



MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY

TO: MPCBPAA
FROM: Lewie Lawrence, PAA Staff
DATE: March 6th, 2024
RE: March 8th 2024 MPCBPAA Meeting

MEMBERS

Essex County
Hon. Sidney Johnson

Gloucester County
Hon. Christopher A. Hutson
(Vice-Chair)

King and Queen County
Hon. Doris Morris

King William County
Mr. Percy C. Ashcraft

Mathews County
Ms. Ramona Wilson

Middlesex County
Hon. John B. Koontz, Jr.
(Treasurer)

Town of Tappahannock
Mr. Eric Pollitt

Town of Urbanna
Mr. Garth Wheeler

Town of West Point
Mr. John B. Edwards, Jr.
(Chair)

Saluda Professional Center
125 Bowden Street
P. O. Box 286
Saluda, VA 23149-0286
Phone: (804) 758-2311
FAX: (804) 758-3221
email:

PublicAccess@mppdc.com

This announcement serves as a notice to call a meeting of the Middle Peninsula Chesapeake Bay Public Access Authority on Friday, **March 8th 2024 at 11:00 AM** at the office of MPPDC located at 125 Bowden Street, Saluda Virginia 23149. The meeting will be directly after the LGA meeting.

This agenda is consolidated to only include Captain Sinclair items and how PAA handles user groups on the property. Please review the attached context.

MPCBPAA AGENDA March 8th, 2024

1. Call to Order
2. Approval of January 12th, 2024 Minutes
3. Approval of Financial report – delayed due to new CFO Hire
Presentation of Audit- Pending delivery by Auditor
4. Captain Sinclair's Update
 - Discussion of user groups at Sinclair:
 - Enabled Authority, Management Options, Conflict Resolution Process MOU
 - Proposed MOU for Gloucester Rowing Association
 - Issue Background
 - Media Talking Points
 - MOU with Hold Fast- NFWF Grant 0606.22.075916
 - Fishing Reef under PAA Fishing Pier
 - Elevated Septic- Draft Illustration
 - Bid Packet
7. Public Comment
8. Other Business:
9. Next meeting

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MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY
MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY
MINUTES
MPPDC Boardroom
January 12, 2024

MEMBERS

Essex County
Hon. Sidney Johnson
(*Treasurer*)

Gloucester County
Hon. Christopher A. Hutson
(*Vice-Chair*)

King and Queen County
Vacant

King William County
Mr. Percy Ashcraft

Mathews County
Mrs. Ramona Wilson

Middlesex County
Mr. Matt Walker.

Town of Tappahannock
Mr. Eric Pollitt

Town of Urbanna
Mr. Ted Costin

Town of West Point
Mr. John B. Edwards, Jr.
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1. Call to Order

MPCBPAA Chair Mr. John Edwards, Town of West Point called the meeting to order at 11:00 a.m. Members and Alternates attending were: Mr. Sidney Johnson, Essex County; Mr. Christopher Hutson, Gloucester County; Ms. Vivian Seay, King & Queen County; Ms. Sherry Graham, King William County; Ms. Ramona Wilson, Mathews County; Mr. Matt Walker, Middlesex County; Mr. Eric Pollitt, Town of Tappahannock; and Mr. Ted Costin, Town of Urbanna.

Also present: Mr. Lewie Lawrence, Mr. Curt Smith, and Ms. Dawn Mantell, MPPDC Staff. A quorum was certified as Essex, Gloucester, King & Queen, King William, Mathews, and Middlesex Counties as well as the Towns of Tappahannock, Urbanna, and West Point were represented.

2. Approval of October 2023 Minutes

MPCBPAA Chair, Mr. John Edwards called for a motion to accept the October 2023 Minutes as presented. Motion to accept the October 2023 Minutes as presented was made by Mr. Sidney Johnson; Seconded by Ms. Ramona Wilson; Mr. Ted Costin abstained as this was his first meeting; motion carried.

3. Approval of Financial Report

In the absence of MPPDC Chief Financial Officer, Heather Modispaw, MPCBPAA Secretary, Lewie Lawrence presented the financial report for Board approval. There being no questions, MPCBPAA Chair, Mr. John Edwards requested a motion to accept the Financial Report as presented. A motion to accept the Financial Report was made by Mr. Matt Walker; Seconded by Mr. Chris Hutson; motion carried.

4. Public Comment

No public comment.

5. Captain Sinclair's Update

a. Meridian Behavioral Health-RE Proposed Lease

MPCBPAA Secretary, Lewie Lawrence reported he has been working with the Gloucester Planning Director and it was determined that Meridian Behavioral Health's use of Captain Sinclairs is a permissible right by use within a public park facility and the building itself does not need to be licensed.

Mr. Lawrence drew the Board's attention to their meeting packet for the current draft copy of the commercial lease between the PAA and Meridian Behavioral Health-RE. The lease is a standard commercial lease used by local government and was shared with Meridian Health, Neal Barber, John Edwards, and Lewie Lawrence for revisions. Mr. Wes Mason, Chief Executive Officer of Meridian Behavioral Health stated he and his colleagues have reviewed the current draft lease and do not have any questions at this time. Mr. Mason stated they have one additional item on their end to address before executing the

lease. They have been preparing the necessary applications for licensing and hope to be operational in the next 90 days. Mr. Lawrence then reviewed with the Board, each page of the draft commercial lease noting the draft is 95% complete, less final legal review. Some areas, which are highlighted, contain language still being modified, but is conceptually correct. Meridian Behavioral Health will be doing business as Shining Light Behavioral Health and has pledged to invest at least \$277,000 in capital repairs while keeping in line with zoning, maintaining ADA compliance as well as safe working standards. They will also designate a POC to liaison and support other groups using the public waterfront park facility, such as the Gloucester High Rowing Team. Mr. Wes Mason stated efforts such as fundraisers will be used to foster and support a solid relationship with non-profit entities such as the Gloucester High Rowing Team. Mr. Lawrence recommended a meeting between Meridian Behavioral Health-RE and the parents of the Gloucester High Rowing Team be held as soon as possible to address any questions or concerns parents may have. Mr. Lawrence was asked by Mr. Wes Mason to help facilitate the meeting, to which he agreed. It was the desire and consensus of the Board that the meeting between Meridian Behavioral Health and the parents of the Gloucester High Rowing Team take place before the final contract is executed. MPCBPAA Chair, Mr. John Edwards requested a motion to approve entering into the agreement subject to legal review and final language negotiations. A motion to approve was made by Mr. Sidney Johnson; Seconded by Ms. Vivian Seay; motion carried.

b. VHDA Housing Update

- Discussion of Big House
- Discussion of Pool House

MPCBPAA Secretary, Lewie Lawrence reported VDH permits have been issued and project has been cleared by the Chesapeake Bay Preservation Act (CBPA) and Wetlands Board. Mr. Neal Barber will begin final review of the bid documents prepared by Sands Anderson prior to being put out for public bid.

- Discussion of Tiny Houses

MPCBPAA Secretary, Lewie Lawrence reported the Wetlands Board and CBPA never took this project up and the Gloucester County health department reported missing required documents from the County. Mr. Lawrence will investigate this and work with the necessary entities to get the permitting process moving. Mr. Lawrence also reported that due to delays and engineering costs, there will likely only be 9 units instead of the proposed 10. Any funds remaining from the budget of the 10th unit will likely be needed for additional engineering costs, foundation work, and a covered pavilion in the place of the pool.

c. DCR Flood Fund – Road and Berm Funding VASG Spring/Summer 24

MPCBPAA Lewie Lawrence reported MPCBPAA Lewie Lawrence reported the PAA has \$70-80k to design and construct a nature-based flood mitigation berm of approximately ~1,200 curve linear feet around the RPA at Captain Sinclairs. VA Sea Grant is assisting with the coordination. They

will assemble a workgroup to perform the design work and expects work to begin in the Spring.

6. Presentation of Wetland Harvesting Guidelines on PAA Holdings`

MPCBPAA Secretary, Lewie Lawrence reported he had been invited to speak at an ODU Conference which took place last week. ODU realizes there is a current shortage of wetland plants and that the current supply cannot meet the demand for living shorelines. Growers attending the conference expressed concern regarding the inconsistency in demand and the shelf life associated with planting.

Mr. Lawrence reported that when the PAA acquired a large piece of property containing high quality wetlands using VCLF funding, he wrote into the Deed, a deed encumbrance stating the wetlands and riparian plants could be harvested to support the Commonwealth's policy on production and plant harvesting. Mr. Lawrence proposed using PAA owned marshes to harvest wetland plants to be used by these entities when they cannot meet the demand. Mr. Lawrence drew the Board's attention to a document in their meeting packet titled Discussion Document of the Principles for Establishing Guidelines to Harvesting and Transplanting Saltwater Wetland Vegetation. MPPDC staff drafted this document on responsibly harvesting saltwater vegetation, keeping Federal and State programs in mind. The document contains the Terms and Conditions; Purpose; Goals and Objectives; General Processes; and Supporting Studies. The Board requested "periodic fee schedule to be approved by the PAA" be added as #4 under the Goals and Objectives. Ms. Seay made a motion to approve the guidelines with the addition of a periodic fee schedule; Seconded by Mr. Walker; motion carried.

7. **Dredging Related Items**

- a. VPA – MP Dredge Material Management & Handling Initiative
- b. Dredging Funding

MPCBPAA Secretary, Lewie Lawrence reminded the Board that at the last PAA meeting, \$5M remained in the capital budget for VPA but due to technical coding problems, the funds could not be distributed. At this point, two elements have had a negative effect on this funding. Language vaporized in the last budget and the last election now has both the House and Senate controlled by Democrats who have a different perspective on dredging. Mr. Lawrence reported meeting with Del. Mark Sickles last week who made it clear that under the current arrangement, there will not be a municipal dredge. Del. Sickles supports dredging but believes it should be performed by the private sector. Mr. Lawrence stated it doesn't matter who does it but if it must be done by the private sector, additional funding is needed, to which Del. Sickles agreed with. Del. Keith Hodges has a budget amendment for an additional \$8M over two years to the state budget in the Waterway Maintenance Fund. If the dredging projects are put out to bid and the private sector doesn't respond, Del. Sickles would then be willing to have another discussion on the need to purchase a municipal dredge.

Mr. Lawrence reported he also spoke with Del. Sickles regarding the VPA not allowing the funds to be used to purchase land for the purpose of dredge spoils. Del. Sickles agreed that without land to place the dredge material, you can't dredge. Del. Hodges has a bill to amend legislation for VPA to allow land purchasing for the purpose of placing dredge spoils. If the law changes and the budget amendment passes, it still doesn't become available until July 1, 2024 while applications are still due to the VPA in February and a decision being made in May. Mr. Lawrence has asked Robert Crockett about the possibility of an enactment clause in the bill so when the law changes, it can be

applied to the current grant application and avoid losing another year. The alternative is there is an enactment clause in the budget that forces the VPA to rewrite their guidelines working with the PDCs and this is where it may be possible to change the frequency for when the VPA takes application.

8. **Greenway Farm Donation Update**

In October, MPCBPAA Secretary, Lewie Lawrence reported the Greenway Farm property, maintained by a company in Florida, had previously sold all its nutrient mitigation credits and was no longer generating revenue but continued to incur taxes. The contract agreement fractionally split the ownership releasing the PAA from long-term mitigation responsibility. The proposed use of this property will include research by VA Sea Grant as well as public access.

MPCBPAA Secretary, Lewie Lawrence reported the AOCE approved the Greenway Farm public access provisions. Hunting will be permitted on the 100-acre parcel but is limited to every other Tuesday and Thursday for a max of two people; VA Sea Grant, Research partners are permitted to conduct research on the property; and during the hunting off cycle, the PAA retains the ability to take special user groups, youth groups, veterans etc onto the property under a managed setting. The previous property managers are based out of state, and without regular oversight, a serious poaching problem developed. Mr. Lawrence reported as soon as he received the deed, posted signs were put in place. In the upcoming weeks, additional signs will be posted, a management plan will be developed at which time the property will be placed in the PAA property reservation system for public use during the next hunting season.

9. **Other Business**

Waterfowl Hunting – MPCBPAA Secretary Lewie Lawrence noted that each time a PAA property is utilized for waterfowl hunting, \$25 is submitted to DGIF for a duck blind license. It doesn't seem to make sense to pay DGIF to allow the public to hunt on public property. As more and more PAA properties are becoming available for public waterfowl hunting, this can become quite expensive for the PAA. Mr. Lawrence reported there has been positive communication with Ryan Brown, Director of DGIF, now DWR. The current bill Del. Keith Hodges is sponsoring calls for DWR to develop a single license for all stationary blinds located on property owned by the Middle Peninsula Chesapeake Bay Public Access Authority. Mr. Lawrence expects next season will offer 25-30 places for public waterfowl hunting.

Resiliency Center – Mr. Lawrence reported Del. Hodges is sponsoring a bill for funding to create a Resiliency Center in King and Queen County for water management companies to utilize for developing solutions. NATRX will utilize the Resiliency Center to house a manufacturing plant to process dredge material into products such as concrete.

Perrin Update – Mr. Lawrence reported VMRC is addressing abandoned vessels at Perrin and he had been subpoenaed to court. VMRC charged a waterman with polluting state waters for abandoning their vessel. Prior to court, the waterman removed the vessel and the case was dismissed.

Removal of Abandoned Vessels – Mr. Lawrence reported Gloucester County, with funding from VMRC, is in the process of removing 5-6 abandoned vessels from Perrin Wharf.

USDOT RAISE – MPPDC Deputy Director Curt Smith reminded those present of the \$2M RAISE grant award to revitalize publicly owned working waterfronts in the Middle Peninsula. This project began with 60 sites being identified, some PAA owned. VHB has been contracted to perform assessments of each of those sites. A secondary set of sites will be identified, and facilities will be

designed to address the needs expressed by local watermen and stakeholders. MPPDC staff will apply for additional Federal funding to build the needed facilities on those sites.

Historical Request – MPCBPAA Secretary, Lewie Lawrence reported receiving an email this morning from the Department of Historic Resources requesting access to the Mathews Heritage Park for the purpose of conducting an archeological dig of the historic resources the park contains. Due to the concerns of neighboring citizens, about 10 years ago, the Mathews Board of Supervisors directed the PAA to restrict public access to the park. Mr. Lawrence reported that in the past access requests for the purpose of research by entities such as VIMS were granted but restricted to by boat only. After conferring with Vivian Seay, Mr. Lawrence granted the Department of Historical Resources restricted access to the Mathews Heritage Park by boat only.

10. Next Meeting

The next meeting of the MPCBPAA depends on the PAA project bid packets. If bid packets aren't available for PAA review and approval before March 8th, the next meeting will be its regularly scheduled date of April 12th.

11. Adjournment

Motion to adjourn was made by Mr. Chris Hutson; Seconded by Ms. Ramona Wilson; Motion carried.

Captain Sinclair Facility Management Options

Background: As the owner of public waterfront property, the PAA has enabled responsibility to provide for and ensure equal access to programs, services, and amenities which the PAA owns or provides. Due to recent questions related to the powers and duties of the PAA, staff has worked with PAA legal and prepared the below to help guide your discussion and decision making related to management options at the Captain Sinclair Recreation Area.

Powers Granted. *The Middle Peninsula Chesapeake Bay Public Access Authority Act* § 15.2-6600 provides the powers granted to the Authority by the General Assembly. Through this enabling legislation, the PAA Board derives certain powers to regulate public access sites that are owned or managed by the Authority. This power rests singularly with the PAA Board.

§ 15.2-6606. Powers

6. Acquire, establish, construct, enlarge, improve, maintain, equip, operate and regulate public access sites that are owned or managed by the authority within the territorial limits of the participating political subdivisions;

18. Adopt, amend, and repeal rules and regulations for the use, maintenance, and operation of its facilities and governing the conduct of persons and organizations using its facilities and to enforce such rules and regulations and all other rules, regulations, ordinances, and statutes relating to its facilities, all as hereinafter provided;

21. Do all things necessary or convenient to the purposes of this act. To that end, the Authority may acquire, own, or convey property; enter into contracts; seek financial assistance and incur debt; and adopt rules and regulations;

The normal range of options available to the Board for managing situations like this include, but are not limited to:

- Ban individuals or groups which become injurious to the public work of the PAA.
- Disallow all structured programs from operating on site and only allow public individuals to use the site.
- Permanently close the facility completely to all, similar to Mathews Heritage Park.
- Close the facility and re-open only under certain terms and conditions to certain user groups under a reservation system.
- Lease or contract the facility to others.
- Continue to manage the facility as its currently managed

For Structured Programs PAA Could:

- Require lease agreements or MOU's for any and all structured programs
- Require insurance, proof of annual good standing with IRS, facility rent, financial donations, donated labor etc
- Require plans to be developed to articulate the each program's vision and future
- Require maintenance/cleaning of building(s), roads, docks, pay utilities, make improvements etc
 - Establish maintenance reserve fund
- Require fundraising to assist the PAA
- Require structured programs to make annual financial contributions to the PAA to support all programs
- Require reporting or meeting minimum participation or diversity standards for equity and inclusion.
- Limit or expand the area of public space the site where programs occur

Other Approaches

- Offer Crew Team access to or leasing of other waterfront parcels owned by the PAA to establish a program.
- Require Meridian Health, Hold Fast and Crew Team to commit to establishing a Conflict Resolution Process which binds the parties to an agreed to outcome under an actioned MOU. Once a commitment is made, the parties must agree to compromise by a certain date.

Example Conflict Resolution Process for Memorandum of Understanding Partners

The purpose of establishing a process for resolving issues involving the Memorandum of Understanding (MOU) is to provide a method of open communication and early resolution of issues. Parties should have equal interest in reaching resolution in a timely and efficient manner. Sometimes the current issue is not necessarily the real source of the issue. Designating a system of standardized process for resolution tends to create more consistency and objectivity.

An approach to addressing disputes will be characterized by the following terms defining a proactive resolution approach:

- Practical — Saves all parties time, effort, and energy that can be re-directed toward accomplishing the mission of the organization.
- Hands-on — Early intervention leads to smaller problems, and is best implemented by a ‘hands-on’ approach. It is important to address problems at the lowest level in order to keep perspective.
- Down to business — This approach requires the right mix of sharpness and clarity with tact and diplomacy. Important issues come to the table quickly, and do so while reinforcing understanding of the concerns and viewpoints of both parties.
- Positive and Upbeat — The approach is positive and upbeat with each party conveying a sincere desire for a more positive future relationship in which both parties benefit from one another.

Step 1

Request a face to face meeting for identified issue/question. Either partner may request a meeting with the other partner and raise the issue/question(s). Question/issue is presented in written form; resolution is documented at close of meeting. By sitting down and talking, a resolution can be reached and no further action needs to be taken.

If resolution is not reached, proceed to Step 2.

Step 2

When a resolution isn’t reached in Step 1, move to this step. Ask for a meeting with PAA Chairman and PAA staff to review concerns and determine resolution.

- Issues or concerns are provided in written form.
- PAA Chairman and PAA staff will receive written documentation at least 72 hours prior to conference call or meeting. During the meeting, a roll call process allows each member to ask further questions or state a position. The PAA Chairman makes a recommendation on the resolution.

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
GLOUCESTER CREW TEAM
and
THE MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY (MPCBPAA)

This Memorandum of Understanding, by and between the Middle Peninsula Chesapeake Bay Public Access Authority (hereinafter “the Public Access Authority”), Gloucester Rowing Association (hereinafter “Crew Team”), and together known as the “Organizations”, establishes a framework for a sustainable partnership between the Organizations in order for mutual support to continue and prosper. This Memorandum of Understanding (hereinafter “Understanding”) replaces all other Agreements, Memoranda of Understanding, or Contracts that may exist between the Organizations.

WHEREAS, the Public Access Authority was established by the Middle Peninsula Chesapeake Bay Public Access Authority Act defined in the [Code of Virginia §15.2-6600-6625](#)

WHEREAS, Crew Team were established as a non-stock (non-profit) corporation in the Commonwealth of Virginia and recognized by the IRS as a ~~XXXXXX~~ public charity Employer ID #~~XX-XXXXXXX~~

WHEREAS, the Public Access Authority’s mission is defined under § 15.2-660. Creation; public purpose as:

- Identify land, either owned by the Commonwealth or private holdings that can be secured for use by the general public as a public access site;
- Research and determine ownership of all identified sites;
- Determine appropriate public use levels of identified access sites;
- Develop appropriate mechanisms for transferring title of Commonwealth or private holdings to the Authority;
- Develop appropriate acquisition and site management plans for public access usage;
- Determine which holdings should be sold to advance the mission of the Authority;
- Receive and expend public funds and private donations in order to restore or create tidal wetlands within the region for which the Authority exists; provided that any tidal mitigation credits resulting from such restoration or creation projects shall be held by the Authority for the benefit and use of

participating political subdivisions and shall not be sold or conveyed to any private party by the Authority or any participating political subdivision;

- Receive and expend public funds and private donations and apply for permits to perform dredging projects on waterways and construct facilities and infrastructure within the region for which the Authority exists. Such projects shall enhance recreational or commercial public access; and
- Perform other duties required to fulfill the mission of the Middle Peninsula Chesapeake Bay Public Access Authority.

WHEREAS, Crew Teams mission, vision program and end state is:

Mission: XXXXXXXXXXXXXXXX

Vision: XXXXXXXXXXXXXXXX

The Program: XXXXXXXXXXXX

End State: XXXXXXXXXXXXXXXX

WHEREAS, it is in the mutual interest of the Organizations to establish a framework for a productive working relationship between the Organizations.

NOW, THEREFORE, in consideration of the above, both Organizations agree to:

- Foster a strong and cooperative relationship through regular coordination of Crew Team and the Public Access Authority’s holdings/programs, plans, budgets, resources, and events, and make timely decisions on said matters.
- To assist with developing programs and services to enrich the general public use of Captain Sinclair Recreation Area
- Conduct all financial affairs with transparency.
- Document and/or coordinate mutually agreed upon items and share helpful or pertinent information.
- Comply with all federal, state, and local laws and regulations.

In consideration of Crew Team welcomes voluntary contributions to the Site/Program (i.e. services and/or donations), and Public Access Authority’s recognition of Crew Teams contributions, the Organizations agree as follows:

I. THE PUBLIC ACCESS AUTHORITY AGREES TO:

a. Governance/Administration

- i. Grant Crew Team permission to use the name and logo of the Site/Program and the Public Access Authority for uses that support the Site/Program mission, programs, and objectives.

- ii. Recognize Crew Team as an independent entity.
- b. Coordination
- i. Assign a Site/Program Liaison to Crew Team as the primary point of contact to coordinate, communicate, and meet regularly to discuss the plans and needs of the Site/Program and Crew Team.
 - ii. Provide support for mutually agreed upon programs, budgets, projects, fundraising activities, and/or reports.
 - iii. Provide staff consulting and technical assistance for mutually agreed upon improvement programs and projects whenever possible.
 - iv. Assist Crew Team coordination with other agencies as needed.
 - v. Hold a regular meeting, at a minimum, annually, between the Public Access Authority Directors and Crew Team to discuss matters mutually agreed upon between the Public Access Authority and Crew Team.
- c. Finances
- i. Comply with the Public Access Authority's financial procedures to accept and spend donations.
 - ii. Coordinate financial reconciliation with Crew Team and provide annual reports on Crew Team donations to the Site/Program or Public Access Authority.
 - iii. Seek capacity-building funds and programmatic funds to support Crew Team and the Public Access Authority, as available for Crew Team needs.
- d. Services offered to Crew Team
- i. Provide facilities, program, and maintenance support for activities and other Site/Program improvement projects, to include meeting, program, fundraising, and event space at mutually agreed upon times.
 - ii. Waive PAA usage fees related to fundraising on park property so long as 5% of net proceeds are donated to or used to support the Site/Program associated with the Public Access Authority.
 - iii. Promote Crew Teams presence and programs as permitted.
 - iv. Publicly recognize the work, contributions, services, and/or donations received directly or indirectly from Crew Team.
- e. Ask Crew Team to:
- i. Accept donations for a park, program, or the Public Access Authority.
 - ii. Provide support, training, and networking opportunities for developing potential fundraising programs.

- iii. Provide support in researching, reviewing, and mutually developing grants as resources permit.
- iv. Provide support for both PAA and Crew Team programs and activities through websites and social media.

II. CREW TEAM AGREES TO:

a. Governance/Administration

- i. Register with the Internal Revenue Service (IRS) as a non-profit organization.
- ii. Meet state and local charitable solicitation requirements if Crew Team solicits funds.
- iii. Obtain any necessary permits, licenses, special insurance, equipment, and inspections for programs, activities, or events and pay associated costs or fees.
- iv. Authorize the Public Access Authority to use the name and logo to promote Crew Team and its activities and contributions.
- v. Upon dissolution, donate remaining funds as appropriate to the Public Access Authority and/or other organizations of Crew Teams choosing that provide support to Veterans.

b. Coordination

- i. Work with the Public Access Authority Site/Program Liaison to coordinate the Site/Program plans, programs, needs, and projects.
- ii. Develop a 1 year; 5 year; 10 year Crew Team master plan
 - i. Facility needs
 - ii. Programmatic needs
 - iii. Capital equipment needs
- iii. Coordinate fundraising activities on park property with the Site/Program Liaison.
- iv. Coordinate facility maintenance day each month to help keep the grounds, roads, and trails usable.
 - i. Identify Crew Team lead for maintenance.
- v. Prepare an annual year in review Crew Team presentation to the PAA Board

c. Finances

- i. Comply with all IRS non-profit requirements to remain in good standing; and
- ii. When appropriate, direct donation of funds for a designated Site/Program of the Public Access Authority.
- iii. Strive to establish a facility maintenance fund to assist with minor maintenance needs at the Captain Sinclair Recreational area.

d. Facilities

- a. Crew Team shall make an annual donation to the PAA in the amount of \$_____ for the exclusive use of a metal barn and a multi-bay garage out building for storing of Crew Team equipment.
- b. When Crew Team is on site, they shall clean public restrooms associated with the pool house when new restrooms are complete.

III. GENERAL PROVISIONS:

- a. This document, along with the Special Provisions attachment, contains the entire understanding between the Organizations. The Special Provisions attachment may not contradict provisions in the Understanding.
- b. Crew Team is not an agent of the County, or the Public Access Authority and is not responsible or accountable for the actions of the Public Access Authority.
- c. If, at any point, either Organization does not insist upon the others' complete performance of this Understanding, then it does not deny them the right to insist upon complete performance in the future.

IV. INSURANCE

- a. Crew Team, as an entity, is not protected by Public Access Authority insurance.
- b. Crew Team will consult with an insurance professional to obtain appropriate insurance coverage (i.e. general liability and directors and officers) based on the structure and activities.

V. AMENDMENT, RENEWAL, AND TERMINATION

- a. This Understanding shall be in effect for five (5) years from the date entered below unless it is terminated in writing at an earlier date.
- b. This Understanding may be extended for three (3) years upon mutual, written understanding of the Organizations.
- c. Any modifications, assignments, alterations, or extensions must be in writing, signed, and approved by both Organizations.
- d. This Understanding may be terminated by either Party upon 30 days written notice and will be removed from the Site/Program unless mutually agreed upon.
- e. All notices relating to this Understanding shall be in writing and sent by Certified Mail to the Public Access Authority at the following address:

Middle Peninsula Public Access Authority
P.O. Box 826
125 Bowden Street, Saluda VA 23249

IN WITNESS WHEREOF, the Organizations enter into this Understanding this ____ day of _____, 2024.

CREW TEAM

By: _____

Name: _____

Title: _____

Date: _____

PUBLIC ACCESS AUTHORITY

By: _____

Name: Lewis L. Lawrence III

Title: Public Access Authority Secretary

Date: _____

By: _____

Name: _____

Title: Site/Program Liaison and/or Site Manager

Date: _____

Attachment to:

**MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
HOLD FAST
and
THE MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY (MPCBPAA)**

VI. TRACKING OF SUCESES

Background

For context: The population of Gloucester is 36,858
The population of the Middle Peninsula is 91,484
Gloucester Rowing Association is a guest of the PAA operating out of Sinclair's

At the PAA January 12th meeting, staff were directed to coordinate a meeting between the Gloucester Rowing Association or Crew Team, Meridian Health and Hold Fast to discuss how best to work together. A gentleman's understanding arose out of that meeting to work together, but on **Thursday, February 29, 2024**, the Jack Moore, President of the Gloucester Rowing Association deviated from this path and sent a letter dated Feb 29 to the Gloucester BOS followed by the below communications presented in reverse order to help show the current perspective or shifting perspective of Gloucester BOS member related to Captain Sinclair and other constituent letters. Additionally, Gloucester Rowing Association and or parents attend the BOS meeting and spoke against the project.

From: Bazzani, Phillip <pbazzani@gloucester.va.info>
Sent: **Wednesday, March 6, 2024 8:53 AM**
To: Lewis Lawrence <llawrence@mppdc.com>
Subject: Sinclair Creek

Lewie ... Chris Hutson and George Bains visited the subject site yesterday. I found the history of the main house with the statuary very interesting relative to the Dupont family.

I personally don't see the risk associated with your intended use for the veterans. Goodness knows they need all the help we can provide.

Anyway ... Chris mentioned that PAA may want to rid itself of some of the statuary. If so, I would be interested in some of them for a donation?

Just wondering

Phil Bazzani

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**In response to a BOS members request for information tied to constituent questions,
PAA staff provided the following:**

From: Lewis Lawrence

Sent: Monday, March 4, 2024 12:29 PM

To: Steele, Carol <csteele@gloucesterva.info>; Board of Supervisors <BOS@gloucesterva.info>; Wright, Steve R. <swright@gloucesterva.info>; Bains, George <gbains@gloucesterva.info>; Wilmot, Edwin (Ted) <ewilmot@gloucesterva.info>

Cc: 'John B. Edwards - Town Manager for Town of West Point' <jedwards@west-point.va.us>; Troy Hartley <thartley@vaseagrant.org>; Neal Barber <nealbarber1944@gmail.com>; Ducey-Ortiz, Anne <aducey@gloucesterva.info>; Curt Smith <csmith@mppdc.com>; McRoberts, Andrew R. <amcroberts@sandsanderson.com>; Lockerman, Heather Hays <hlockerman@sandsanderson.com>

Subject: Captain Sinclair Recreation Area and adjacent

Good afternoon-

Happy to provide context and background. There is a lot happening in and around Captain Sinclair's and its east to get lost in the moving parts. I tried to keep the below focused on specific points to keep the discussion as clear as possible.

Captain Sinclair's Recreational Area (donate to the Public Access Authority "PAA" over a decade ago) and related parcels (both donated and/or grant acquired) now total over 200 acres, with the majority of area recognized as a public waterfront park under zoning. Over the last decade the PAA Board has slowly and methodically developed, discussed, and advanced various elements of different master plans for the facility covering public waterfront access, outdoor trails, public hunting, community programming, scientific research, workforce training, housing, retail and commercial (when permissible under zoning) and eco based businesses. These varied uses are in part driven by member localities requests to have the PAA add more public value and benefit to the land holding and work of the PAA. All PAA aspects (to our knowledge) to date associated with PAA park uses have been permitted and authorized under planning, zoning, and building. Some non-park elements are still working through permitting.

Infrastructure and Program Development

- A 400 foot public fishing pier was completed late last summer and is open for the public to use (VMRC Funded)
- A kayak floating launch pier is also open for the general public and crew team to use. (NOAA Funded)
- Public waterfowl hunting and bow hunting is authorized within the 200 acres as well.
- Veterans are currently cutting 3-5 miles of walking trails at Capt Sinclair's under a VOF grant
- Veterans are also assisting the PAA with ground and road maintenance.

Along the Canal on Whittaker Creek- Part of Sinclairs

- The PAA is a partner with Virginis Sea Grant (and 6 Virginia Universities) under a ~ \$6 million dollar Go Virginia Economic Development Grant to test and deploy shoreline erosion/flood control and dredge material holding options at Captain Sinclair's and other PAA holdings. 7 Technologies have been deployed along the shorelines and canal and are available for the public to view and learn.
- The nations first elevated septic system which when completed will eliminate the need for a drain field has been permitted and installed at the "brick rancher" owned by PAA at Sinclair's on a non- park parcel and is being monitored by VDH. Triangle Environmental, the septic technology company has hired one of Knott Alone- Hold Fast 501c3 program Veterans as a Triangle employee to assist with business needs of Triangle as they bring this technology to market.
- Knott Alone- Hold Fast 501c3 under a yearlong MOU process which establishes a framework between PAA and Knott Alone- Hold Fast on developing and supporting the PAA and nature based work force programs intended to help Veterans through commercial fishing, crabbing oystering, aquaculture, aquatic plant production etc (water management employment) kayaking, paddling, mediation as well as individual and group therapy (meaning to my understanding its having a dinner where people sit around a fire talk about life and the challenges one encounters or going on a boat for therapy obviously isn't the same as a structured therapy program operating with visitation hours). From PAA perspective, Hold Fast programs can generally be two types 1) volunteer, like when a community group does a community project or 2) veteran get-togethers around a fire and dinner which can concurrently happen on PAA non park holdings, PAA park holdings, adjacent private Knott Alone holdings and other off site locations which the PAA is not party to.
- 2-3 non park PAA small cottages are still in the permitting stage which will be single family workforce housing units which veterans may or may not lease. It is the PAA intention to provide housing to veterans who are in training to become water management employees under in process workforce development programs and or housing for visiting people who are considering Dans program options or PAA just rents the houses to first come etc. Alternatively, Dan program could rent the PAA houses from the PAA (non-park housing units) and how or what he does after renting is based on the rental agreement and what normally associated with rental tenants.

Captain Sinclair's Grounds

A \$1million dollar workforce housing grant has been used to design, permit and soon to retrofit and build both- apartments for PAA workers who can manage PAA lands and programs at Captain Sinclair and beyond.

- PAA has used these funds to rehab both holdings at Captain Sinclair's and off-site housing unit in Guinea which Hold Fast leases to provide housing for program participants.

- At Sinclair, three apartments will be rehabbed inside of the “big house” and three apartments will be added on top of the pool house for PAA employees. This element has gone through wetlands, CBPA, zoning and VDH
- The pool house first floor will be retrofitted into a “ships store” offering bait, snacks etc for the public fishing pier users. Veterans may or may not run this enterprise.
- Kayak rental business will be located on the grounds- Veterans may or may not run this enterprise.
- A covered pavilion will replace the pool and deck, offering users of Capt Sinclair a place to eat lunch or sit and enjoy the outdoors.
- The grant will also be used to rehab public space inside of the big house offering the public additional space to convene and recreate.
- A Capt Sinclair’s flood mitigation berm (4-8 inches high) has been funded by DCR. Virginia Sea Grant will oversee design and implementation of various techniques and approaches now authorized under state law to combat sunny day flooding. Veterans may or may not help with labor on the flood berm.
- Meridian Health LLC has leased ~29% of the big house for day use only nature based veteran therapy that utilizes and incorporates trails, paddling, public access, fishing as part of its therapy program. These veterans are screened for program participation and referred by physicians.
 - Meridian Health has also agreed as part of the lease to financially support other PAA user groups also operating out of Sinclair’s, such as the Crew Team. Meridian believes helping all and being a good corporate partner.
 - Meridian Health has agreed to invest significant capital funds into the “Big House” to provide a commercial kitchen which the community can use after hours or collectively when joint programs are launched. Other improvements include-roof, HVAC, ADA, grounds maintenance, and financial support for the road etc
 - No Meridian program staff or participants will be residing over night at PAA park holdings.
- Crew Team has resided free of rent or facility charges for close to a decade in one of the barns and one of the sheds.
 - PAA staff at the direction of the PAA Board called for a facilitate meeting between Crew Team, Hold Fast and Meridian to discuss how each of the three programs can best partner to leverage the public assets offered at Sinclair’s. This meeting occurred last month.
 - After this meeting, PAA staff suggested to the Crew Team leadership they should review the MOU between Hold Fast and PAA and prepare the same so that the Crew Team is held to the same equality standard as other users of the facility. The MOU also speaks to how the entity will work to advance forward improvements at Captain Sinclair’s. No MOU has been delivered.
- A community group is preparing an application to install a fish reef under the new public dock to improve fishing
- A birding community group also utilizes the grounds for bird watching from time to time.

Lewis L Lawrence
Executive Director
Middle Peninsula Planning District Commission
P.O.Box 286
Saluda, Va 23149
804-758-2311
www.mppdc.com

Letters Provided to the Gloucester BOS forwarded to PAA Chairman and PAA Staff
Some letters are against and some are asking for information to determine support.

From: jdominguez10 <jdominguez10@cox.net>
Sent: Tuesday, March 5, 2024 2:50 PM
To: Board of Supervisors <BOS@gloucesterva.info>
Subject: Sinclair Landing Park

Jenna L. Dominguez

8171 Brook Court, Gloucester, VA. 23061

Jdominguez10@cox.net

02.29.24

Lewie Lawrence, Executive Director, MPPDC,
125 Bowden Street Saluda Va. 23149

Dear, MPPDC/MPCBPAA Boards,

I am writing to express my strong opposition to the proposed establishment of a rehabilitation facility within our beloved Sinclair Landing Park. As a concerned member of the community, I believe that such a facility would severely compromise the integrity and purpose of the park, detracting from its intended use as a space for recreation, relaxation, water access, and enjoyment for all. Public parks play a vital role in fostering a sense of community and providing accessible green spaces for people of all ages to enjoy. They serve as havens for families, individuals, and groups seeking respite from the hustle and bustle of urban life. By introducing a rehabilitation facility into this environment, we risk undermining the very essence of what makes our park special and cherished by so many.

One of the primary concerns regarding the proposed rehabilitation facility is the potential impact it would have on the safety and security of park visitors. While rehabilitation centers

undoubtedly serve an important purpose in our society, they also tend to attract individuals who may be grappling with various issues, including addiction and mental health challenges. Introducing such a population into a public park setting could lead to increased crime, loitering, and disturbances, ultimately creating an unsafe environment for families and other park users.

Moreover, the presence of a rehabilitation facility within the park could deter people from utilizing its amenities and enjoying outdoor activities. Families may feel hesitant to visit the park with their children if they perceive it to be an environment associated with addiction treatment and recovery. This could result in decreased foot traffic, reduced patronage of local businesses, and a decline in community engagement with the park overall.

Additionally, establishing a rehabilitation facility could have negative consequences for the park's natural ecosystem. Increased human activity and foot traffic associated with the facility could disrupt local wildlife habitats, damage plant life, and contribute to environmental degradation. It is essential to prioritize the preservation of our natural spaces and ensure that they remain healthy and sustainable for future generations to enjoy.

Instead of locating a rehabilitation facility within the confines of our public park, I urge you to explore alternative locations that are better suited to meet the needs of individuals seeking treatment and support. There are undoubtedly other suitable sites within our community where such facilities can be established without encroaching upon the sanctity of our parklands.

In conclusion, I respectfully request that you reconsider the proposal to establish a rehabilitation facility at Sinclair Landing. Let us work together to preserve and protect this invaluable resource for the benefit of our community and future generations to come.

Thank you for considering my concerns.

Sincerely,
Jenna Dominguez

-----Original Message-----

From: Erin <mrs.erin86@gmail.com>

Sent: Tuesday, March 5, 2024 2:28 PM

To: Board of Supervisors <BOS@gloucesterva.info>

Subject: GRA

CAUTION: This email originated from a source outside of Gloucester County. Avoid clicking on links or attachments unless you are sure of the sender and know that the content is safe.

I wanted to voice my concerns about the he/said she/said going back and forth regarding the plans the PAA has with private entities at the facility (Captain Sinclair Landing).

I fully support our soldiers and have personally seen first hand the struggles they endure while serving in war zones and after they return home. I am so grateful to the many programs that are

available to our veterans, including those that we have locally. This is why I would like to request a meeting where we can get the information first hand from all parties involved to have a better understanding of what exactly is being proposed for the property and why exactly it is being opposed. It would be beneficial to hear the plans directly from the BOS to clear up any misunderstandings the public may have due to the he/said she/said.

I appreciate your time,
Erin Snow.

From: Phillipi Sanz <mountain.pbk9@gmail.com>

Sent: Tuesday, March 5, 2024 12:55 PM

To: Board of Supervisors <BOS@gloucesterva.info>

Subject: In regards to Captain Sinclair Landing

To Gloucester BOS,

My name is Phillipi "Mountain" Sanz and I am the father of Elijah Sanz who attends Paige Middle School. He's a current member of the Gloucester Crewe Team and it's been brought to my attention that there are certain plans for Captain Sinclair Landing, their main training site.

As a Father, resident of Gloucester, and Marine combat veteran, I'm writing to you today with the request that a public town hall meeting be scheduled to discuss the proposed plans the PAA has for Captain Sinclair Landing. If there are changes being discussed that will impact our children and their abilities to pursue their passions and interest, I feel it is only fair to be brought to the table for all of us to be informed, and discuss the possible benefits and any issues these changes may create.

Thank you very much for your time and consideration, and I hope to see you at the proposed meeting.

Respectfully Submitted,

Mountain Sanz(Staff Sergeant)

Founder | Chief Instructor

C: 757.746.6464

www.parabellumk9.com

From: JACK MOORE <mobjackcontracting@cox.net>

Sent: Thursday, February 29, 2024 6:46:09 PM

To: Lewis Lawrence <llawrence@mppdc.com>

Cc: chutson@gloucesterva.info <chutson@gloucesterva.info>; pbazzani@gloucesterva.info <pbazzani@gloucesterva.info>; achriscoe@gloucesterva.info <achriscoe@gloucesterva.info>;

kgibson@gloucesterva.info <kgibson@gloucesterva.info>; ksmith@gloucesterva.info <ksmith@gloucesterva.info>; tnicosia@gloucesterva.info <tnicosia@gloucesterva.info>; rorth@gloucesterva.info <rorth@gloucesterva.info>; county.administrator@gloucesterva.info <county.administrator@gloucesterva.info>; Hogge <daniel.hogge@ferguson.com>; lbuswell1@cox.net <lbuswell1@cox.net>; Melisa <melqltr@aol.com>

Subject: Sinclair Landing

Jack L. Moore, 3762 Moore's Landing Lane, Hayes Va. 23072 Mobjackcontracting@cox.net
02.29.24

Lewie Lawrence, Executive Director, MPPDC, 125 Bowden Street Saluda Va. 23149

Dear, MPPDC/MPCBPAA Boards

I am writing to express my strong opposition to the proposed establishment of a rehabilitation facility within our beloved Sinclair Landing Park. As a concerned member of the community, I believe that such a facility would severely compromise the integrity and purpose of the park, detracting from its intended use as a space for recreation, relaxation, water access, and enjoyment for all.

Public parks play a vital role in fostering a sense of community and providing accessible green spaces for people of all ages to enjoy. They serve as havens for families, individuals, and groups seeking respite from the hustle and bustle of urban life. By introducing a rehabilitation facility into this environment, we risk undermining the very essence of what makes our park special and cherished by so many.

One of the primary concerns regarding the proposed rehabilitation facility is the potential impact it would have on the safety and security of park visitors. While rehabilitation centers undoubtedly serve an important purpose in our society, they also tend to attract individuals who may be grappling with various issues, including addiction and mental health challenges. Introducing such a population into a public park setting could lead to increased crime, loitering, and disturbances, ultimately creating an unsafe environment for families and other park users.

Moreover, the presence of a rehabilitation facility within the park could deter people from utilizing its amenities and enjoying outdoor activities. Families may feel hesitant to visit the park with their children if they perceive it to be an environment associated with addiction treatment and recovery. This could result in decreased foot traffic, reduced patronage of local businesses, and a decline in community engagement with the park overall.

Additionally, establishing a rehabilitation facility could have negative consequences for the park's natural ecosystem. Increased human activity and foot traffic associated with the facility could disrupt local wildlife habitats, damage plant life, and contribute to environmental degradation. It is essential to prioritize the preservation of our natural spaces and ensure that they remain healthy and sustainable for future generations to enjoy.

Instead of locating a rehabilitation facility within the confines of our public park, I urge you to explore alternative locations that are better suited to meet the needs of individuals seeking treatment and support. There are undoubtedly other suitable sites within our community where such facilities can be established without encroaching upon the sanctity of our parklands.

In conclusion, I respectfully request that you reconsider the proposal to establish a rehabilitation facility at Sinclair Landing. Let us work together to preserve and protect this invaluable resource for the benefit of our community and future generations to come.

Thank you for considering my concerns.

Sincerely,

Jack L. Moore

Zoning Permit Status

From: Ducey-Ortiz, Anne <aducey@gloucesterva.info>

Sent: Wednesday, February 7, 2024 2:40 PM

To: Lewis Lawrence <llawrence@mppdc.com>

Cc: Bains, George <gbains@gloucesterva.info>; ZoningStaff@gloucesterva.info

Subject: RE: PAA Capt Sinclair's Updated Zoning Description Public Park- uses and programs.

Thanks Lewie – Denise or Laura can you add/update in cplus – The main RPC is 13634, but there are others – not sure if its grouped.

Lewie can you give me a call when you get a chance?

Thanks,

Anne



Anne Ducey-Ortiz, AICP

Director

PLANNING, ZONING & ENVIRONMENTAL PROGRAMS

O: 804-693-1224

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From: Lewis Lawrence <llawrence@mppdc.com>

Sent: Wednesday, February 7, 2024 1:48 PM

To: Ducey-Ortiz, Anne <aducey@gloucesterva.info>

Cc: Bains, George <gbains@gloucesterva.info>; ZoningStaff@gloucesterva.info

Subject: RE: PAA Capt Sinclair's Updated Zoning Description Public Park- uses and programs.

Anne-

I updated the zoning description to reflect the various “uses” and “programs” occurring at Capt Sinclair’s and or anticipated to be happening at Capt Sinclair’s. Please review and if acceptable, replace or add as an addendum to the original zoning permit previously approved.

Advise if you need changes etc.

Thank you

Lewie

Provided to Gloucester Staff

Captain Sinclair Public Park Development

Project Description – Main House Renovation

Revised 2/7/2024

The Captain Sinclair public park property continues the proposed redevelopment which includes improvements to the Main House, Pool House and grounds of the Captain Sinclair Public Park property. The Main House located at 9524 Whittaker remains vacant but was most recently used for government purposes. The adjacent Pool House also remains vacant but was used by the rowing team as a general-purpose meeting room. Permits for redevelopment of both buildings and grounds are advancing through the Gloucester County permit process as well as the Virginia Department of Health. The property is zoned C-2 with a public park as a permitted use. The proposed redevelopment of the Main House and Pool House are the first phases of the redevelopment of the property as outlined in the Master Plan of Development (MPD) and Preliminary Architecture and Engineering Report (PAER) completed for the property in 2022. Amendments to the 3/12/23 zoning use description documents has been revised in this document dated 2/7/24 to include anticipated public park uses as part of the redevelopment process. Descriptions of these anticipated uses follows.

The updated zoning permit clarifies both uses and proposed redevelopment of the Main House which entails the conversion of the second floor of the southern wing of the Main House to three efficiency type residential units for use by staff working at the park. This phase includes the demolition of the interior of the slab on grade first floor of the southern wing since it is subject to flooding. The conversion will be to non-habitable space to reduce FEMA flood insurance cost. The renovation of the second floor is for three residential worker units. Parking for the residential units will be provided through the existing concrete parking area on the north of the Main House, existing circle driveway and grass parking. One of the concrete parking spaces will be designated as an ADA accessible space and ADA access provided by a walkway to an entrance on the first floor of the southern wing of the Main House with a lift elevator to the main entrance and second floor. The total land disturbance for this phase is ~450 sq. ft. Existing wells and septic system will be used to support the renovation. The Main House renovation plans are included as an attachment and have been submitted to the Building Official for informal review and comment. Changes are being made as required.

The Master Plan of Development (MPD) and Preliminary Architecture and Engineering Report (PAER) completed for the property in 2022 proposed the renovation of the remainder of the 7,000 sq. ft. Main House into various public use space and uses associated with outdoor recreation. Indoor and

outdoor nature related programs and services are underway both structured and non-structured programs, one example is offered by Hold Fast LLC which provides hands on “outdoors” nature-oriented programs under an MOU with the Public Access Authority. Meridian Health LLC has proposed outpatient therapy services relying on and incorporating public waterfront park amenities into its therapeutic programs. These services require and incorporate nature-oriented programs associated with bucolic settings, proximity to and use of trails, waterfront park amenities, public fishing pier, and kayak launch. Other waterfront public park uses underway at Captain Sinclair’s include base of operations for a rowing club. The Authority provides the club with access to both indoor and outdoor amenities. Also available for public use is the newly completed public fishing pier. Additionally, space and grounds can be reserved for public events/gatherings with a planned co-shared commercial style kitchen. Adjacent public land holdings also provide public waterfowl hunting and bow hunting. Limited commercial leased space in the Main House is proposed for uses related to public waterfront park. The facility will incorporate ADA requirements. Commercial use is anticipated to be ~30% of the Main House space with the remaining ~70% supporting public use and administrative work of the Public Access Authority. Renovations are funded by grant funds and private capital. The proposed site plan and schematic plans for the development are attached.

The renovation of the Pool House is proposed as part of the overall redevelopment of the property. The Pool House renovation would entail the addition of a second story that would support an additional three one-bedroom apartments for staff working on the Captain Sinclair Park property. The first floor of the Pool House according to the MPD and PAER would be converted to public restrooms serving the grounds and a “Ships Store” serving the Park which could be leased space or publicly run. The first-floor renovation of the Pool House is dependent upon grant funding available. Public restrooms are a priority. The Ships Store may proceed with no, limited or significant redevelopment costs. The adjacent pool and deck are scheduled for removal and demolition and a portion of the pool site to be redeveloped as a covered pavilion for use by the public and to support programs and services. The site plan and the schematic building plan for the Pool House are attached. The renovation of the Pool House will require an additional septic system now permitted by the Virginia Health Department.

Limits of Land Disturbance: The second story addition of the Pool House may require minor land disturbance for foundation piling of 12-inch x 12-inch CMU pier X 13 units or 13 sq. ft. of disturbance. The walkway and ramp to back door of the Main House is 450 sq. ft. The ADA pier parking at the Pier is estimated at 324 sf for a total of 2,137 sq ft with a 15% disturbance overage totaling 2,457 sq. ft. of disturbance with a net reduction of 1,464 sq. ft. of existing impervious removed. Additionally, the Ches Bay Board has requested that the Fountains around the circle driveway be removed to further reduce impervious cover as permit conditions. Grass parking is proposed. The barn area is serviced by two metal barns, one used for storage of hand powered watercraft, the other storage for equipment, tractors and trailers. Maintenance to these building is anticipated over time, but with no known land disturbance.



*Lewis L Lawrence
Executive Director*

*Middle Peninsula Planning District Commission
P.O.Box 286*

Saluda, Va 23149

804-758-2311

www.mppdc.com

From: Ducey-Ortiz, Anne <aducey@gloucesterva.info>

Sent: Monday, February 5, 2024 5:24 PM

To: Lewis Lawrence <llawrence@mppdc.com>

Cc: Bains, George <gbains@gloucesterva.info>; ZoningStaff@gloucesterva.info

Subject: RE: PAA Version 1 Draft Lease

Lewie,

I was looking for something else from you and I realized that I never responded to this – I think you would need to amend the zoning permit since this use was not contemplated as part of the initial zoning permit – and you would need to explain how this is an accessory use to a park on the permit – my understanding from our discussions is that the Meridian group will be using the park as part of their counseling services. We are getting inquiries about the uses out there so I want to make sure that everything is documented.

Thanks,

Anne

Accessory use or structure: A use or structure on the same lot or on a contiguous lot, in the same ownership, and of a nature customarily incidental and subordinate to, the principal structure and operated and maintained for the benefit or convenience of the owners, occupants, employees, customers, or visitors of the zoning lot with the principal use.

**Anne Ducey-Ortiz, AICP**

Director
PLANNING, ZONING & ENVIRONMENTAL PROGRAMS
O: 804-693-1224

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From: Lewis Lawrence <llawrence@mppdc.com>
Sent: Wednesday, January 17, 2024 4:09 PM
To: Ducey-Ortiz, Anne <aducey@gloucesterva.info>
Cc: Bains, George <gbains@gloucesterva.info>
Subject: RE: PAA Version 1 Draft Lease

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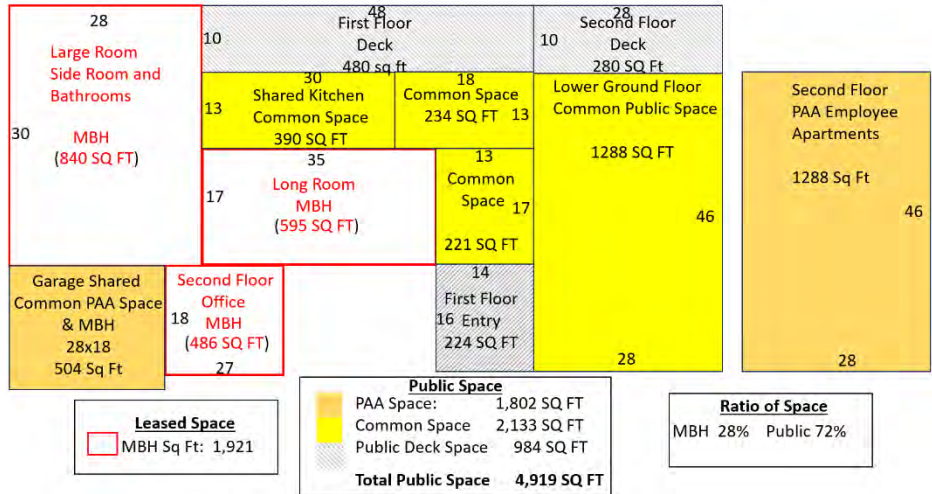
Hey-

Updated lease based on your comments attached. Red and Blue text is new. Some of it was from PAA meeting on Friday (red), your updates are blue

I calculated the sq ft and %. For the big house, ~72% of the area remains public use. Meridian will lease ~28% of the space. Ill add this ratio to the lease.

Ill also add that the Meridian will need to comply with building code and final CO for office space, ill add this to the tenant responsibilities section.

Do we need to amend the zoning permit to reflect ~28% of the space will be used for commercial lease purposes or are we good?



Lewis L Lawrence
Executive Director

Middle Peninsula Planning District Commission
P.O.Box 286

Saluda, Va 23149

804-758-2311

www.mppdc.com

From: Ducey-Ortiz, Anne <aducey@gloucesterva.info>

Sent: Tuesday, January 16, 2024 11:22 AM

To: Lewis Lawrence <llawrence@mppdc.com>

Cc: Bains, George <gbains@gloucesterva.info>

Subject: RE: PAA Version 1 Draft Lease

Hi Lewie,

I provided my comment on the Lease based obviously on zoning since I'm not a lawyer. I am concerned about the use based on the current zoning permit issued for the property – the lease is unclear, but it appears they are leasing the entire building. Will this over ride the 3 residential units you got the permits for or will they just be using the office space, which hasn't yet been established?

Thanks,

Anne



Anne Ducey-Ortiz, AICP

Director

PLANNING, ZONING & ENVIRONMENTAL PROGRAMS

O: 804-693-1224

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From: Lewis Lawrence <llawrence@mppdc.com>

Sent: Thursday, January 4, 2024 12:11 PM

To: Ducey-Ortiz, Anne <aducey@gloucesterva.info>

Subject: FW: PAA Version 1 Draft Lease

CAUTION: This email originated from a source outside of Gloucester County. Avoid clicking on links or attachments unless you are sure of the sender and know that the content is safe.

As promised- here is the first version of the draft #1 lease for MBH at Sinclair's. Any language you want added. I included reference to the park etc. the facility as in building is not licensed. That was confirmed by MBH



Lewis L Lawrence
Executive Director

Middle Peninsula Planning District Commission
P.O.Box 286

Saluda, Va 23149

804-758-2311

www.mppdc.com

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
HOLD FAST
and
THE MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY (MPCBPAA)

This Memorandum of Understanding, by and between the Middle Peninsula Chesapeake Bay Public Access Authority (hereinafter “the Public Access Authority”), Knott Alone Hold Fast LLC (hereinafter “Hold Fast”), and together known as the “Organizations,” establishes a framework for a sustainable partnership between the Organizations in order for mutual support to continue and prosper. This Memorandum of Understanding (hereinafter “Understanding”) replaces all other Agreements, Memoranda of Understanding, or Contracts that may exist between the Organizations.

WHEREAS, the Public Access Authority was established by the Middle Peninsula Chesapeake Bay Public Access Authority Act defined in the [Code of Virginia §15.2-6600-6625](#)

WHEREAS, Hold Fast was established as a non-stock (non-profit) corporation in the Commonwealth of Virginia and recognized by the IRS as a 509A2 public charity Employer ID #87-2216958

WHEREAS, the Public Access Authority’s mission is defined under § 15.2-660. Creation; public purpose as:

- Identify land, either owned by the Commonwealth or private holdings that can be secured for use by the general public as a public access site;
- Research and determine ownership of all identified sites;
- Determine appropriate public use levels of identified access sites;
- Develop appropriate mechanisms for transferring title of Commonwealth or private holdings to the Authority;
- Develop appropriate acquisition and site management plans for public access usage;
- Determine which holdings should be sold to advance the mission of the Authority;
- Receive and expend public funds and private donations in order to restore or create tidal wetlands within the region for which the Authority exists; provided that any tidal mitigation credits resulting from such restoration or creation projects shall be held by the Authority for the benefit and use of

participating political subdivisions and shall not be sold or conveyed to any private party by the Authority or any participating political subdivision;

- Receive and expend public funds and private donations and apply for permits to perform dredging projects on waterways and construct facilities and infrastructure within the region for which the Authority exists. Such projects shall enhance recreational or commercial public access; and
- Perform other duties required to fulfill the mission of the Middle Peninsula Chesapeake Bay Public Access Authority.

WHEREAS, Hold Fast's mission, vision program and end state is:

Mission: Support veterans battling the effects from military service while helping them love life again through hands-on commercial fishing (watermen) activities combined with integrative therapy.

Vision: Establish a sanctuary that will provide an opportunity for veterans to open up and connect while harvesting seafood, forming bonds and seeking assistance.

The Program: Mornings are spent working on the water and afternoons incorporate aspects of integrative therapy programming. The basis is a Narrative Exposure workbook program that incorporates wellness and positive psychology.

End State:

- An established place of refuge where Veterans can become part of a collective.
- A space to relax, reflect and openly share experiences with like-minded teammates.
- Short and long-term therapy programs and a diverse menu of associated wellness options (yoga, fishing, hiking, blacksmithing/leatherworking, meditation, group sessions, brewing, projects) to provide the tools and support to Love Life Again.

WHEREAS, it is in the mutual interest of the Organizations to establish a framework for a productive working relationship between the Organizations.

NOW, THEREFORE, in consideration of the above, both Organizations agree to:

- Foster a strong and cooperative relationship through regular coordination of Hold Fast and the Public Access Authority's holdings/programs, plans, budgets, resources, and events, and make timely decisions on said matters.
- To assist with developing an eco-resilience and restoration workforce including direct and indirect employment opportunities for Military Veterans by leveraging PAA land holding and facilities as well as partnering with other

entities with MOU's with the PAA, including but not limited to Virginia Sea Grant Program.

- Conduct all financial affairs with transparency.
- Document and/or coordinate mutually agreed upon items and share helpful or pertinent information.
- Comply with all federal, state, and local laws and regulations.

In consideration of Hold Fast welcome voluntary contributions to the Site/Program (i.e. services and/or donations), and Public Access Authority's recognition of Hold Fast contributions, the Organizations agree as follows:

I. THE PUBLIC ACCESS AUTHORITY AGREES TO:

a. Governance/Administration

- i. Grant Hold Fast permission to use the name and logo of the Site/Program and the Public Access Authority for uses that support the Site/Program mission, programs, and objectives.
- ii. Recognize Hold Fast as an independent entity.

b. Coordination

- i. Assign a Site/Program Liaison to Hold Fast as the primary point of contact to coordinate, communicate, and meet regularly to discuss the plans and needs of the Site/Program and Hold Fast.
- ii. Provide support for mutually agreed upon programs, budgets, projects, fundraising activities and/or reports.
- iii. Provide staff consulting and technical assistance for mutually agreed upon improvement programs and projects whenever possible.
- iv. Assist Hold Fast coordination with other agencies as needed.
- v. Provide and support direct, indirect and induced employment, re-employment of Veterans by utilizing PAA facilities, programs, and access to grant funding to advance initiatives important to both parties.
- vi. Hold a regular meeting, at a minimum, annually, between the Public Access Authority Directors and Hold Fast to discuss matters mutually agreed upon between the Public Access Authority and Hold Fast.

c. Finances

- i. Comply with the Public Access Authority's financial procedures to accept and spend donations.
- ii. Coordinate financial reconciliation with Hold Fast and provide annual reports on Hold Fast donations to the Site/Program or Public Access Authority.

- iii. Seek capacity-building funds and programmatic funds to support Hold Fast and the Public Access Authority, as available for Hold Fast's needs.
 - iv. Administer capacity-building and programmatic funds for Hold Fast within the Public Access Authority Grants Management System if needed.
- d. Services offered to Hold Fast
- i. Provide facilities, program, and maintenance support for activities and other Site/Program improvement projects, to include meeting, program, fundraising and event space at mutually agreed upon times.
 - ii. Waive PAA usage fees related to fundraising on park property so long as 5% of net proceeds are donated to or used to support the Site/Program associated with the Public Access Authority.
 - iii. Promote Hold Fast's presence and programs as permitted.
 - iv. Publicly recognize the work, contributions, services, and/or donations received directly or indirectly from Hold Fast.
- e. Ask Hold Fast to:
- i. Accept donations for a park, program or the Public Access Authority.
 - ii. Provide support, training, and networking opportunities for developing potential fundraising programs.
 - iii. Provide support in researching, reviewing and mutually developing grants as resources permit.
 - iv. Provide support for both PAA and Hold Fast programs and activities through websites and social media.

II. HOLD FAST AGREES TO:

- a. Governance/Administration
- i. Register with the Internal Revenue Service (IRS) as a non-profit organization.
 - ii. Meet state and local charitable solicitation requirements if Hold Fast solicits funds.
 - iii. Obtain any necessary permits, licenses, special insurance, equipment, and inspections for programs, activities, or events and pay associated costs or fees.
 - iv. Authorize the Public Access Authority to use the name and logo to promote Hold Fast and its activities and contributions.
 - v. Provide information on Veteran grant programs opportunities which support Hold Fast programs and services on Public Access Authority facilities, but require Public Access Authority professional grant services for application development or submission.

- vi. Upon dissolution, donate remaining funds as appropriate to the Public Access Authority and/or other organizations of Hold Fast's choosing that provide support to Veterans.
- b. Coordination
 - i. Work with the Public Access Authority Site/Program Liaison to coordinate the Site/Program plans, programs, needs, and projects.
 - ii. Coordinate fundraising activities on park property with the Site/Program Liaison.
- c. Finances
 - i. Comply with all IRS non-profit requirements to remain in good standing; and
 - ii. When appropriate, direct donation of funds for a designated Site/Program of the Public Access Authority.

III. GENERAL PROVISIONS:

- a. This document, along with the Special Provisions attachment, contains the entire understanding between the Organizations. The Special Provisions attachment may not contradict provisions in the Understanding.
- b. Hold Fast is not an agent of the County, or the Public Access Authority and is not responsible or accountable for the actions of the Public Access Authority.
- c. If, at any point, either Organization does not insist upon the others' complete performance of this Understanding, then it does not deny them the right to insist upon complete performance in the future.

IV. INSURANCE

- a. Hold Fast, as an entity, is not protected by Public Access Authority insurance.
- b. Hold Fast will consult with an insurance professional to obtain appropriate insurance coverage (i.e. general liability and directors and officers) based on the structure and activities.

V. AMENDMENT, RENEWAL, AND TERMINATION

- a. This Understanding shall be in effect for five (5) years from the date entered below unless it is terminated in writing at an earlier date.
- b. This Understanding may be extended for three (3) years upon mutual, written understanding of the Organizations.
- c. Any modifications, assignments, alterations, or extensions must be in writing, signed, and approved by both Organizations.
- d. This Understanding may be terminated by either Party upon 30 days written notice and will be removed from the Site/Program unless mutually agreed upon.
- e. All notices relating to this Understanding shall be in writing and sent by Certified Mail to the Public Access Authority at the following address:

Middle Peninsula Public Access Authority
P.O. Box 826
125 Bowden Street, Saluda VA 23249

IN WITNESS WHEREOF, the Organizations enter into this Understanding this ____
day of _____, 2024.

HOLD FAST

By: _____

Name: _____

Title: _____

Date: _____

PUBLIC ACCESS AUTHORITY

By: _____

Name: Lewis L. Lawrence III

Title: Public Access Authority Executive Director

Date: _____

By: _____

Name: _____

Title: Site/Program Liaison and/or Site Manager

Date: _____

Attachment to:

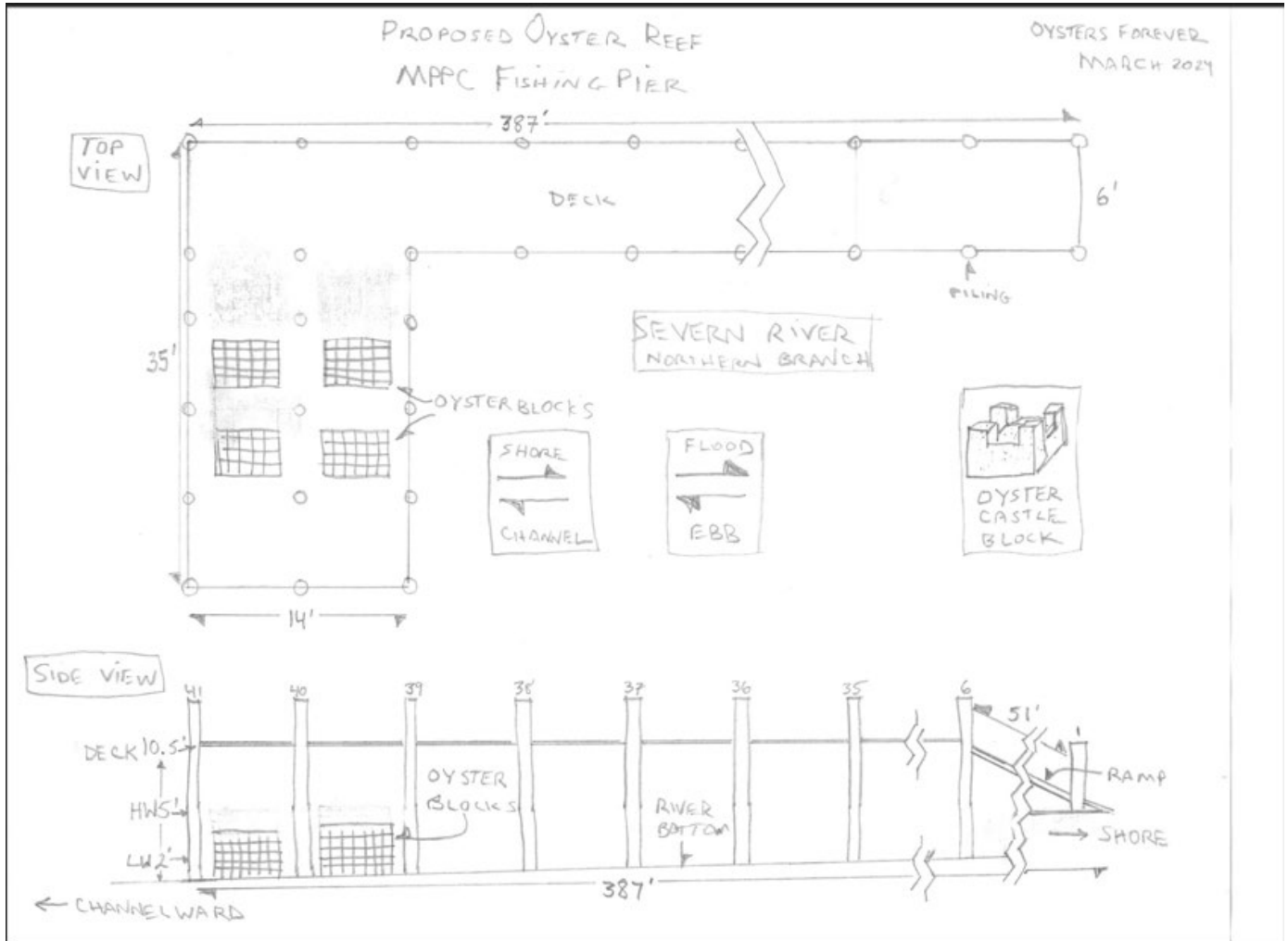
MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
HOLD FAST
and
THE MIDDLE PENINSULA CHESAPEAKE BAY PUBLIC ACCESS AUTHORITY (MPCBPAA)

VI. TRACKING OF SUCESESSES

Under the MOU and While MOU Was Under Development

- 2023—Successfully hiring of Hold Fast program participant by Triangle Environmental, a company specializing in septic ideation, prototyping, testing, and commercialization of non-sewered sanitation technologies. developing next generation water management elevated septic system, located at Captain Sinclair’s.
- 2023—Hold Fast has established and is leasing a Public Access Authority facility located at 9530 Whitaker Drive within Captain Sinclair’s Complex for coordinating non structured Hold Fast Veteran Assistance programs. The facility provides a safe place for Veterans to relax, reflect, and openly share experiences with like minded teammates to discuss short term and long-term therapy needs centered around work-based therapy, individual and group therapy, and nature-based therapy.
- 2023—Hold Fast utilizes Whittaker Creek for commercial seafood related programs, including commercial crabbing and oystering “in water” workforce training, spat of shell oyster growing and planning for wetland plant production from Public Access Authority facilities at Captain Sinclair’s
- 2023-2024—Virginia Outdoors Foundation Grant Get Our Doors \$25,000 Grant awarded to the Public Access Authority for Hold Fast to utilize Veterans to plan and build 3-5 miles of unimproved trails at Captain Sinclair’s to improve the public’s ability to recreate.
- 2024—Preapplication development for under the Veterans Nature Grant Program offered by NEEF. The application proposes to hold a Public Fishing tournament at Captain Sinclair’s for Veterans and families to learn about communing with nature, Veterans assistance programs.

Proposed Oyster Reef Under the Dock at Captain Sinclair



Working Copy- Brick Rancher Elevated Septic

