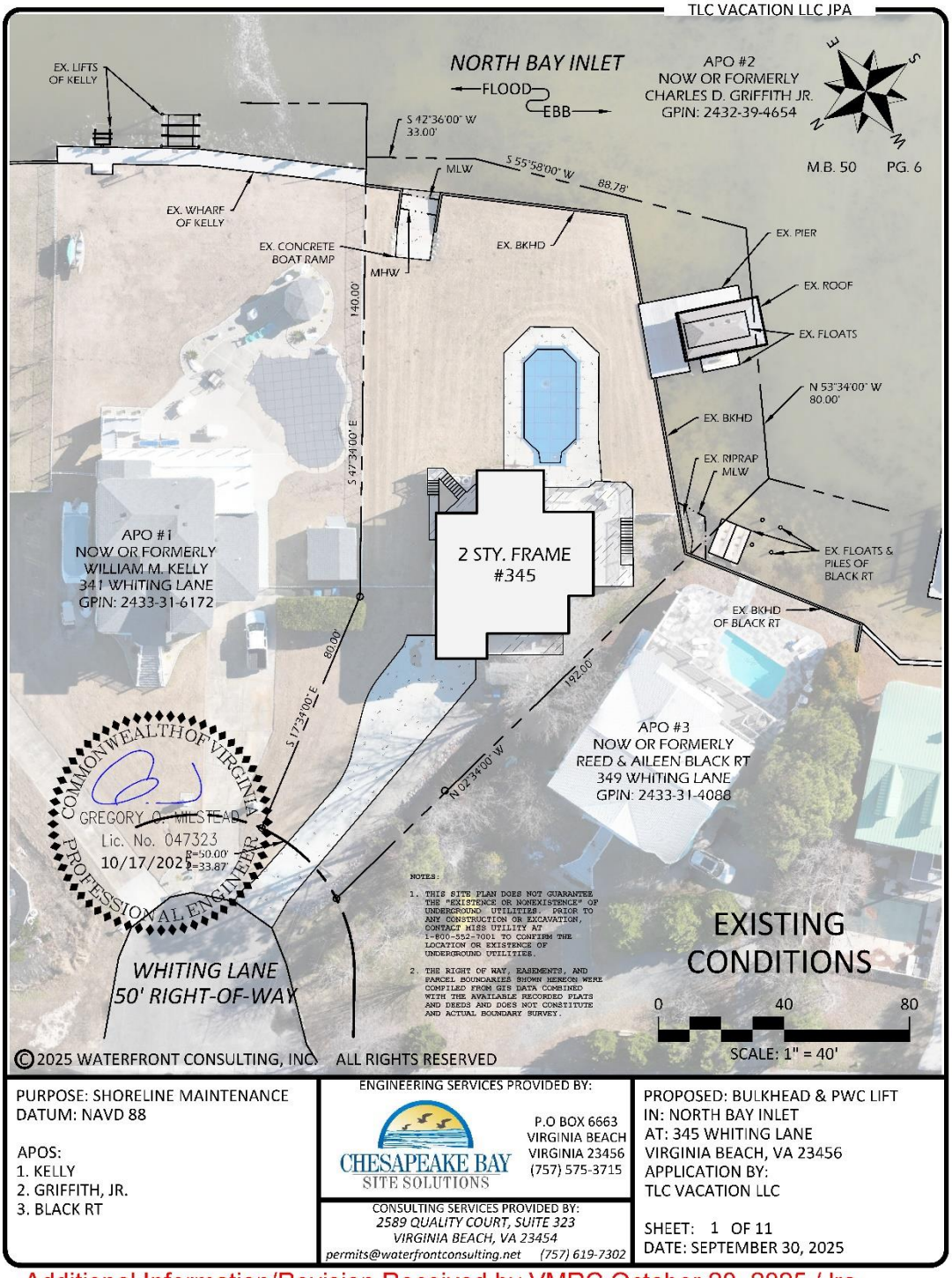
Sincerely,

Nikki Rovner
Associate State Director

VIRGINIA
STREAM AND WETLAND
MITIGATION PROGRAM

Existing Conditions

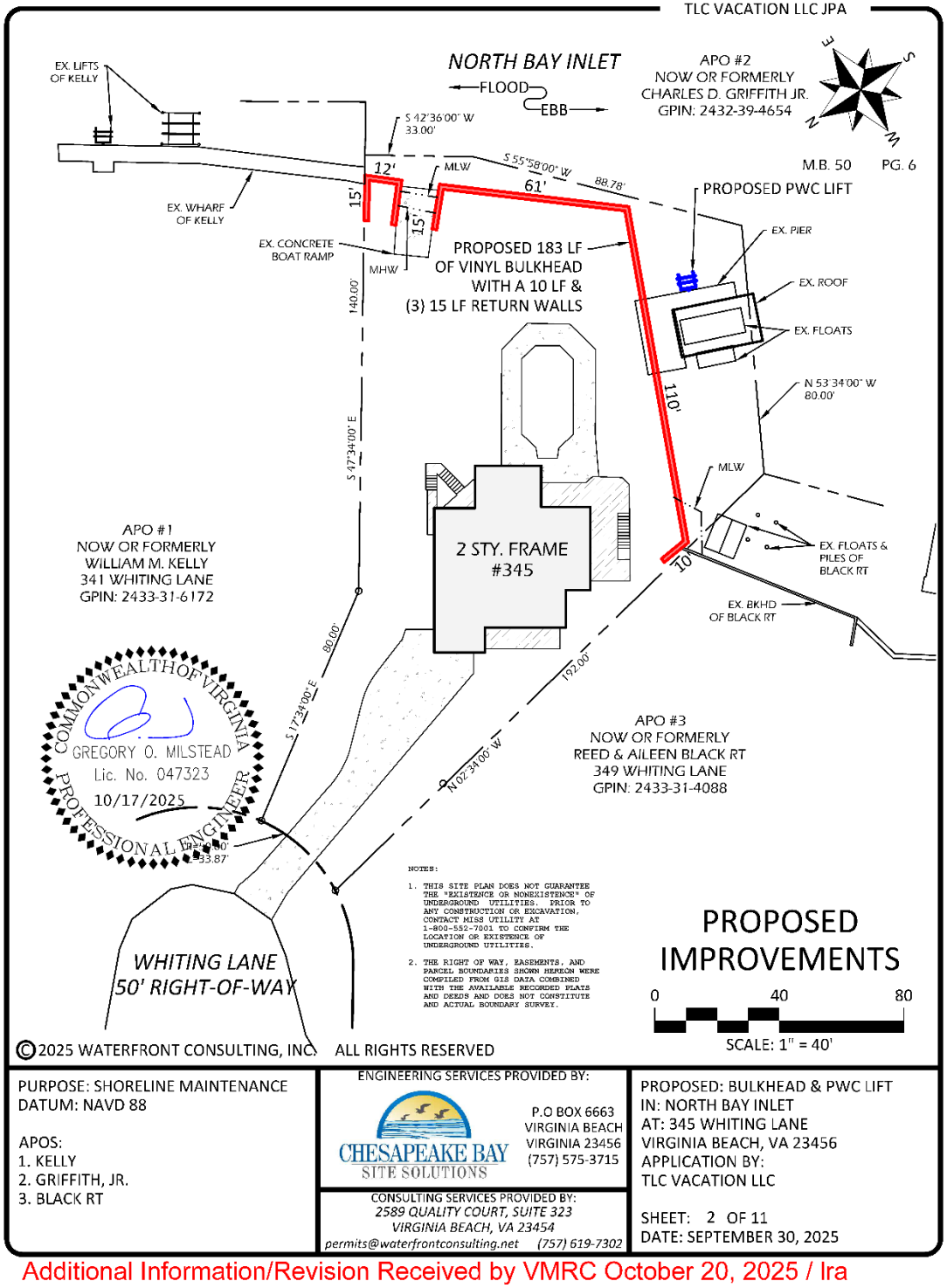
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Proposed Improvements

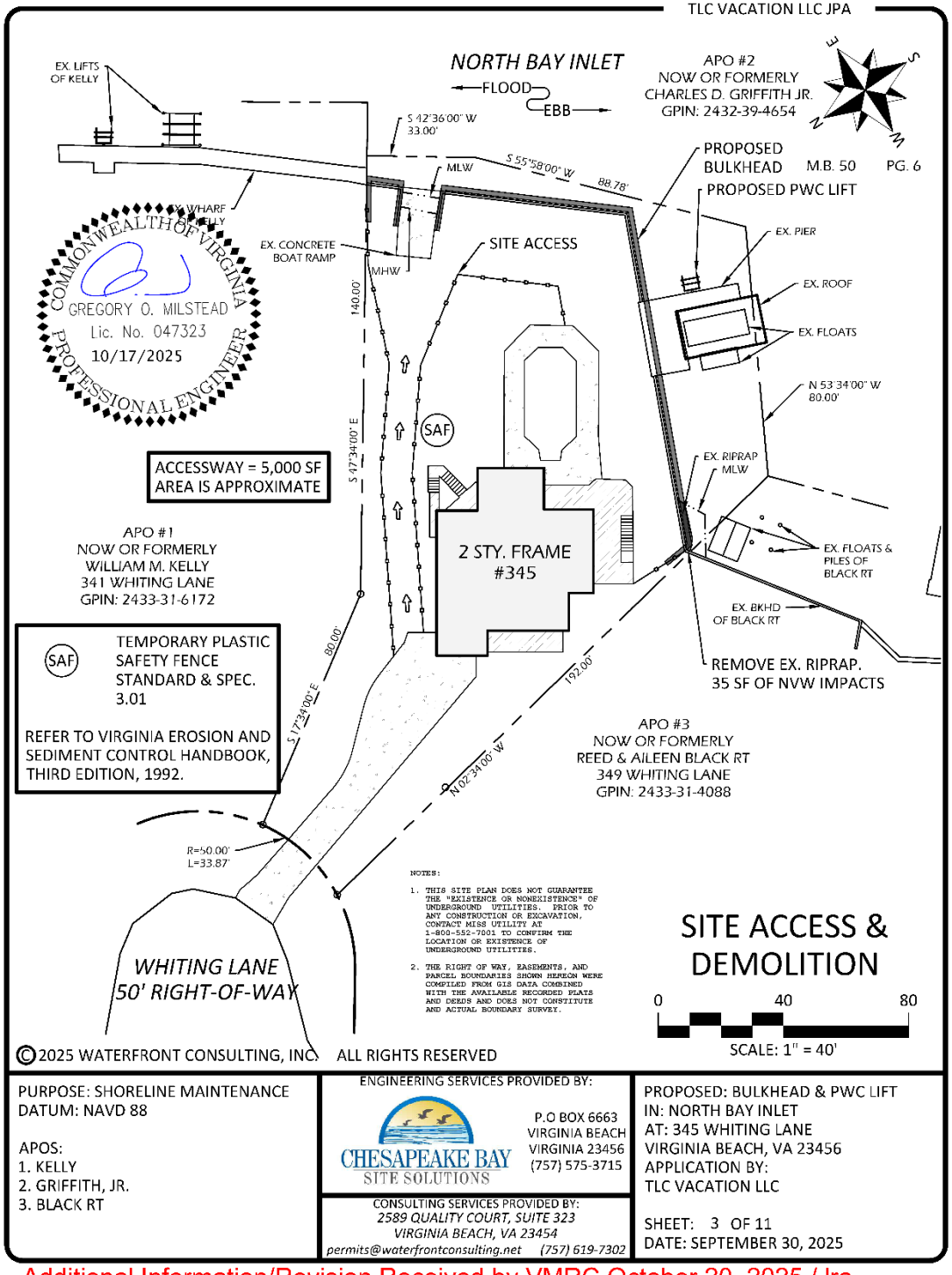
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Wetlands Impacts

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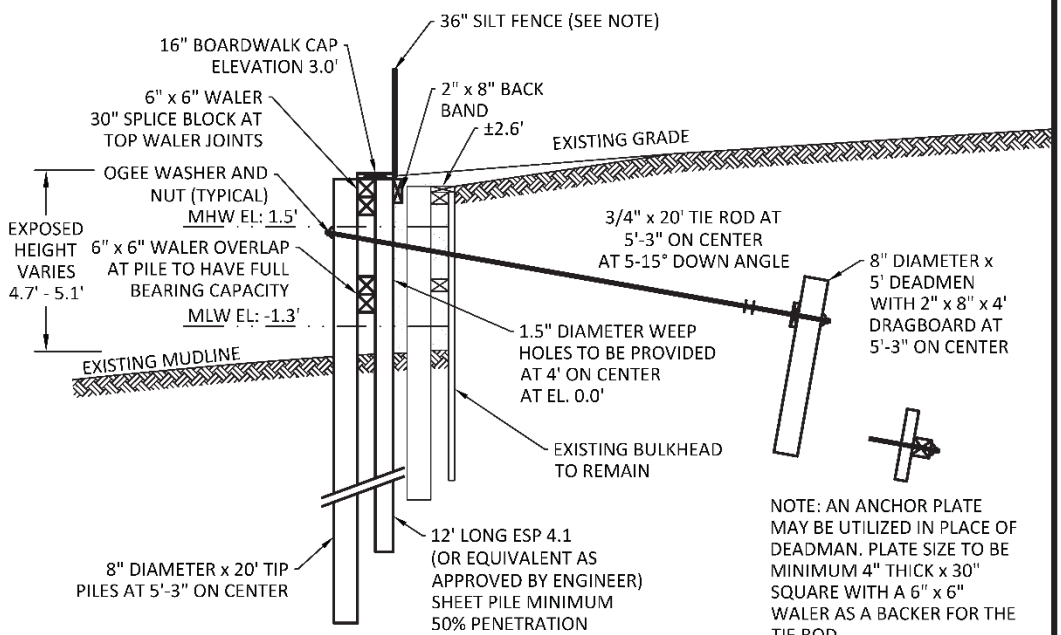
Additional Information/Revision Received by VMRC October 20, 2025 / Ira

Bulkhead Cross Section

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TLC VACATION LLC JPA

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 - FINAL DESIGN BY OTHERS. BULKHEAD MATERIAL DIMENSIONS SHOWN ABOVE ARE THE MINIMUMS ACCEPTABLE BASED ON STANDARD DESIGN PRACTICES AND THE VISIBLE SITE CHARACTERISTICS. 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.

COMMONWEALTH OF VIRGINIA
GREGORY O. MILSTEAD
Lic. No. 047323
10/17/2025
PROFESSIONAL ENGINEER

0 4 8
SCALE: 1" = 4'

©2025 WATERFRONT CONSULTING, INC. ALL RIGHTS RESERVED

PURPOSE: SHORELINE MAINTENANCE
DATUM: NAVD 88

APOS:
1. KELLY
2. GRIFFITH, JR.
3. BLACK RT

ENGINEERING SERVICES PROVIDED BY:
CHESAPEAKE BAY SITE SOLUTIONS
P.O BOX 6663
VIRGINIA BEACH
VIRGINIA 23456
(757) 575-3715

CONSULTING SERVICES PROVIDED BY:
2589 QUALITY COURT, SUITE 323
VIRGINIA BEACH, VA 23454
permits@waterfrontconsulting.net (757) 619-7302

PROPOSED: BULKHEAD & PWC LIFT
IN: NORTH BAY INLET
AT: 345 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
TLC VACATION LLC

SHEET: 4 OF 11
DATE: SEPTEMBER 30, 2025

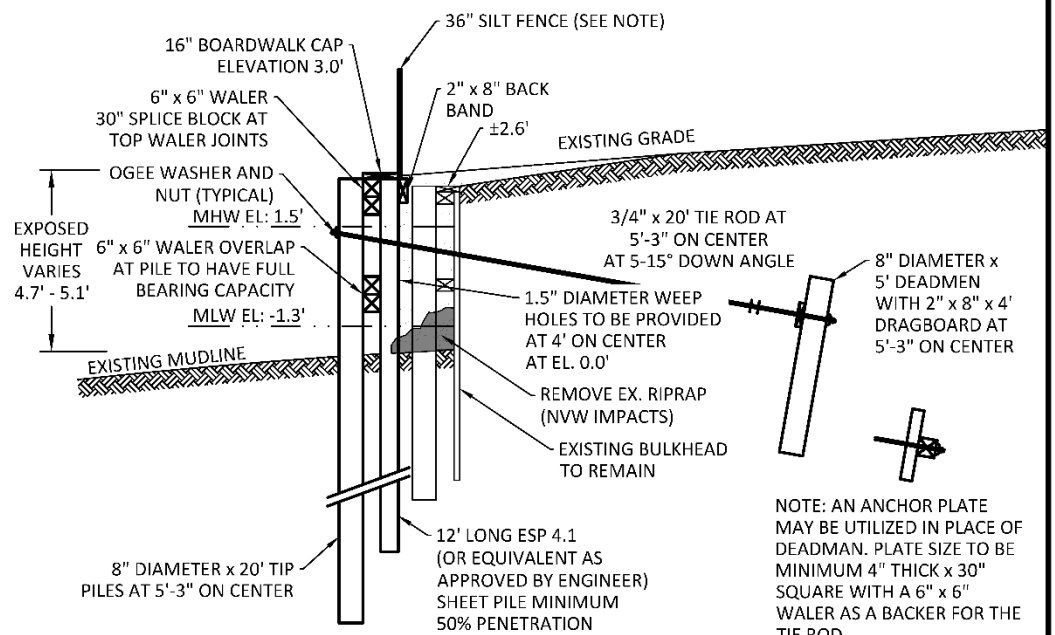
Additional Information/Revision Received by VMRC October 20, 2025 / lra

Bulkhead Cross Section with Non-vegetated Wetlands Impacts

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TLC VACATION LLC JPA

PROPOSED BULKHEAD CROSS SECTION WITH NVW IMPACTS



NOTE: AN ANCHOR PLATE MAY BE UTILIZED IN PLACE OF DEADMAN. PLATE SIZE TO BE MINIMUM 4" THICK x 30" SQUARE WITH A 6" x 6" WALER AS A BACKER FOR THE TIE ROD

NOTES:

1. ALL TIMBER MATERIAL FOR USE IN A MARINE ENVIRONMENT.
2. ALL HARDWARE TO BE IN ACCORDANCE WITH ASTM A-153.
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AT: 345 WHITING LANE
VIRGINIA BEACH, VA 23456
APPLICATION BY:
TLC VACATION LLC

SHEET: 5 OF 11
DATE: SEPTEMBER 30, 2025

Additional Information/Revision Received by VMRC October 20, 2025 / lra

Site Photos





Site Photos





Site Photos





Docusign Envelope ID: 85C913F7-EBE9-4B31-9D0C-A122D394D16E

CITY OF VIRGINIA 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. 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, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application **TLC Vacation LLC**

Is Applicant also the Owner of the subject property? Yes (●) No ( )

If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes (●) No ( )

If yes, name Representative: Waterfront Consulting, Inc.

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes (●) No ( )

If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary [1] or affiliated business entity [2] relationship with the applicant. (Attach list if necessary.)

Tina Castellaneta

Andrew Castellaneta

Does the subject property have a proposed or pending purchaser? Yes ( ) No (●)

If yes, name proposed or pending purchaser: _____

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, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: *The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	(X)	( )	Wells Fargo
Real Estate Broker/Agent/Realtor	( )	(●)	

Additional Information/Revision Received by VMRC October 20, 2025 / Ira

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SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Accounting/Tax Return Preparation	X		Gallo Associates
Architect/Designer/Landscape Architect/Land Planner		X	
Construction Contractor		X	
Engineer/Surveyor/Agent	X		Waterfront Consulting, Inc. Gregory O. Milstead, P.E. of Chesapeake Bay Site Solutions
Legal Services		X	

APPLICANT CERTIFICATION

READ: *I certify that all information contained in this 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 three 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.*

TLC Vacation LLC	Signed by: Tina Castellaneta 75C1DB99Q1B74EA...	10/1/2025
Applicant Name (Print)	Applicant Signature	Date

[1] *"Parent-subsidiary 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-subsidiary 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.*

FOR CITY USE ONLY:

No changes as of (date): 10/22/2025

Heaven Manning	Heaven Manning	10/22/2025
Staff Name (Print)	Staff Signature	Date

Additional Information/Revision Received by VMRC October 20, 2025 / Ira

AS NEEDED, PAGE LEFT BLANK

Agenda Item 3

Application Number: 2025-WTRA-00142
Applicant: John L. Murrell, Sr. & Abbott J. Byrd III
Wetlands Board Public Hearing: November 17, 2025
City Council: District 8 (Cummings)

Applicant's Agent

Tom Langley - Langley & McDonald, Inc.

Location

3755, 3759, & 3767 Oyster Point Quay

GPINs

1489-41-8495, 1489-41-7541, 1489-41-6833

Staff Planner

Heaven Manning

Proposal

To dredge involving wetlands.

Waterway

Poplar Cove

Subdivision

Oyster Point

Impacts

Non-Vegetated: 612 square feet
Non-Vegetated (2X Buffer): 1,378 square feet
Subaqueous: 38,149 square feet
Dredge Volume: 5,934 cubic yards

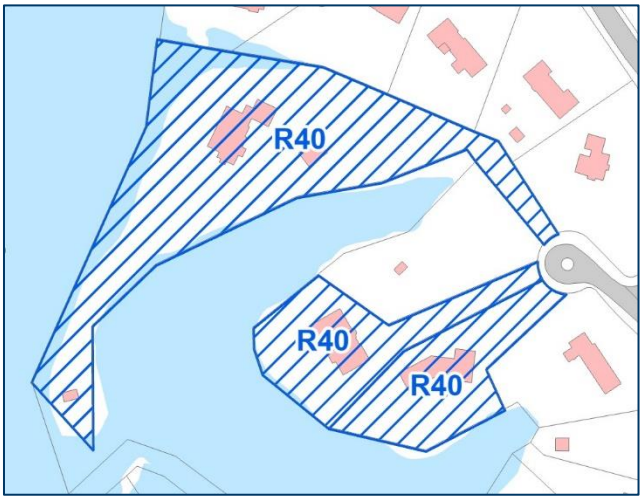
Proposed Mitigation and/or Compensation

Purchase credits in a wetlands bank

Staff Recommendation

Approval as Modified





CBPA Variances & Wetlands Board Permit History

The properties are located are located in the Chesapeake Bay Watershed. Multiple Chesapeake Bay Preservation Area Board variances may exist on individual properties but should have no bearing on this project.

The following Wetlands Board actions and Joint Permit Applications (JPAs) were found for the properties:

- 3755 Oyster Point Quay
  - April 2019 – JPA request to install a boat lift.
  - September 2016 – The Wetlands Board approved construction of a living shoreline.
  - February 2005 – JPA request to construct a pier and boat lift.
- 3759 Oyster Point Quay
  - June 2025 – Living Shoreline Group II General Permit issued.
  - March 2019 – JPA request to replace the pier and boat lifts.
  - September 2009 – JPA request to install a boat lift.
- 3767 Oyster Point Quay
  - June 2016 – The Wetlands Board approved construction of a bulkhead and living shoreline.

There are no written records or permits documenting dredging activities within this cove. Multiple piers and boat lifts exist throughout the cove, suggesting that the canal has been used for recreational boating in previous years.

Summary of Proposal

The project is located in Poplar Cove which connects directly to the Western Branch of the Lynnhaven River. The purpose of the proposed project is to provide navigable access to the waterway. This is a request to perform dredging by mechanical methods, involving approximately 273 cubic yards of non-vegetated wetlands and 5,661 cubic yards of subaqueous land. The proposed project includes dredging the main channel, 1,122 feet long, and the north spur channel, 397 feet long. The proposed dredge depth is -4.5 feet (MLW). The proposed dredge project includes dredging three access basins. Dredged material will be transferred by a barge to the Crab Creek Transfer Station. Dredge spoils will be transferred into watertight trucks and transported to the Bonny Bright Pit for disposal.

The proposed project will impact a total of 1,990 square feet of non-vegetated wetlands, including 1,378 square feet of non-vegetated wetlands in the 2X buffer. The applicant proposes to purchase credits from a wetlands mitigation bank for the impacts to non-vegetated wetlands.

Evaluation & Staff Recommendations

The applicants have reported that safe navigational access to Poplar Cove has become limited. Shoaling and sedimentation have occurred in the canal and are impeding recreational navigation. Dredging is necessary to allow for boating and navigation along the cove. The applicant's agent has designed the proposed project to

minimize tidal wetlands impacts to the greatest extent possible, while dredging the minimum necessary to provide safe navigation. Staff accepts the purchase of credits in a wetlands bank for mitigation of impacts. Staff recommends the impacts to non-vegetated wetlands be mitigated at a 50% ratio, see condition 1 below.

Accordingly, the Department of Planning and Community Development Staff recommends that the application be **approved as modified** with the following conditions:

1. Impacts to non-vegetated wetlands shall be mitigated at a 50% ratio. Credits shall be purchased for impacts to 995 square feet of non-vegetated wetlands.

2. Mitigation for impacts to wetlands will be made by purchasing credits through an approved mitigation bank. If credits are not available through an approved mitigation bank, the use of an approved in-lieu fee program, such as the Virginia Stream and Wetland Mitigation Program (SWMP) is permitted.

3. A post dredge bathometric survey shall be completed within 90 days of completion of dredging and submitted with the Final Engineers Report to the Department of Planning & Community Development, Waterfront Operations.

Next Steps

Wetlands Board decisions can be reviewed by or appealed to the Virginia Marine Resources Commission. The Virginia Marine Resources Commission must receive the appeal request within 10 days of the hearing. Accordingly, no approvals can be issued until at least 10 days after the hearing.

Following the Wetlands Board meeting, applicants and their agents can expect to receive a Board Actions Summary via email.

Within 14 days of the Wetlands Board hearing, applicants and their agents can expect to receive a letter detailing any fees owed, any revisions required, and next steps to obtain their permit.

All questions related to Board decisions or information required to obtain a permit can be directed toward the City of Virginia Beach Planning Department – Waterfront Operations Division at 757-385-8246.

Site Aerial Map



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 ___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)*	**Byrd non-veg impact EX,T,PE,NV**	**Murrell, Sr. non-veg impact EX,T,PE,NV**	**Murrell, Jr. non-veg impact EX,T,PE,NV**	**All channels and access basins subaqueous impact EX,T,PE,SB**	
Latitude / Longitude (in decimal degrees)					
Wetland/waters impact area (square feet / acres)	155 sf/0.004 ac ~~136 sf/0.003 ac~~	429 sf/0.009 ac ~~408 sf/0.009 ac~~	1,406 sf/0.032 ac ~~1,298 sf/0.030 ac~~	41,200 sf/0.946 ac ~~38,149 sf/0.876 ac~~	
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)					

REVISED 10-31-25

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				
Non-vegetated wetlands			273	~~1,842~~		1,990 sf		
Subaqueous land			5,661	~~38,149~~		41,200 sf		
Totals			5,934	~~39,991~~		43,190 sf		

Is this a one-time dredging event? ___Yes _x___ No If "no", how many dredging cycles are anticipated: 2
(5,934 initial cycle in cu. yds.) (3,000 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).

silty sand

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.

Dredged material will be placed into sealed scows by barge-mounted excavator. Scows will be offloaded on site by long-arm excavator into sealed trucks for conveyence to Bonny Bright Pit.

Will the dredged material be used for any commercial purpose or beneficial use? _____Yes _x___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.)*

REVISED 10/31/25

Chesapeake Land Development, LLC
6062 Indian River Road, Suite 104
Virginia Beach, Virginia 23464
(757) 424-4125 FAX 420-9740
Email: TomTye@ThomasTye.Com

November 3, 2025

Langley & McDonald, Inc.
Tom B. Langley, PE, LS, President
309 Lynnhaven Parkway
Virginia Beach, VA 23452

RE: Poplar Cove Dredging
Virginia Beach, VA
JPA #2025-1830
HUC 02080108

Dear Mr. Langley:

Thank you for your interest in the New Mill Creek Tidal Mitigation Bank. I understand you may need 1,990 square feet of tidal credits for the above referenced project. The charge for that area is $70,000. We do have these credits approved and available for purchase.

Once the project is approved, please send a check, made payable to Chesapeake Land Development, LLC, to the above referenced address. We will then send notifications to the appropriate agencies that your project has been credited and our bank debited for the number of credits purchased.

Please contact me if you have any further questions.

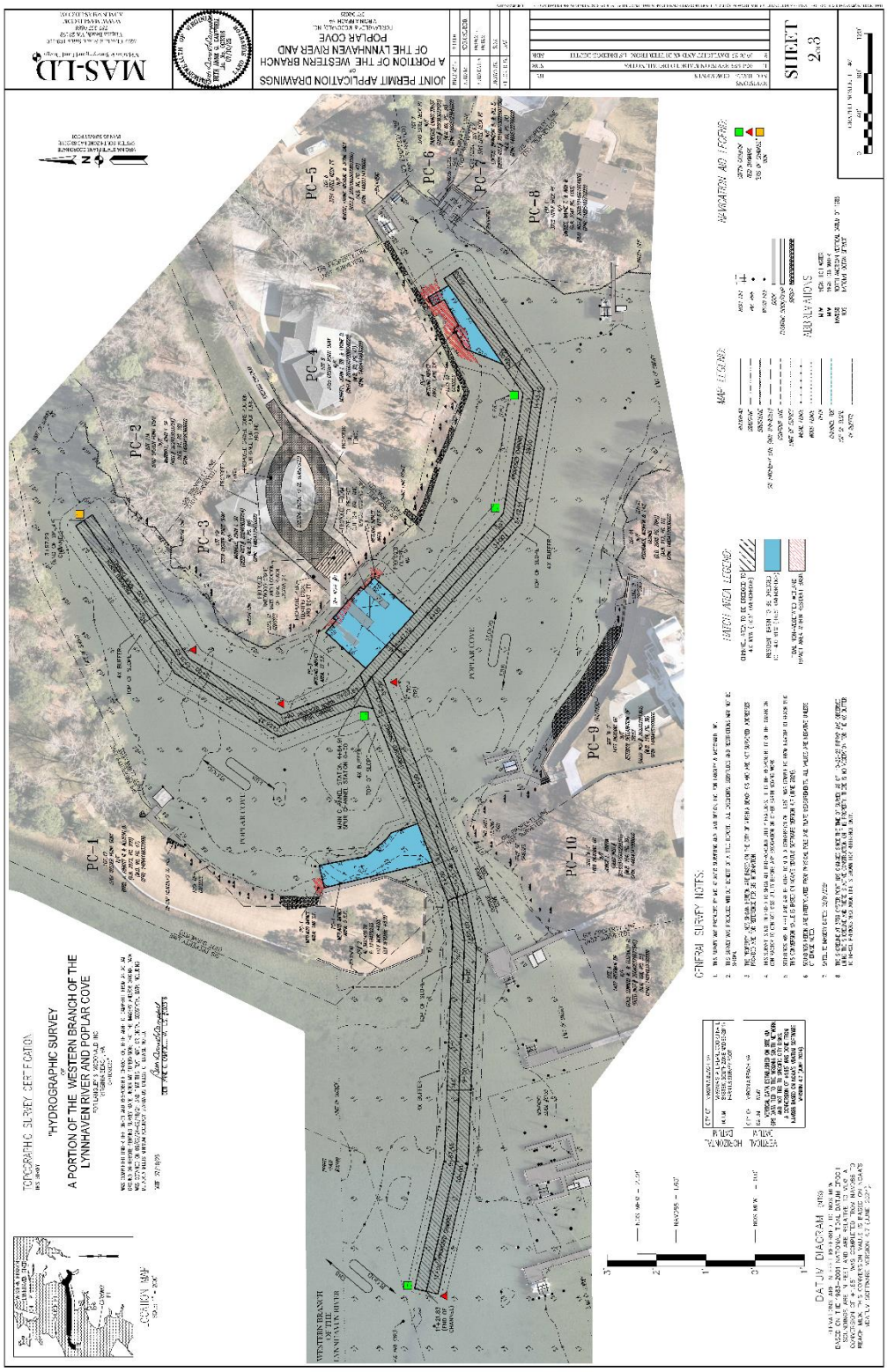
Thank you,

Chesapeake Land Development, LLC

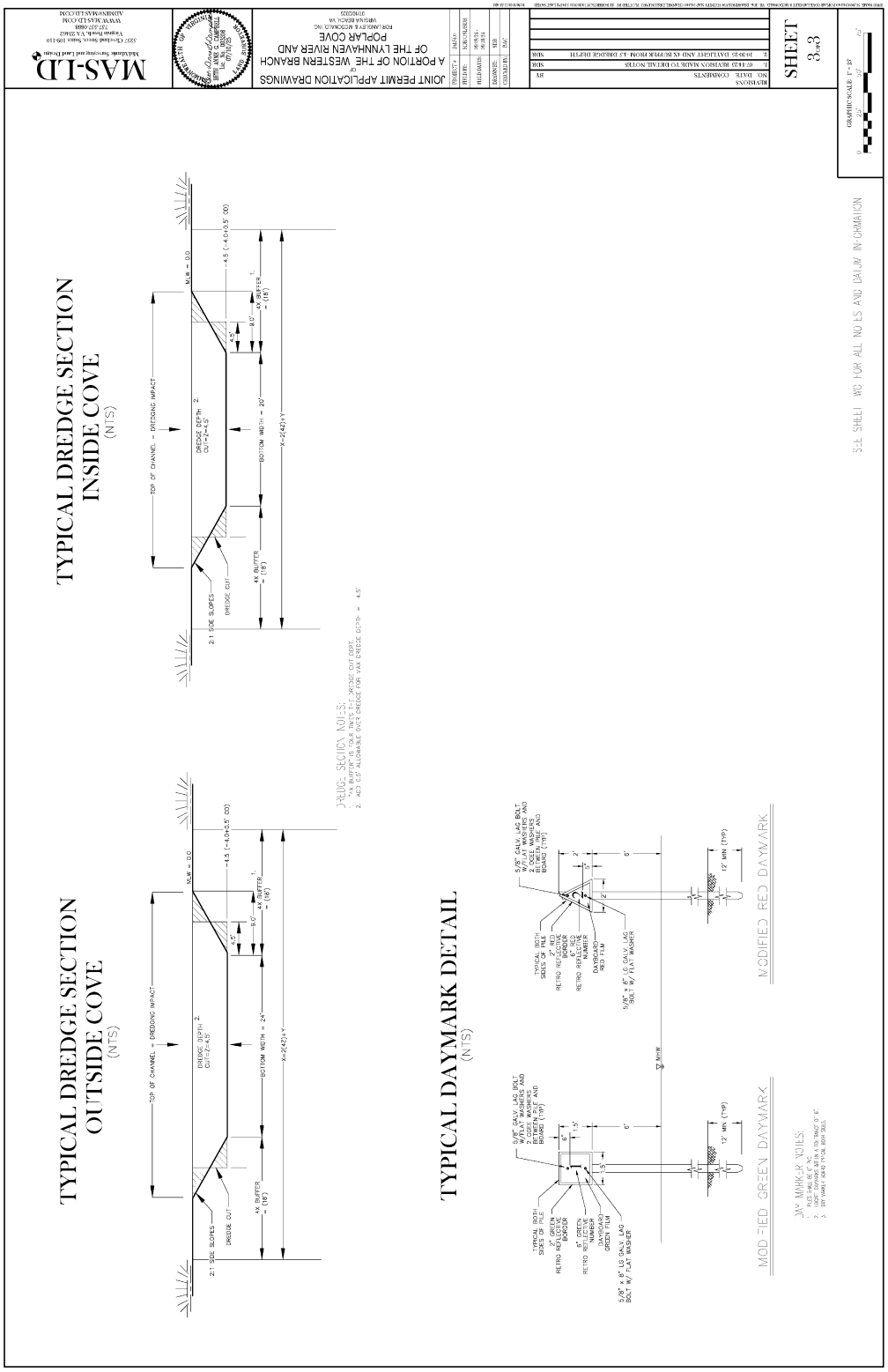


Thomas M. Tye, Manager/Member

Proposed Dredging



Proposed Dredging Cross Sections



Site Photos





Site Photos





Site Photos





Site Photos





Site Photos





CITY OF VIRGINIA 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. 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, boards, commissions, or other bodies.

SECTION 1: APPLICANT DISCLOSURE

APPLICANT INFORMATION

Applicant Name:
as listed on application John Murrell, Sr. and Abbott Byrd

Is Applicant also the Owner of the subject property? Yes (●) No ( )

If no, Property Owner must complete SECTION 2: PROPERTY OWNER DISCLOSURE (page 3).

Does Applicant have a Representative? Yes (●) No ( )

If yes, name Representative: Tom B. Langley, PE, LS

Is Applicant a corporation, partnership, firm, business, trust or unincorporated business? Yes ( ) No (●)

If yes, list the names of all officers, directors, members, or trustees below AND businesses that have a parent- subsidiary [1] or affiliated business entity [2] relationship with the applicant. (Attach list if necessary.)

Does the subject property have a proposed or pending purchaser? Yes ( ) No (●)

If yes, name proposed or pending purchaser: _____

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, name the official or employee, and describe the nature of their interest.

APPLICANT SERVICES DISCLOSURE

READ: *The Applicant must certify whether the following services are being provided in connection to the subject application or any business operating or to be operated on the property. The name of the entity and/or individual providing such services must be identified. (Attach list if necessary.)*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	(●)	( )	Navy Federal for 3755 oyster point
Real Estate Broker/Agent/Realtor	( )	(●)	

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER *(Name entity and/or individual)*
Accounting/Tax Return Preparation	◉	○	Sullivan Andrews and Taylor
Architect/Designer/Landscape Architect/Land Planner	○	◉	
Construction Contractor	○	◉	
Engineer/Surveyor/Agent	◉	○	Langley & McDonald
Legal Services	○	◉	

APPLICANT CERTIFICATION

READ: *I certify that all information contained in this 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 three 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.*

John L Murrell Sr.		9/9/2025
Applicant Name (Print)	Applicant Signature	Date

[1] *"Parent-subsidiary 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-subsidiary 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.*

FOR CITY USE ONLY:

No changes as of (date): 10/22/2025

Heaven Manning	Heaven Manning	10/22/2025
Staff Name (Print)	Staff Signature	Date

CITY OF VIRGINIA BEACH

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SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	○	✓	Property owned free + clear (free & clear)
Real Estate Broker/Agent/Realtor	○	✓	

SECTION 1: APPLICANT DISCLOSURE *continued*

SERVICE	YES	NO	SERVICE PROVIDER (Name entity and/or individual)
Accounting/Tax Return Preparation	✓	○	Zuckerman (Zuckerman)
Architect/Designer/Landscape Architect/Land Planner	○	✓	
Construction Contractor	○	✓	
Engineer/Surveyor/Agent	◉	○	Langley & McDonald
Legal Services	○	✓	

APPLICANT CERTIFICATION

READ: *I certify that all information contained in this 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 three 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.*

Abbott Byrd	[signature]	9/10/25
Applicant Name (Print)	Applicant Signature	Date

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