

Maple Street Legal Fund

Dear friends and residents of the many wonderful neighborhoods and communities of Long Creek:

As you may know our tranquil little corner of Virginia Beach was recently threatened by the possible construction of a dredge material transfer site on Long Creek right next to Marina Shores Marina (The Maple Street site). What you may not know is that **[THE FIGHT TO SAVE LONG CREEK IS NOT OVER!](#)**

Here is a brief re-cap of the current situation:

Our community won a significant battle at the Board of Zoning Appeals (BZA) hearing last September, 2011. In the BZA's opinion, the Maple Street site is not a permissible site for a permanent dredge spoils facility because the City of Virginia Beach does not own the land upon which the dredged materials are to be placed. The City appealed the BZA's ruling to the Virginia Beach Circuit Court, requesting that the court overrule the BZA determination. That case is pending and has yet to be heard.

On the heels of the BZA ruling, the Beaches and Waterways Commission reported to the City that the Maple Street site was not a good fit for the dredge spoils facility location. Another win for our community.

The City then passed a resolution stating that they would remove Maple Street from the City's plan for a dredge spoils site. Although that seemed like a win for us, the City resolutely refused to withdraw their appeal of the BZA determination AND they refused to withdraw their request for a permit to dredge Long's Creek by both mechanical and hydraulic methods.

That permit request was heard before the Marine Resource Commission (VMRC) in March. Although the BZA ruling said that the Maple Street site was not zoned for a dredge transfer station, the VMRC, based on the City's request, granted an extended permit that would allow the

City to mechanically dredge and transfer a large amount of material at the same Maple Street site. The City staff and City Council are determined to make this a dredge transfer station, even if the citizens who live next door are strongly opposed to it.

It is not too late, you can still do your part to HELP SAVE LONG CREEK!

There are two main ways to stand together and preserve the Maple Street site from becoming a permanent dredge spoils transfer location:

First, we need to go to Virginia Beach Circuit Court and ask the court to uphold the BZA determination in our favor. The appeals process may be our best chance to stop the dredge transfer station in its tracks, but it is not a cheap endeavor. The highly complex nature of the legal matters and procedures involved require the need for a very good lawyer, and we all know they do not come cheap.

We have established the “Maple Street Legal Fund” to help with the legal fees involved in moving ahead with the Circuit Court appeal. If you are able, we would greatly appreciate any financial donation you can make to help save Long Creek. More information on the Legal Fund can be found at the end of this letter.

Secondly, we need everyone to write, call, or email the Mayor and our City Council members, telling them we DO NOT want a dredge material transfer station at the Maple Street site, and they can show that they are operating in good faith with us by withdrawing their appeal of the September 2011 BZA determination that is now pending in Virginia Beach Circuit Court. They need to know that if they want our votes this November, they need to start listening to what their constituents are demanding.

The City wants us to get complacent and forget about their efforts as they sneak the transfer station in at the Maple Street site. **We need to stay on our toes** and continue to remind the city that the citizens of Long Creek are opposed to their efforts.

Thank you.

The purpose of the Maple Street Legal Fund is:

- To help pay for legal expenses incurred in the upcoming Circuit Court of Virginia Beach case opposing the City of Virginia Beach's attempts to overturn the recent BZA determination;
- To offset any other agreed upon related expenses incurred in defending this case or prior cases concerning the Maple Street dredge site;
- To offset any other agreed upon related expenses incurred in defending this case or any other legal matter that affects our community;

Any and all donations are accepted and appreciated. All donors should be aware that their donation:

- Is not tax-deductible;
- Is not intended nor will it be used as income to the defendants in the Circuit Court case nor as income to anyone else associated with establishing this fund or persons associated with soliciting these funds;
- Will be held in a non-interest bearing bank account..

Please make your check out to the "Maple Street Legal Fund". Gene Evans is spearheading the fundraising effort with other members of the CSBTS Maple Street Legal Fund Committee. If you have any questions, please feel free to contact Gene at (757) 496-5742.

We appreciate any and all contributions that you and your family can make to help us continue our efforts to preserve the natural beauty of our surroundings and the quality of our neighborhood.

Thank You.

The Maple Street Legal Fund Committee