

**Minutes of the Meeting of the
Ocean Park Civic League
Plenary Session
Thursday, January 6, 2005
Ocean Park Fire and Rescue Squad Station**

The meeting was called to order by President Chris Hendricks. Following the Pledge of Allegiance to the Flag, Past President William Sykes read a eulogy written by Judy Connors dedicated to Billy Hooks, a long-time civic league leader who succumbed to pancreatic cancer on December 26, 2004. Several members of the league shared memories of Hook and a memorial service is to be held at Rosewood-Kellum Funeral Home Chapel, 601 N. Witchduck Road @ 3 p.m. on Sunday, January 30, 2005.

The first order of business was to be a report on the status of the Pleasure House Point Development plans by Dave Metzger. In his absence, Hendricks informed the assembly that although nothing has yet come before the city for approval, rumor has it that the Sandler brothers have a contract on the property. Hendricks proposes to request a meeting with the Sandlers before any planned development is presented to the city to share the civic leagues position, but he is not optimistic about either the meeting, or the developers' interest in incorporating the league's desires in executing the development. Hendricks called for the formation of a separate committee to monitor movement on this issue, since the response would most likely consist of lots of meeting over a short period of time to formulate a position, attend meetings, write letters and so forth. A question from the floor asked why this could not be included in the duties of the Zoning Committee. Hendricks responded that the full scope of the Zoning Committee, if it encompassed PHP, the Stratford Road Property and all general zoning issues throughout Ocean Park, would be more than one person could effectively handle. In addition, the involvement of more members in leadership roles created a better field from which to draw future leaders of the league. It was agreed that zoning and PHP will be one committee based on the need for more volunteers and that SPDC will be a standalone committee.

In light of committees being formed and new volunteers coming on board, it was decided that a brainstorming session to increase membership and attendance at meetings should be held. Secretary Grace Moran announced that she would be hosting such a meeting within the next few weeks and would notify those members listed on the volunteer sign-up sheet.

Hendricks then noted that the drive this spring (within 8-10 weeks) for a new petition addressing the PHP issue would also serve as a membership drive. He noted that we would need lots of volunteers for the day of that drive, on a one-time-only basis. From the floor was a question about what had happened to the original petition signed a year and a half ago. Hendricks explained that it was delivered to Vice-Mayor Louis Jones, but that it appeared that it had not generated any discussion or interest with the city council at that time. Since then, Hendricks noted, he and Metzger had succeeded in establishing an open line of communication with the Mayor and the petition was reused to refocus the attention of city council in two letters within the last six months to City Hall. A new petition would serve this purpose as well.

In a report of the status of the property at 3608 E. Stratford Road, Moran reported that, at the board's direction, the attorney had been instructed to secure clear title of the property by recording an agreement signed by the Rescue Squad representative that they had relinquished any claim. This would have the same effect as a quit claim, but would save the civic league the expense of transfer tax and grantor's fee, costing only about \$21 according to the attorney. Hendricks said that once that was done, temporary chairman Metzger would then pick-up

discussions about the options for disposition of the property, but that he (Hendricks) thought that the obvious thing to do would be to sell it. Treasurer Anne Kane then informed the league that the accountant was looking at the consequences of such action and how funds received from the sale must be treated in order not to jeopardize the tax-exempt standing of OPCL. In answer to a question from the floor, Hendricks advised that the tenant had been notified and given a 60 day notice, with 30 days' rent due and 30 days of grace.

Revised by-laws were to be voted on at this meeting, but Kane had discovered additional areas to be refined. Hendricks announced that the vote would be postponed. Kane noted that 20 paid members were needed to make the vote effective. Hendricks once again noted the need for building membership and participation, citing the PHP petition drive and offering Website sign-up with Paypal as a convenience.

Regarding newly formed committees, Hendricks noted that more volunteers were needed for the Zoning Committee and that the Traffic Committee had two members, which may be a sufficient number at this time.

Carol Collins presented a newsletter report on *the Echo* developments. Ad rates have gone up to \$35 for a single-issue insertion and \$150 for all five issues. The number of advertisers has also increased. She called for more contributions from league members for articles. Stuart Terrell reminded all to remember to thank advertisers whenever their businesses were patronized, and that a number of restaurants had been very generous. When asked how the newsletters were distributed, Kane answered that block captains handled distribution and that they were satisfied with the work load.

The issue of corporate sponsorship of printing costs was again raised. As the quality of the newsletter has improved and the number of advertisers as well, printing costs were running about \$1,000 per issue. Hendricks explained that Metzger had proposed that in exchange for a sponsorship credit, he would assume the expense of printing the newsletter for one year. Hendricks noted that there had been some opposition, due to the advantage over other realtors of implied relationship. He mentioned a possible alternative in a consortium of area realtors, but heard no support. A motion was made and carried to accept Metzger's offer for one year, provided he could deliver the quality and turn-around presently enjoyed.

With regard to the OPCL Website, Hendricks reported that the league's attempt to engage Tim Solanic had failed, since Solanic had not responded after five weeks to the league's request for a proposal. Hendricks reported that the Board had withdrawn the offer from Solanic and was attempting to locate another Webmaster, including one from Quik Internet, the company which originally set up the Website. He invited any that had knowledge of interested parties to become involved in the search, since Collins is presently managing the site in addition to her considerable responsibilities on the newsletter. Susan Karlau then asked if anyone had contacted the Council of Civic Leagues, which might have helpful resources. Since no one had, Karlau volunteered to make the contact.

The Social Committee was praised for a successful Christmas party, with particular notice to Judy Terrell and Jill Broome for their efforts. Regarding the upcoming Civic League party, Hendricks noted that there ought to be at least eight weeks advance notice. Recalling last year's party, Kane noted that it was fortunate that the Chesapeake House was active, since the party was rained out on the beach and was allowed to move to the Chesapeake House party room. Hendricks noted that the Chesapeake House was not currently represented on the Board and that

the league was looking for a contact. Stuart Terrell volunteered to research the possibilities and have a proposed date by the beginning of March.

The next item on the agenda was the list of job vacancies listed in the newsletter, particularly assistant editor, youth reporter and PHP committee members. Ronda Morrison and Karlau volunteered to serve on the latter. Hendricks reminded the assembly that the youth reporter position was yet another way to groom future leaders and urged all members to look within their acquaintanceship for a candidate. The Stratford Road committee is still looking for a permanent chair. The final item was a variance request from the builder on Powhatan Road who had received a variance to build a handicapped accessible ramp inside a four-foot setback, vice a ten-foot setback. Instead, he built a stairwell with the variance and now requested that the stairwell remain. The membership agreed that the league would not support such a request.

Door prizes contributed by Lynn Hume, Realtor; C.P. Shuckers, H2O and Dockside restaurants were awarded and the next meeting was announced as March 10, 2005 and the next Board meeting on February 10, 2005. Hendricks reminded all that Board meetings were open to any interested party. This meeting was adjourned at 8:10 p.m.

Respectfully submitted,
Grace Moran
Co-Secretary

**Minutes of the Meeting of
Ocean Park Civic League
Plenary Session
Thursday, March 10, 2005
Ocean Park Fire and Rescue Station**

The meeting was called to order at 7:05 p.m. by President Chris Hendricks. Following the Pledge of Allegiance to the Flag, Hendricks introduced Delceno Miles, who hoped to collect signatures on her petition to run in the Republican Primary for the seat of the 83rd District House of Delegates in the June 14, 2005 primary. Hendricks pointed out that the league issues no endorsements, but that Miles was welcome to the meeting.

The first item of business was the announcement of the date of the OPCL summer party, August 14, 2005 from 4 p.m. till 7 p.m. on the beach behind the Chesapeake House. Hendricks noted that this would be an excellent opportunity to forward the membership drive, and that city officials would be invited. Judy Terrell heads the committee which is planning the party. Anne Kane then delivered the Treasurer's Report, which showed a balance of \$13,518+ in the savings account and \$4,560+ in the checking account.

Hendricks took the floor to recap the status of on-going relationship with city officials *vis a vis* Pleasure House Point (PHP), noting that his meeting with the Mayor and Clay Bernick on January 20, 2005 had set a good tone. He further noted that they seemed particularly interested in including disposition of the OPCL property at 3608 E. Stratford Road in any discussion of OPCL's stated goal of at least 39 acres of open space in PHP. He also noted that communication with council promised to be active, with the recent visit of Councilman Jim Wood to the OPCL Board meeting on February 10, 2005. Hendricks added that we would be seeking to have our own representative, Louis Jones, and other council members, attend an upcoming Board meeting.

Anne Kane then reported that, regarding the Open Space Subcommittee, the city had a new program committee and that Councilman Jim Reeves is holding both open forums and closed sessions. Meetings will be held the last Monday of the month, announced in the *Beacon* and posted on the City's Website at www.vb.gov. The first meeting was held at Bayside Rec Center, outlining offers and proposals including discussion of acquisition of 2.6 acres adjacent to the Thoroughgood House on the Lynnhaven River. Kane referred to a survey posted on www.SDCC.info asking for citizen's input. Kane reported that 9 people at the recent hearing at Bayside Rec Center made impassioned pleas regarding PHP, and that many of them were not even residents of Ocean Park. She pointed out that the open space purchase does not necessarily need to come from the city's much-depleted Open Space Budget, since many other beneficiaries from local school crew clubs, picnickers and the like, made this property eligible for funds from Parks and Recreation, athletic funds and so forth. Kane stated that Reeves supported this position.

Following this, Grace Moran furnished a brief recap of ideas generated at a recent brainstorming session convened to identify ways to energize the civic league. Included was a mention of the City's Talent Bank, which draws members of the community to sit on various city boards, committees and commissions. Moran encouraged members to indicate their areas of

interest from a list located on the sign-in table. Other ideas included approaching neighborhood businesses for input, organizing a community yard sale, frequent summer TGIF parties on the beach. Hendricks suggested that a full listing of Talent Bank opportunities be posted on the OPCL Website.

Returning to the issue of PHP, Hendricks stated that any new petition would be contingent upon the development of a position paper and the understanding that the drive would not be just for signatures, but also commitments to be active in achieving the goal of at least 39 acres of open space. Potential areas for new involvement included new families, the addition of Paypal to the Website, creation of a voting/survey section on the Website available to members only.

Ronda Morrison then reported that the Board of Zoning Appeals (BZA) would meet on March 16, 2005, to hear two requests for variances on W. Stratford Road to change setback requirements from 20' to 10'. Susan Karlau requested that Hendricks draft a letter stating OPCL opposition to any zoning variances. It was noted that the OPCL Zoning Committee needed to add members and to monitor all variance requests and appeals.

At this point, Hendricks noted that at the last Board meeting, it was decided to nominate Ronda Morrison to fill the Vice-President's chair vacated by the resignation of Dave Metzger and also to add Carol Collins to the Board with full voting privileges. There was no discussion and both were elected unanimously.

The next agenda item was discussion of the property at 3608 E. Stratford Road. Susan Karlau reported that three members of the Stratford Road Committee had met and identified nine options for disposition of the property, which she distributed to the assembly. She delivered estimates she had received for repairs to the code violations cited in a recent city code inspector's visit. The upper figure of the estimates was approximately \$14,000. Hendricks noted that the repairs must be made and that we had been granted an extension by the City inspectors until June 7, 2005, but that there would not be sufficient time to delay a decision on repairs, given the fact that the next plenary meeting would not occur until May and that would not allow time to execute repairs by the deadline. A lively and sometimes heated discussion ensued.

Nancy Koch asked why the city had inspected the property in the first place and complained that she had been an original member of the committee and had not been asked to participate in the most recent meeting. There were a number of complaints from the floor that the request for budget approval of this size was premature. Hendricks read the city letter which threatened legal action if repairs were not made and re-iterated that OPCL had only until June 7, 2005 to make these repairs. John Wigmore asked for a reading of the list of violations and pointed out that the inspector cited only two windows and that the estimate had been made to replace all windows. He recommended replacing only the two noted. Mike Wills questioned whether the code violations must be addressed if the property was vacant. The answer was not known. Judy Connors asked if OPCL did not have self-help within the organization to 1) repair the problems 2) get legal assistance in obtaining an extension. Moran noted that the request was not to spend the money, but to authorize the budget. A motion was made to tear the building down immediately instead of researching repair options. The motion was defeated. Karlau

stated that the discussion was moving too fast to make such a decision. It was decided to get another bid, addressing only the two windows and specific code violations. Wigmore was delegated to supervise the effort. Vicki Schiano offered to furnish the name of a repairman who does this sort of work for local realtors, so that Wigmore could contact him. It was again pointed out that this property may be on the table in discussions with the city about open space in PHP. A motion was then made to clear all code violations at a cost of no more than \$6,000. This motion carried and Wigmore agreed to supervise.

Hendricks then introduced the proposed changes to the by-laws. Since they have been posted on the Website and hard copies have been made available, it was deemed unnecessary to read the entire version. As a majority of those present indicated that they were aware of the content of the proposed by-laws, a motion was made and carried to accept the changes to the existing by-laws.

In other business, it was noted that beach sand replenishment was underway and that tagged Hobie Cats would be removed by the city if owners did not do so. It was also confirmed that dredging is being done under the Lesner Bridge. A report by the Traffic Committee was postponed. Karlau noted that OPCL should consider some sort of recognition for the recently deceased Billy Hooks, who contributed so much to OPCL over the years of his life. A plaque was suggested, as was a memorial in the newsletter, planting of a water oak in his name and a place on the Website for people to contribute "Billy Stories." Regarding the Website, Hendricks said that he was in possession of a quote from Ned Griffith at Quik to update and maintain the OPCL site. It was noted from the floor that the proposal lacked clauses regarding approval and schedule. Hendricks said that the site was already up and looked good and he will get scheduling verbiage inserted. Given that, it was voted to accept the proposal, with that change. Hendricks noted that an Assistant Editor was needed to liaison with Quik and Jim Royall agreed to act in this capacity. The only remaining vacancy on the Newsletter staff is that of Youth Reporter.

The only item of new business was the issue of restricted parking on the grass being considered by City Council. Connors announced that it would be brought up at Council meeting March 22, 2005, and that residents should make their feeling known at the meeting. Kane suggested we contact our representative.

Hendricks announced that the next meeting would be the Board meeting on April 7, 2005, and the Plenary meeting on May 5, 2005. The idea of a Cinco de Mayo celebration preceding the meeting was endorsed. Drawings for door prizes was conducted, awarding a plant from Lynn Hume and restaurant certificates from Dockside, H2o and C.P. Shuckers. The meeting was adjourned at 8:40 p.m.

**Minutes of the Meeting of
Ocean Park Civic League
Plenary Session
Thursday, May 5, 2005
Ocean Park Fire and Rescue Station**

The meeting was called to order by President Chris Hendricks at 7 p.m. Following the Pledge of Allegiance to the Flag, Hendricks recapped the substance of Vice-Mayor Louis Jones' remarks to the OPCL Board members at the meeting on the Board and Officers on April 7, 2005. Jones addressed a number of issues of concern to Ocean Park residents, including future development of the Pleasure House Point (PHP) parcel, the widening of Shore Drive and increasing building density in the neighborhood. Jones, Hendricks reported, offered advice and counsel on ways to approach the impending developments of Pleasure House Point, and encouraged active involvement of residents.

Hendricks then reported on the recent City budget hearing at which he spoke, requesting the City commit to obtaining Open Space from the PHP tract, and offering 9 creative ways to finance the acquisition. He pointed out that although budgets are annual, the loss of the opportunity to acquire this Open Space would be enduring. Hendricks noted that the issue has received a heartening amount of coverage in the local newspaper.

For the opening new business item, Hendricks introduced Jim Brunt, of Brunt Properties, as spokesperson for Trafton Marine, doing business as Deep Blue Marine, and speaking for owner of Deep Blue, Steve Meade, and Bill Miller, owner of Duck Inn. Deep Blue Marine is currently located just east of the Lesner Bridge and will lose their lease in July, 2005. At that time the owner hopes to relocate his business to the property he owns which is presently occupied by the business Cool and Eclectic. Brunt delivered to the Board a letter of intent, and a plat of the property in question. He gave a brief history of the ownership of the property and explained that he was appearing at the OPCL meeting prior to approaching the City for a Conditional Use Permit. He indicated the owner's desire to reassure the community of the aesthetic sensitivity to be incorporated in the design and operation of the business, especially issues of noise and landscaping. He outlined the course of pursuing the Conditional Use Permit, from land planning to presentation to the Planning Commission, a process expected to take three to four months. There was a brief exchange of questions and answers, primarily concerning the issue of noise, but Brunt assured the assembly that the type of boat motors which would be involved are quiet in operation. The concern was raised about the maintenance of appearance, to which Brunt replied that the City would ensure that the quality would be maintained. Anne Kane observed that the fact that the owners had come to OPCL at the outset was appreciated. Hendricks asked the assembly if, based on what had been said, there would be any objection to this land use. There was no dissent. Kane requested that OPCL be given advance notice when the issue came before the Planning Commission.

John Wigmore then gave a report on the progress of repairs to the OPCL property located at 3608 E. Stratford Road. The contractor has begun to address the items listed by City Inspectors as code violations. Wigmore reported that there had been some delay when a neighbor alleged that lead paint had been found in chips at the site, but that an independent lab

had determined that there was no lead in the paint chips taken from the site. Wigmore determined that the repairs were approximately 40% complete. Hendricks asked if there was an estimated completion date, to which Wigmore responded that he did not have a firm date. When asked if work could be completed by the City deadline, he answered that if it was not, he would apply to the City for an extension. At this point, the question was raised from the floor as to why OPCL was spending money for repairs when the disposition of the property was still in question, and if code violations had to be corrected if the property was not occupied. It was pointed out that the property did generate useful income, represented some bargaining opportunities with the City related to PHP Open Space acquisition and that to allow the property to remain vacant and fall further into disrepair would be undesirable. The questioner again challenged the need to have the property rented in view of the code violations, and was told that the code violations had been exaggerated to OPCL and that three City Inspectors had determined that with minor repairs the property was habitable.

Anne Kane then updated the assembly on recent Open Space Planning Committee meetings, stating that the April meeting dwelt mostly on the Southern portion of the Bayside District, with Cypress Point residents achieving great effect by identifying a number of five to six acre parcels, which the Committee welcomed as more manageable than the large PHP tract sought by Ocean Park. Kane reported that the March meeting had dealt with Central Bayside and that the Committee was well aware of the PHP goals.

At this point, Hendricks recognized the presence of Delceno Miles, challenger for the 83rd District House of Delegates, and incumbent Delegate Leo Wardrup, and reminded members that the Republican and Democratic primaries for the Delegates to the 83rd District would be held June 14, 2005. All present were encouraged to vote at the Bayside Recreation Center. Kane noted that the City was in need of election officials and that there was a sign-up sheet at the table by the entrance.

Next, Hendricks reminded members that the OPCL Beach Party would be held August 14, 2005, from 4 p.m. to 7 p.m. at a location yet to be determined, but most likely in the vicinity of Chesapeake House. Grace Moran reported that at a recent brainstorming session, a number of interested volunteers had offered ideas for strengthening neighborhood ties. Two that had enthusiastic support were a Community Yard Sale and a series of TGIF beach parties. She directed attention to two receptacles at the entrance in which to place sign-ups for more information on the two events. Kane noted that the second of two City beach accesses had been completed, courtesy of the Sheriff's Department.

On the subject of PHP, Hendricks reported that we still have not had confirmation about the existence of a contract, but that it was likely that the Sandler brothers would have it, that attempts to contact them had failed, and further, that it was not typical for the Sandlers to involve the community in proceeding with their developments. Hendricks reiterated that he had pointed out nine different ways for the City to acquire Open Space here, and that residents' contact with the City officials was important. He suggested that residents access the Website for "cut and paste" copy to be used. Collins stated that the copy, to be taken from Hendricks remarks at the budget hearing, were not yet on the site, but would be within days. The subject of whether the time was right to engage an attorney to help OPCL pursue the issue of responsible development

and acquisition of Open Space, given the fact that the next plenary session was not until September and that the Sandlers were probably nearing some action. A motion was made and carried unanimously stating, "In the event of adverse developments during the summer hiatus, we authorize the engagement of legal counsel to address Pleasure House Point development issues, not to exceed \$1,500." The question was raised about what constituted "adverse developments" to which Moran responded that previous plenary sessions had established a goal of at least 39 acres of Open Space, and that anything less would constitute an adverse development. The question of when and how we would find out what proposals were being considered, Hendricks responded that he had asked Vice-Mayor Jones to include OPCL in future discussions.

For the Zoning Committee report, Hendricks introduced Ronda Morrison as the new Vice-President and Chair of the OPCL Zoning Committee. At this juncture, Delegate Wardrup asked to address the group on the subject of the Board of Zoning Appeals. Wardrup said that he shared residents' frustration at the number of duplexes being erected on what had been single-family homesites. He pointed out that this nearly always involved the granting of variances, and that state law demanded that variance requests demonstrate some hardship in compliance with the existing ordinances. He stated that the presently constituted Board of Zoning Appeals needed to be reminded of this. In addition, he noted a recent case in which a builder requested a deferral of his case, since the Board members present were not the ones who were sympathetic to his request. His deferral was granted, even though there were enough Board members present to hear and rule on his appeal. Wardrup then remarked that the Board was appointed by City Council and that partisan rulings could be addressed with proper political pressure.

Closing out the agenda, Hendricks noted that in the sand replenishment program, trucking was completed, but that dredging was running behind schedule. In the Treasurer's Report, Kane stated that the major expenses for the period past had been for repairs to the Stratford Road property and the publication of the newsletter. Income came from rent and rising newsletter advertising. There was a balance of \$10,500 +/- in the savings account and \$7,000 +/- in the checking account. It was expected that there would be an additional \$3,200 +/- to be spent on repairs to the Stratford Road property. Jim Royall announced that the Website was up and running and that he had added some links and expected to test a bulk e-mail system. He also added some interactive poll material and a new calendar. Hendricks again expressed his interest in having Paypal added in the future.

In the Newsletter Report, Carol Collins stated that additional advertisers had signed up but that there could always be more. Hendricks noted that the newsletter was in need of a new publisher, as Jean Sleeman had asked to be relieved of that duty. When asked what the responsibilities of the publisher would be, Collins answered that once Collins had all the material, she submitted it to Sleeman, who then formatted the material into the layout of the newsletter. Collins noted that with the recent acquisition of MS Desktop Publisher, the process could be simplified, if anyone knew how to use the program. The newsletter still has need also for a youth reporter.

Hendricks announced the upcoming meetings of OPCL as follows: Board Meeting, August 4, 2005; Beach Party, August 14, 2005; Plenary Session, September 8, 2005. A drawing

for door prizes was conducted and gift certificates from C.P. Shuckers, Dockside and H2O restaurants were awarded. The meeting was adjourned at 8:05 p.m.

Respectfully submitted,
Grace Moran, Secretary

**Minutes of the Meeting of
Ocean Park Civic League
Plenary Session
Thursday, September 8, 2005
Ocean Park Fire and Rescue Station**

The meeting was called to order at 7:03 p.m. by Acting President Ronda Morrison. Following the Pledge of Allegiance to the Flag, Morrison announced that in view of the full agenda, the three speakers would be heard with only a limited time following each presentation allocated for questions and answers.

The first speaker was Robert Berg, from the Army Corps of Engineers (ACE), speaking on the subject of the property known in the area as Pleasure House Point (PHP). He made available a map produced by ACE in 1995 in which the wetlands areas were delineated. Berg proceeded to give a brief history of activity pertaining to the property undertaken by the owner at the time, Wayne McLesky. In 1998, McLesky applied to federal authorities for a permit to develop the property. A provisional permit was granted, contingent upon additional permits being granted by state and local authorities. McLesky made no application to either, and the provisional permit passed to the present owners, with an expiration set for December, 2008. Berg also outlined other restrictions set forth by ACE involving wetlands protections.

In the question and answer period which followed, Berg pointed out that although the ACE permitting has been accomplished, ACE will most likely see any plans the present owner might submit to state and local departments for appropriate permits. He noted that 2.77 acres of wetlands, including 2.45 acres required for mitigation, and 3.77 acres of open water, are involved. In response to a question about flooding protection, Berg replied that the responsibility for guarding against this lies primarily with the City of Virginia Beach, in the category of storm water management. He does not anticipate that any future flooding would impact the already granted provisional permit. He had no information about the creation of a park on any portion of the property, in response to another question.

The second speaker, Jim Brundt, spoke representing the owner of Deep Blue Marine, a boat sales and service business planning to occupy the space on Shore Drive now occupied by Cool and Eclectic, who is scheduled to vacate by September 15, 2005. Brundt displayed elevations of the planned conversion of the existing property, emphasizing the heavy landscaping and cosmetic improvements designed to render the property more attractive. He also indicated that the entrance presently in place at the front of the property would be closed. The application for a Conditional Use Permit (CUP) will be heard September 14, 2005 before the City Planning Commission and before City Council the first Tuesday in October, 2005.

Several residents expressed concern in the ensuing question and answer period about the noise such a business would incur. Brundt assured the assembly that the type of engines involved were very quiet engines and that two of the present neighbors had written letters attesting to that fact. In answer to other questions, Brundt explained that neither of the buildings on the property were to be taken down, but that they would receive paint, siding and repairs to enhance their appearance, but that the landscaping was expected to be the major improvement in

appearance and noise buffering. Brundt stated that work would begin promptly after Cool and Eclectic vacated, acknowledging that it was contingent upon receiving the CUP from the City. He further noted that the owner could have easily rented the property to a number of others, perhaps less appealing than Deep Blue Marine, although he assured the assembly that that was in no way a threat. Two other questions yielded the information that the two buildings were approximately 3,100 square feet and 2,027 square feet, and that the planned hedge about the property would be similar in height to the privacy fence surrounding a near neighbor, Shore Drive Marine. He concluded by saying that the business planned to operate Monday through Friday from 9 a.m. until 5 p.m. and a half-day on Saturday.

The third speaker was Steven Bishard, representing the owners of the property on Shore Drive currently occupied by Colley Marine. The owners are making application to the City for rezoning the property to Mixed Use and also for a CUP. The plans call for a combination of 18 residential condominiums and two "soft" retail spaces, to be named Vintage Quay. The design involves having the first floor occupied by parking and the two business/office spaces and the two floors above assigned to condominiums. There are 46 parking spaces assigned within the boundaries of the property, with 2 spaces assigned per condominium and 6 per retail space. At this point, owners are in conversation with Sandbridge EcoTours (a kayak rental and tour business) and also with unnamed real estate ventures. Plans call for condominiums to be in the neighborhood of 2,200 square feet each, with elevators. He stated that the City had asked that he create improved street parking on West Stratford Road, taking some of the boundary property and the public right-of-way. Construction materials of the development would include cedar shake, Hardiplank and brick, with wrought iron trim (simulated from aluminum), cloth awnings and a metal roof.

In response to questions, Bishard stated that the building which Colley Marine operates as a boat repair facility would remain, that the brick would be a brownish-tan Old English Tudor style, that the businesses would operate Saturdays and Sundays as well as weekdays, but that there would not be a bar located on the site. Maintenance would be provided by the condominium association; the owners planned to sell the condominiums and retain ownership of the non-residential spaces; application for the CUP would be made to the City Planning Commission on September 14, 2005. When pressed for more information about the assigned parking, Bishard repeated the plan, including the development of street parking, and clarifying that if Sandbridge EcoTours occupied space, obviously tours would depart from the city marina nearby. The observation was made from the floor that the condominiums would have no guest spaces at times when the businesses were open.

After the departure of the guest speakers, Morrison called on Grace Moran, Secretary, to present the minutes of the last meeting for approval. Moran explained that she had not brought a hard copy of the minutes with her, but that they had been posted on OPCL Website since March, 2005. Given that the minutes had received ample exposure, Morrison called for a vote to approve the minutes of the March 10, 2005 meeting. Minutes were approved as they appeared on the Website. Anne Kane, Treasurer, followed with the Treasurer's Report, noting that the major income since the last meeting had been rental income from the OPCL-owned property at 3608 E. Stratford Road (3 months at \$450/month) and the major expenditures had been approximately \$650 for the annual beach party and \$3,000 in repairs to the rental property.

Balances stood at about \$10,527 in savings and \$1,500 in checking. She noted in closing that receipts from the rental property far outstripped expenses.

In the next agenda item, Morrison expressed the need to appoint a new chairperson for the OPCL Zoning Committee. When asked, she outlined the duties of the chair to be responsible for keeping track of items to be presented to the Planning Commission and the Board of Zoning Appeals (BZA). Further responsibilities would be to attend those hearings and report on those issues and to watch for posted notices and newspaper announcements. Carl Godwin volunteered to accept the chair. Jill Broome asked how OPCL takes positions at city meetings and was told that the Zoning Committee would meet, OPCL board would meet and a designated spokesperson would appear at those meetings. Kane pointed out that individuals could also be heard at these hearings and sometimes the presence of a number of individuals was as effective as a civic league spokesperson. All OPCL residents were encouraged to attend and make their voices heard at City forums.

At this point and with some discussion, a motion was made to have OPCL speak at the Planning Commission meeting on September 14, 2005, expressing residents' concern about the lack of adequate parking at Vintage Quay. The motion carried with one vote against. From the floor came a question about whether we should also be concerned by the conversion of the zoning to Mixed Use, but no position was officially taken. After discussion of concerns surrounding the pending relocation of Deep Blue Marine, a motion was introduced to have OPCL speak at the Planning Commission's hearing September 14, 2005 expressing concerns of the residents' about both the noise and parking problems which might be attendant to this business. From the floor, a cautionary observation was offered that OPCL might want to be careful not to object to too many of the Planning Commission all at once for fear of being labeled obstructionist and discounting its effectiveness. After further discussion, the motion was amended to say that the Zoning Committee should meet and develop a presentation that reflects the concerns expressed this night, that presentation to be delivered at the Planning Commission hearing September 14, 2005.

A report on activity by the Shore Drive Advisory Committee (SDAC) related that the next meeting would be held 3:30 p.m., September 15, 2005 at the Bayside Recreation Center. Mike Wills recapped the previous meeting, referring to the report made for the OPCL *Echo*. Subjects covered at that meeting, held August 4, 2005, included the Colley Marine development, the Deep Blue Marine relocation, the establishment of pocket parks and replacement of the Lesner Bridge. He also said that SDAC planned to start a newsletter.

Susan Karlau, reporting on Shore Drive Community Coalition, said that the main focus there was on the Oyster Roast being held in early October. It was also announced that there would be a Peace and Remembrance service at Virginia Beach's Town Pointe Center at 7 p.m. Sunday, September 11, 2005. In other business, it was reported that the City Parks and Recreation Department had identified some of the playground equipment at Lochaven Park as being in violation of federal standards and it would be removed in the next few weeks and replaced with conforming equipment. Treasurer Kane reminded the assembly that membership in OPCL runs on a calendar year and that renewals must be made in December. Morrison next asked for volunteers to serve on the Nominating Committee to develop a slate of officers for the

November meeting. She asked that interested parties meet with her after the plenary session. It was noted that current President Chris Hendricks would be moving to Maine and would not be available to serve again.

For the newsletter report, Editor Carol Collins reported that there was now a youth reporter on board, Maddie McCutcheon, but that articles from other youth would still be welcome, as would articles and recipes from other residents. She noted that the position of Publisher was still open and that anyone who accepted the position would be able to use the Desktop Publisher program recently acquired by the newsletter. Also, she stated that advertisers were, as always, sought at the rate of \$35/issue or \$150/5 issues. All residents were encouraged to patronize the current advertisers and to let the advertisers know that their support of the newsletter was appreciated. The same is true for door prize donors.

In the final business item, Morrison noted that new officers and developments like Deep Blue Marine and Colley Marine redevelopment, as well as the anticipated movement on the PHP property would require fast response from the civic league as these issues unfold. Therefore, OPCL ought to consider meeting monthly. In the discussion that followed, Leslie Corwall, President of Baylake Pines Civic League, noted that in the past there had been much better communication between Shore Drive civic leagues and that all would have more impact if this communication were reestablished. Susan Karlau offered that perhaps there ought to be a Website that included all affected civic leagues. Others called for reciprocal links on existing Websites. Jack Ryan then commented that such interaction would facilitate a fast and large response to upcoming issues. A motion was made and carried to meet on a monthly basis indefinitely to address development issues. Meetings will be held the first Thursday after the first Monday of the month.

Before closing, Morrison expressed OPCL appreciation to Moran for coordinating the TGIF beach parties held earlier in the summer. Interest was expressed in holding the parties again next summer, commencing later in the day than the 4:30 p.m. time frame as was the case this year. Resident Armand Reich then stood to announce a fundraising benefit to be held for the widow and son on the late Jeff Lucas, an Ocean Park resident who was killed recently while serving in Iraq. The event will be held at Frederico's on Sunday, September 11, 2005 from noon until 3 p.m. He provided flyers for all interested. Karlau added that the widow, Rhonda Lucas, had a pet-sitting business and encouraged residents to avail themselves of it.

Door prizes provided by Dockside Inn, H2O and C.P. Shuckers Restaurants and Realtor Lynn Hume were awarded by drawing and the meeting was adjourned at 8:40 p.m.

Respectfully submitted,
Grace Moran

**Minutes of the Meeting of
Ocean Park Civic League
Plenary Session
Thursday, October 6, 2005
Ocean Park Fire and Rescue Station**

The meeting was called to order at 7:05 p.m. by Acting President Ronda Morrison. Following the Pledge of Allegiance to the Flag, the Minutes of the Plenary Session held September 8, 2005, were approved as they appeared on the OPCL Website. A formal Treasurer's Report was deferred, but Treasurer Anne Kane reported that the only expenses which had been incurred were the cost of the most recent newsletter and the cost of the flyer announcing the night's meeting. All credits and debits were current.

The next agenda item was a report on the formation and activity of the OPCL Zoning Committee. There has been no meeting of the committee to date, but Chairman Carl Godwin reported on the September 14, 2005, City hearings on the properties known as Deep Blue Marine and Colley Marine. Godwin reported that he conveyed the concerns of OPCL residents with regard to noise and parking issues in connection with both of these properties. One concession he noted from the City was that if there was a noise problem with Deep Blue Marine within the first 6 months of operations, complainants were to contact Zoning Administrator Karen Lasley at 563-1264 and that she would investigate. If there is sufficient cause, the City will then invoke the contingency under which the Deep Blue Marine application had been approved, and require that the building be soundproofed. Judy Connors noted that the application would likely be heard by City Council at the meeting October 25, 2005, and that Council had been known to deny applications which had been forwarded with the Planning Commission's approval. Kane also noted that the parking situation had not been considered in either case as they both complied with City requirements as established by previous land use on both sites. After the comment that the Shore Drive Advisory Committee has recently heard statistics quoted that showed that there were more cars than drivers residing in Virginia Beach, resident Mike Wills opined that an effort should be made to amend zoning requirements for parking with regard to multi-family units. Referring back to the Deep Blue Marine noise issue, Connors expressed her opinion that OPCL should strive to have the building sound-proofed from the outset of renovations. Godwin confirmed that Bayside representative Ron Ripley encouraged OPCL to push to have zoning put into place for more parking.

Moving on to developments on the property known as Pleasure House Point (PHP), Kane stated that she had heard that there was to be a community presentation at either Bayside Rec Center or Bayside High School to Shore Drive Community Coalition (SDCC) and/or SDAC, at which the public would be welcome. Connors reported that some City officials had seen preliminary plans which proposed a total of 900 units, 200 to be single-family residences, built in the "East Beach" style, with a small launch area for kayaks and canoes. She also noted that the City had recently discovered some surplus money, the use of which public hearings would likely be held to discuss. She encouraged OPCL as individuals and as an organization to press the City for use of some or all to purchase Open Space in the PHP parcel. A letter writing campaign was discussed, and Mike Wills accepted the task of drafting a letter which could be sent over the

international research institutions and NGOs to take a lead in developing and implementing policies to combat desertification and land degradation.

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Acting President's signature. Kane also noted that PHP Open Space had occupied the number one position on the City's wish list for years.

Connors then reported that at the last Board of Zoning Appeals hearing, an application for the addition of one or two more stories to duplexes on East Stratford Road, where one-story duplexes now stand. Connors noted that no residents appeared to oppose the application and that it was approved. Connors stated that the key to reversing the trend of higher-density building was the presence at hearings of opposing arguments.

In the report on SDAC activity, Connors noted that once again, no representative from Ocean Park was present. However, she discovered in reviewing the Planning Commission staff report that the report stated that SDAC had approved the proposal of both Deep Blue Marine and Colley Marine redevelopment. In discussion with Ron Ripley, Bayside representative on the Planning Commission, it was determined that SDAC, SDCC and civic leagues should prepare a written cautionary statement for all future presenters that the act of hearing the presentation did not constitute endorsement. Kane reported that SDCC was drafting such a letter and that OPCL might model its own after that draft. Connors also reported that at a recent meeting at Cox High School regarding the City acquisition of beach easements on the east side of the Lesner Bridge, the City had prepared an extensive presentation, but that there was virtually no resident attendance.

In another Zoning issue, Connors said that the civic leagues of Bayville Farms and Baylake Pines had been having difficulties with the restaurant doing business as Dirty Chix' and that the City was taking the owners to court for license violations, noise and disturbance charges.

Reporting on the progress of the Nominating Committee, Moran said that a meeting had been held Sunday, October 2, 2005, attended by Shyrlee Hurwitz, Kane, Moran, Morrison and Jim Royall, and that potential candidates had been identified and that several would be approached in the coming days to fill the positions of Vice-President and Co-Secretary. Kane, Morrison and Moran have agreed to stand for re-election.

Carol Collins then delivered the report on the newsletter, stating that even though the meetings were to be monthly for the time being, the newsletter would remain bi-monthly. She also asked that the Nominating Committee consider recruiting a publisher for the newsletter, as the demands on her to be both editor and publisher were nearly unmanageable. Moran replied that that issue had indeed been raised in the Nominating Committee meeting and that an effort would be made to find some relief to the situation. Collins then re-issued her standing invitation for contributions of articles, letters, recipes and the like. Kane interjected that the recently relocated Foon's had expressed an interest in taking out an ad in future newsletters. In closing the agenda, Morrison reminded attendees that for the near future, meetings would be held monthly, as indicated in the flyer.

In new business, Kane observed that a parcel (zoned commercial) in the 3600 block of Shore Drive had been cleared of nearly all trees in a surreptitious act commencing after 5 p.m. on a Friday. The contractor informed Kane that he had been instructed as to when he could begin and that he must have the clearing completed by Sunday, as the owner had anticipated objections

one position on the City's behalf for 2008. Acting Governor's signature. This is to be kept in the Open Space and Recreation Fund.

was the bisected or penultimate of the two digits defining the base of higher-density pycnomyces colonies. Connors argued that the role of levorotatory (l) isomers in the *Bostrychus vittatus* Abbeles pycnomyces application to the addition of one to two more isomers to quinolines on East Street Road, where one-half of the quinolines were levorotatory. Connors noted that no levorotatory isomers appeared to affect the application and part of the addition of one to two more isomers to quinolines on East Street Road, where one-half of the quinolines were levorotatory. Connors argued that the role of levorotatory (l) isomers in the *Bostrychus vittatus* Abbeles pycnomyces application to the addition of one to two more isomers to quinolines on East Street Road, where one-half of the quinolines were levorotatory.

It is also important to note that the Chinese government has been actively involved in the protection of traditional Chinese medicine, and has established a number of national parks and reserves to protect the natural habitats of rare and endangered species.

In this process, *Phaeospirillum* converts boron to borate, which is then taken up by *Staphylococcus* to produce phosphate. This conversion is catalyzed by the enzyme boronate kinase, which is encoded by the *borK* gene. The *borK* gene is located on the *Staphylococcus* chromosome and is under the control of the *bor* promoter. The *bor* promoter is induced by boron, which binds to the *bor* operator. The *bor* promoter is also under the control of the *phoP* gene, which encodes a transcription factor that binds to the *phoQ* gene. The *phoQ* gene encodes a small RNA molecule that inhibits the *phoP* gene, which in turn inhibits the *bor* promoter. This feedback loop ensures that *Staphylococcus* only takes up boron when it is available, and that it only takes up boron when it is needed.

by a "bunch of treehuggers" who lived in the area. In further discussion, it was established that no permit was required to do the work if no plans for construction were involved. It was further established that although the City has a strong interest in preserving live oaks, there are no legal protections in place to prevent their removal. Connors noted that with the holidays approaching, developers could likely take advantage of resident's change of focus to obtain approval of applications which might otherwise be defeated by residents' opposition.

In other new business, resident Richard Cole asked whether the City planned to remove the remaining catamarans which were impeding the sand replenishment along one stretch of Ocean Park beach. Kane responded that the City had the authority to move them and bill the owners for costs. Cole asked if the City would indeed move the boats and complete the replenishment. Kane agreed to make inquiries next week and report back.

In final new business, resident Nicole Felini raised the issue of pedestrian crossing on Shore Drive. One of the two pedestrians killed recently was a friend of hers, and she had sent numerous emails to various City officials, trying to learn if the City had any plans to make crossing Shore Drive safer. Connors replied that the Shore Drive Advisory Committee had included such concerns in the demonstration project which is to be unveiled in the spring of 2006. The question was raised from the floor as to why there could not be a speed reduction similar to the speed reduction at the North End, but no answer was forthcoming. Kane announced that the SDCC Website at www.SDCC.info contained an update on Lesner Bridge widening. Connors noted that the next SDAC meeting would be October 20, 2005 (third Thursday of the month) at 3:30 p.m. at the Bayside Rec Center and that the public was welcome. She also reminded all to vote in the general election November 8, 2005.

The meeting was adjourned at 8:01 p.m.

Respectfully submitted,
Grace Moran

**Minutes of the Meeting of the
Ocean Park Civic League
Thursday, November 10, 2005
Ocean Park Fire and Rescue Station**

The meeting was called to order at 7:05 p.m. by Acting President Ronda Morrison. Following the Pledge of Allegiance, the minutes of the previous meeting on October 6, 2005 were approved as posted on the OPCL Website and summarized in the current newsletter. In the Treasurer's Report, Anne Kane stated that there were still accounts payable outstanding, but that as of the moment, the checking account holds \$2,000 +/- and the savings account totaled \$10,534.12. Kane reported that she had received a check from a renewing member which also included \$20 toward the establishment of a legal fund in anticipation of protecting Ocean Park's interests in future development of the property known as Pleasure House Point. Morrison noted that at the May 2005 meeting of OPCL, \$1,500 was approved for this purpose. Discussion followed as to whether it was time to locate an attorney to assist OPCL in this matter who would not have a conflict of interest, given the wide involvement of the prospective developers in city affairs.

Resident Judy Connors wondered if such a step was premature, but follow on discussion noted that the search could take some time, and that advance planning would allow said attorney time to monitor unfolding development proposals and would be on board before the need became immediate. Another resident pointed out that her experience showed that such an attorney might be difficult to find. Susan Karlau agreed to contact Past President Billy Sykes to learn the name of an attorney he had once identified as a possible retainer, one who had worked on behalf of the North End in similar issues.

There was no Zoning Committee report, as the chairman, Carl Godwin was absent. Connors then delivered a summary of the Shore Drive Advisory Committee (SDAC) activity, noting that a report of the last meeting on October 20, 2005 appeared in the latest *Echo*. She further noted that the meetings were always held at 3:30 p.m. at the Bayside Recreation Center on the third Thursday of the month and that the next one would be Thursday, November 17, 2005. SDAC is open to the public and the members of the committee have repeatedly expressed a desire to have more citizen involvement. Connors called attention to the update in the *Echo* regarding the Conditional Use Permit of Deep Blue Marine, which requires that the building be soundproofed from the outset, instead of waiting six months for complaints to be heard. Morrison called for information regarding proposed development on the recently cleared lot on the south side of Shore Drive, but no one present had anything to report.

Covering the most recent meeting of the Shore Drive Community Coalition (SDCC), Kane referred attention to the newsletter summary of the meeting held October 31, 2005. It was noted that another meeting of the Visions subcommittee of SDCC would be held next Monday evening, November 15, 2005, at 3556 on the Bay. When asked, she elaborated that the Visions subcommittee was attempting to put together a vision of what residents would like to see developing along the Shore Drive corridor, including types of development, possible zoning changes, enforcement and traffic and safety issues. The effort would replace the past pattern of responding piecemeal to matters as they arose and would hopefully have a more positive impact

on city officials. All Ocean Park residents are welcome to participate in this effort and are encouraged to visit the Website www.SDCC.info for more information.

In new business, the need for someone to chair the OPCL Holiday Party led to a request for Donna Epperson to step into the void. Epperson noted that she had already been tasked in recent years, and that she would like to attend the party without any responsibilities, but she did agree to co-chair the event. Morrison agreed to contact Vicki Schiano to solicit her to co-chair. Grace Moran had offered the idea to use the Holiday Party to assemble care packages for residents of Ocean Park who are currently on assignment in the Persian Gulf. At the meeting, however, she reported that she did not have any possible recipient names other than that of Rhonda Lucas, who lost her husband over there not long ago. Resident Jackie Travers agreed to contact the chaplain at the Naval Amphibious Base to see if more names could be gathered. Moran had received from resident Nan Mabie a list of items that had proven popular with troops her church had remembered earlier in the year. The list included pens, post-it notepads, post cards or one-page fold-over stationary with postage affixed, hand sanitizers, sunscreen, microwave popcorn, playing cards, poker chips, hand-held gaming devices, puzzles, paperbacks, pre-paid phone cards and CDs. A suggestion was made from the floor and agreed upon to open the list to any member of the Armed Forces.

In response to a question from the floor, Kane said that she is still working on getting reduced postage treatment for OPCL, but that so far USPS had not been very cooperative or available. Connors noted that there was also an initial fee to be paid for such status. Karlau added that bulk mail delivery also offered no guarantees of timely delivery. From the floor came the observation that mailing the newsletter would result in limiting the delivery to members only and not all residents, which was not deemed to be desirable.

In the final item of new business, resident Liz Dyer presented two opportunities for community beautification in the Adopt-a-Highway and Adopt-a-Waterway. Participation requires a two-year commitment for cleanups six times a year at times of our choosing. After the first cleanup, the group is to send a report to the city after which the city will post two signs, one at one end of the service area and the other at the other end. The signs are limited in space to 29 characters.

Her other presentation was a model of a bag dispenser which the North End has already adopted for use in eliminating dog feces from public areas. The model she demonstrated is made by the SPCA at a cost of \$15 per unit. The city will install the units for free, and residents keep the dispensers supplied with plastic bags. After comments from the floor about how soon the city would install the units, it was proposed that OPCL install them, with Mark Faust and John Wigmore performing the installation and Charlie Ballou supplying the posts. Karlau also offered to put Dyer in touch with Todd Solomon of SDCC to see if that organization would purchase and/or install the units. Connors moved that OPCL order 10 units to start with, anticipating a spring delivery. Other units could be ordered as necessary. Motion was carried. Placement was tentatively determined to be at the beach accesses, at least two on the south side with one of those to be in Lochaven Park and one or two at the Lesner Bridge. Morrison then requested that Dyer head up the Adopt-a-Highway/Adopt-a-Waterway effort and Moran suggested that Dyer's

contact information be published in the next newsletter in order to form a group. Jackie Travers noted that Baylake Pines ought to be contacted to participate jointly or coincidentally.

The final order of business was to present the slate of candidates for next year's officers, with Ronda Morrison as President, Shyrlee Hurwitz as Vice President, Anne Kane as Treasurer and Grace Moran and Pat Marini as co-Secretaries. It is hoped that John Wigmore will continue as South Side Liaison and Stuart Terrell as North Side Liaison, Jill Broome and Carol Collins as additional representatives, Carol Collins as Newsletter Editor. Morrison noted that she was on the newsletter legend as Publisher, but that she was unable to continue in the role and urged all to consider accepting the role, which requires approximately 3.5 to 4 hours bi-monthly. Connors moved that the Secretary cast a ballot to approve the slate as proposed by the Nominating Committee. Motion was seconded and carried and Moran cast the ballot as directed.

Door prizes supplied by H2O Restaurant, CP Shuckers, Dockside Restaurant and the Smokehouse & Cooler were awarded by drawing and the meeting was adjourned at 8:15 p.m.

Respectfully submitted,
Grace Moran
Co-Secretary