From: Rachael Peabody
Virginia Marine Products Board
Executive Director
Rachael.peabody@vdacs.virginia.gov

October 23, 2026

To: Commissioner Joe Grist and Associate Commissioners
Virginia Marine Resources Commission

Dear Commissioner Grist and Associate Commissioners:

I am writing in response to Associate Commissioner William Bransom's October 21, 2026 letter requesting reconsideration of CFAB Item A-2, the Virginia Beach Working Waterfront Revitalization Project.

I respectfully request that this letter and the attached September 1, 2026 City of Virginia Beach Zoning Determination be included in the official record for review. I also ask that the Commission decline the request for reconsideration and allow its September 22 approval to stand.

I am deeply disappointed that a project brought forward in good faith to address a very real working-waterfront problem has resulted in an allegation that applicants made "materially false statements under oath." That is an extremely serious accusation and one that calls into question the honesty of people who came before the Commission to answer questions about this project.

After reviewing the testimony and the City's written zoning determination, I do not believe the record supports that accusation.

A central point in the October 21 letter is that other properties in Rudee Inlet share the same RT3 zoning classification as Fisherman's Wharf. But the City's own written determination makes clear why the zoning designation alone does not answer the question.

The September 1 determination states:

"A commercial fish packing/storage use is not permitted in the RT3 district, however the operation as described is considered accessory to the primary use of a marina."

Fisherman's Wharf did not simply rely on the fact that it was zoned RT3 or that it had an existing Conditional Use Permit for a marina. The project partners worked with the City on the specific operation being proposed, and the City determined that the limited operation described could qualify as an accessory use to the marina.

The City's letter does not establish whether another business in Rudee Inlet is in or out of compliance. What it does establish is that the same RT3 zoning classification does not automatically mean two properties have the same approved use or operating authority.

The testimony also needs to be considered as a whole.

Nathan Everett openly acknowledged that other locations had been used to unload commercial catch. During the discussion he stated:

"...all these other places, if they're doing it, they're out of compliance. Whether they are or not is, you know, for you guys or the city to decide."

That first statement was strong, but he immediately made clear that the actual compliance determination was not his to make.

Later, Nathan stated that there was "no other place in Rudee Inlet to offload seafood" That statement should be read in the context of everything he had already told the Commission. He had already acknowledged that other locations had been used. The discussion was about the processes the project partners had gone through with the City to establish a dependable working-waterfront operation at Fisherman's Wharf.

The Commission also questioned the applicants extensively about need, public benefit, access by other fishermen, outside buyers, private involvement, sustainability, what would happen if the project failed, and how public funds would be protected. Those questions were answered on the record, and other commercial fishermen also testified in support of the project and the need for this infrastructure.

It is also important to remember what was actually before the Commission. This was a request for $25,000 in Marine Fishing Improvement Fund support for commercial fishing infrastructure. It was not a request for VMRC to determine the zoning or compliance status of other waterfront businesses in Rudee Inlet.

This project came together because a group of partners recognized the same problem and worked together to try to solve it. The City of Virginia Beach, the Marine Products Board, fishermen, seafood businesses, a private waterfront owner, and other partners all brought something different to the table.

The goal was never just the $25,000. The larger goal was to build a partnership that could help stabilize the future of commercial fishing in Virginia Beach.

We are losing working waterfronts and the infrastructure that supports them. Those problems are not going to be solved by one fisherman, one business, one locality, or one state agency acting alone.

That is why I find this request for reconsideration so disappointing. We need more private waterfront owners willing to work with the commercial fishing industry, more fishermen willing to participate in these projects and in the public process, and more local and state partners willing to invest in preserving what remains.

There is an important difference between clarifying testimony and accusing people who appeared before the Commission in good faith of making materially false statements under oath.

I also do not believe the October 21 letter presents new material information that changes the basis for the Commission's September decision. The Commission already knew that other locations had been used. It had already questioned the applicants extensively about the need for the project, access, private benefit, sustainability, outside buyers, and protection of public funds.

The Commission had the material facts necessary to evaluate this project, heard directly from commercial fishermen, and made its decision. Nothing presented since then materially changes the basis for that decision.

For those reasons, I respectfully request that the Commission decline the request for reconsideration and allow its September 22 approval of CFAB Item A-2 to stand.

Sincerely,

Rachael Peabody

Rachael Peabody
Executive Director
Virginia Marine Products Board

Attachment A: City of Virginia Beach Zoning Determination – Fisherman's Wharf, September 1, 2026

Grist, Joseph (MRC)

From: Monica Schenemann <captain127041@gmail.com>
Sent: Friday, October 23, 2026 3:45 PM
To: MRC-Commissioner (MRC)
Cc: Nelson, Alicia (MRC); Guilford, Michele (MRC)
Subject: Agenda Item 5 - comment

My name is Monica Schenemann, and I serve as Secretary of the Virginia Waterman's Association. I want to speak from the perspective of the commercial fishermen who depend on working waterfronts to make a living.

I am disappointed to see the Commission being asked to reconsider its support for this project because the issue is much bigger than one fisherman, one business, or one marina.

Across Virginia, watermen are losing access to the basic infrastructure that makes commercial fishing possible: places to tie up, unload, get ice, store product, and connect with buyers. When that infrastructure disappears, fishermen find ways to keep working, but it becomes harder, more expensive, and less sustainable.

That matters when we talk about the future of this industry. We say we want younger people to enter commercial fishing, but we cannot expect them to succeed if every fisherman has to solve these infrastructure problems on his or her own.

The Fisherman's Wharf project brings together a fisherman, a private marina owner, the City, economic development, the Marine Products Board, and the Commission. Those are exactly the kinds of partnerships we are going to need if we want to keep commercial fishing viable.

Commercial fishing is competitive. Fishermen compete for access, markets, buyers, and opportunities. But there are times when we have to look beyond individual businesses and recognize what is good for the fishery as a whole.

Working waterfront infrastructure is one of those issues.

If an investment creates better access to ice, cold storage, offloading, or buyers, that can benefit more than the person who uses it first or most often. We have to be able to see that bigger picture.

There are fewer working waterfronts and fewer pieces of infrastructure supporting this industry than there used to be. Fighting among ourselves over what remains is not going to create more access. Partnerships might.

The Commission asked hard questions when this project came before you—about public benefit, access by other fishermen, outside buyers, and protection of public funds. Those were appropriate questions, and the applicants answered them on the record.

I also believe it is important to remember what led to the Commission's approval in September. That decision was not based on what other businesses in the area were or were not doing. It was

based on the demonstrated need for this infrastructure and the broader benefits it could provide to commercial fishermen operating in this area. In fact, the testimony of other working watermen was specifically highlighted during the Commission's deliberations as a reason for supporting the project. These fishermen spoke firsthand about the challenges they face and the need for the services this project would provide. Their testimony mattered then, and it should not be overlooked now.

The needs identified in September have not changed. The loss of working waterfront infrastructure remains a serious concern, and the potential benefits of this project extend well beyond any one individual or business.

I support accountability when public money is involved. Ask questions. Require documentation. Make sure projects provide a public benefit.

If individuals and businesses become hesitant to step forward out of concern that their intentions or integrity may be questioned, we risk discouraging the very partnerships our industry needs to survive and grow.

We need more cooperation, more fishermen willing to look beyond individual interests, and more focus on what keeps this industry viable for the next generation.

For those reasons, I respectfully ask the Commission to allow its September decision to stand.

Best regards

Monica Schenemann
Secretary
Virginia Waterman's Association
Advocate for Commercial Seafood Harvesters



Grist, Joseph (MRC)

From: Will Harrington <willharrington@fishermanswharfmarina.com>
Sent: Friday, October 23, 2026 4:31 PM
To: Grist, Joseph (MRC); Guilford, Michele (MRC); Nelson, Alicia (MRC)
Subject: October 27th, 2026 Commission Item Number 5 - Fisherman's Wharf Marina Comments

Commissioner Grist and Members of the Commission:

My name is Will Harrington, and I am the General Manager of Fisherman's Wharf Marina.

I want to respond briefly to the October 21 request for reconsideration because Fisherman's Wharf is the property at the center of this project. The letter points to the fact that other properties in Rudee Inlet share the same RT3 zoning classification as Fisherman's Wharf. From my perspective, that misses an important part of what we actually did. We did not assume that because we operate a marina in RT3 we could simply begin a commercial fish packing and storage operation. We worked directly with the City of Virginia Beach to explain what we wanted to do and determine what was allowed at our property. That process resulted in the City's written zoning determination for the specific operation proposed at Fisherman's Wharf. I cannot speak to what approvals apply to another marina or another business in Rudee Inlet. I can only speak to Fisherman's Wharf, and we made an effort from the beginning to work through the proper process with the City before moving forward.

I also want to be clear about why I agreed to participate in this project.I grew up in Mathews County in a commercial fishing family. Commercial fishing is not the primary focus of my career today, but it is part of where I came from and who I am, and I have a lot of respect for the people who still make their living on the water. When I realized Fisherman's Wharf had an opportunity to make space for commercial fishermen, I wanted to do it.

We are willing to dedicate slips and waterfront space to commercial fishing and help support offloading, ice, cold storage, and seafood handling. I do not view that as competing with another marina. If more waterfront businesses in Rudee Inlet want to make room for commercial fishing, I think that would be a good thing.

What concerns me about the reconsideration is the message it can send to a private waterfront business that is trying to participate in a public-private partnership to benefit the fishing industry. We worked with the City, went through the zoning process, committed space at the marina, and agreed to take on the responsibilities that come with this project.

I would like this to be the beginning, not the end, of what Fisherman's Wharf can do for Virginia seafood. If this works, I hope we can build more opportunities for fishermen, buyers, and locally landed seafood in Virginia Beach in the future.

For me, this is about honoring the fishing community I grew up as a part of, while making sure there is still room for that industry on the waterfront going forward.
I respectfully ask the Commission to allow its September decision to stand and give us the opportunity to move forward.

Thank you.

Will Harrington
General Manager
Fisherman's Wharf Marina
757-428-2111



Grist, Joseph (MRC)

From: Nathan Reynolds <89ntreynolds@gmail.com>
Sent: Friday, October 23, 2026 4:16 PM
To: Grist, Joseph (MRC)
Subject: Rudee Project

Commissioner Grist and Members of the Commission:

My name is Nathan Reynolds. I am a commercial fisherman from Cape Charles, a member of CFAB, and I hold permits in the major ocean fisheries that depend on access to Rudee Inlet.

I supported this project at CFAB by voting for approval and also spoke in support in September at the Commission meeting, and I still support it.

Commercial fishermen may be surviving, but businesses and working waterfronts are disappearing. Places to tie up, unload, get ice, and move seafood are getting harder to find. That is why this project matters.

It is rare to see a private marina, the City, and the fishing industry all willing to work together to create commercial access. We should be encouraging that, not making it harder. I am also concerned as a CFAB member. CFAB reviewed this request and recommended funding it because we believed it benefited the commercial fishing industry. These funds are supposed to be used for the benefit of that industry, and the fishermen serving on CFAB understand firsthand what is being lost and what is needed.

I understand the Commission has the final say. But overturning a CFAB recommendation on a $25,000 working waterfront project should not be taken lightly.I am also one of the fishermen selected for Virginia's shrimp trawl fishery. I have never tied up in Rudee Inlet before, but now I am going to need to. So this is not theoretical for me, I need this project to be built in order for me to work.

And if another marina in Rudee Inlet wants to open its doors to commercial fishermen too, great. We need more options, not fewer.

I said in September that this project was a giant win. I still believe that.

Please let the September decision stand.

Thank you.
Nathan Reynolds
Commercial Fisherman
CFAB Member
Cape Charles, Virginia

Grist, Joseph (MRC)

From: john balderson <johnbalderson2@gmail.com>
Sent: Friday, October 23, 2026 4:14 PM
To: Grist, Joseph (MRC); Guilford, Michele (MRC); Nelson, Alicia (MRC)
Subject: Rudee Inlet

Hello,

My name is John Balderson. I'm a commercial fisherman, and I've used Rudee Inlet throughout my fishing career. I've landed croaker, rockfish, Spanish mackerel, bluefish, spiny dogs, just about everything out of there over the years. One of the biggest problems is simply having somewhere to tie the boat up. Especially in the summertime, when we're fishing for Spanish mackerel and bluefish, it can be really hard to find a slip. Sometimes there just isn't anywhere to go. Unloading can be tough too. You need somewhere to get the fish off the boat, somewhere to handle and pack the catch, and somewhere to get ice and put ice back on the boat. Those are basic things, but if you don't have them, it makes it a lot harder to fish. This proposal gives us a better option.

So having a marina willing to work with commercial fishermen and give us that opportunity is a big deal.

I supported this project when it came before you in September, and I still support it now. I think it is a good thing for Virginia Beach and for the fishermen who need to use Rudee Inlet.

I hope you let the September decision stand and give the project a chance to work.

Thank you.

John Balderson
Commercial Fisherman

Dear Commissioner Grist and members of the Commission,

After reviewing the meeting record, I have serious concerns that the Commission's decision was influenced by inaccurate testimony regarding existing commercial fishing operations, zoning compliance, and the services currently available at Rudee Inlet.

During the meeting, two individuals testified in a manner that suggested their proposed project would be the only operation capable of complying with local laws and zoning requirements. That characterization is simply not accurate, and it unfairly discounts the established, legally operating businesses that have served Rudee Inlet and its commercial fishing community for decades.

I have personally been a commercial fisherman since 1990. One of our businesses alone unloads 12-15 commercial fishing vessels, and I own two additional commercial fishing boats involved in fishing and charter operations. Depending on the season, we handle shrimp, tuna, dogfish, and any other seafood. This represents significant, ongoing commercial activity that should not be overlooked.

There are currently five established businesses operating in Rudee Inlet that provide services and support to commercial fishermen: Virginia Beach Marlin Club, Rudee's, Rudee Inlet Jetski, Virginia Beach Fishing Center, and Big Sam's. These businesses have invested substantial time, money, equipment, and resources into maintaining operations at Rudee Inlet. They operate in accordance with applicable zoning regulations and local requirements and undergo routine regulatory inspections.

I respectfully ask the Commission to review the meeting record, reconsider the testimony presented, and determine whether further action is warranted.

We are not opposed to improving Virginia Beach's working waterfront, we are asking that the businesses that have helped build, sustain, and support it for decades be fairly represented and considered.

Thank you for your time and consideration,

David Parker

David A. Parker Enterprises

Grist, Joseph (MRC)

From:	Nathan Everett <stillkickinseafood42@gmail.com>
Sent:	Friday, October 23, 2026 4:22 PM
To:	Nelson, Alicia (MRC); Grist, Joseph (MRC); Michele.guildford@mrc.virginia.gov
Subject:	Nathan Everett letter
Attachments:	Nate Comment 10-23-26.docx; Zoning Determination Fishermans Wharf.pdf

please consider the documents attached to this email prior to the commission meet on Tuesday of next week.

Sincerely Nathan Everett

Commissioner Grist:

I am writing in response to Associate Commissioner William Bransom's October 21 letter because it directly questions statements I made during the September Commission meeting and characterizes the applicants as having made "materially false statements under oath."

I take that accusation very seriously. I came to that meeting to answer questions in good faith about a project I believe in, and I answered those questions honestly based on my experience as a commercial fisherman and business owner.

I am also attaching the September 1, 2026 City of Virginia Beach Zoning Determination for Fisherman's Wharf and ask that it be included in the Commission record with this letter.

During the meeting, I was clear that commercial activity had continued after Spot Fisheries stopped buying. I stated:

"There's been other locations that the fleet has utilized to unload their catch."

I was not trying to tell the Commission that those locations did not exist or had never been used for commercial fishing.

During the discussion, I also stated:

"...all these other places, if they're doing it, they're out of compliance. Whether they are or not is, you know, for you guys or the city to decide."

I understand that the first part of that statement is strong. But the full statement matters. I was speaking from our experience working with the City to determine what was required for the particular operation proposed at Fisherman's Wharf. In the same statement, I expressly said that whether those other locations were actually in compliance was for the Commission or the City to decide. I was not claiming to be the zoning authority.

Commissioner Bransom's letter points to the fact that the other properties and Fisherman's Wharf are in the same RT3 zoning classification. The City's written determination is important here. It states:

"A commercial fish packing/storage use is not permitted in the RT3 district, however the operation as described is considered accessory to the primary use of a marina."

That is the issue I was trying to explain. Being located in RT3 does not, by itself, answer whether a particular commercial fish packing or storage operation is authorized.

Fisherman's Wharf did not simply rely on its existing Conditional Use Permit for a marina. We worked with the City on the specific operation being proposed, and the City determined that the operation as described could be considered an accessory use to the marina.

I cannot speak to what approvals, permits, or legal status apply to the other properties. That is exactly why I said during the meeting that whether they were in compliance was for the Commission or the City to decide.

Later in the discussion, I stated:

"This isn't about creating anything new. This is about maintaining and preserving what's already there. I want to reiterate the fact that there is no other place in Rudee Inlet to offload seafood, according to the City of Virginia Beach."

I had already told the Commission that other locations had been used. I was not trying to deny that history. I was explaining the problem we had been working with the City to address and the process we had gone through to establish an operation at Fisherman's Wharf that could get seafood off boats and onto trucks.

I also told the Commission:

"There's no other way to fix our working waterfront problem in Rudee Inlet without going through a private business."

That is why I agreed to participate in this project. As a private business owner, I was hesitant about accepting public funding because I knew it would bring additional public scrutiny and oversight. I agreed because I believe this need is bigger than Still Kick'n Seafood or Fisherman's Wharf.

The project is reimbursement-based, meaning eligible purchases have to be made before grant funds are reimbursed. I am willing to take on that responsibility because I want commercial fishing to have a future in Virginia Beach.

I want younger fishermen entering these fisheries to have access to the basic infrastructure needed to operate, to tie up, get ice, unload their catch, and get seafood to buyers.

The Commission also asked directly whether other fishermen and outside buyers could use the facility. We answered those questions on the record and made clear that the project was intended to serve other commercial fishermen and accommodate outside buyers through coordination with the operators.

I understand and expect hard questions when public funds are involved.

What I do not agree with is the allegation that I made materially false statements under oath. My testimony, taken as a whole, shows that I acknowledged the other locations were being used, explained the process we had gone through with the City, and expressly stated that whether those other properties were in compliance was for the Commission or the City to decide.

I respectfully ask that the Commission consider my complete testimony, review the attached City of Virginia Beach Zoning Determination, and decline the request for reconsideration.

Sincerely,

Nathan Everett
Still Kick'n Seafood
Commercial Fisherman

Attachment A: City of Virginia Beach Zoning Determination – Fisherman's Wharf, September 1, 2026

CITY OF VIRGINIA BEACH

PLANNING & COMMUNITY DEVELOPMENT
Zoning Administration
2403 Courthouse Drive, Building 3
Virginia Beach, VA 23456

DATE September 1, 2026

TO Will Harrington, General Manager
Fisherman's Wharf Marina

FROM Hannah Sabo, Zoning Administrator

SUBJECT Zoning Determination - Fisherman's Wharf, 530 Winston Salem Ave, GPIN 24271139570000

A request has been received to determine if the proposed commercial fish packing/storing facility is permitted as an accessory use to the primary marina use at 530 Winston Salem Ave [the Property].

530 Winston Salem Ave is zoned RT3. Section 1521 of the City of Virginia Beach Zoning Ordinance lists marinas as requiring a conditional use permit in the RT3 zoning district. On January 8, 1968 a conditional use permit for a marina was issued for the property with no conditions attached.

The proposed accessory commercial fish packing/storage operation has been described by the applicant as follows:

- No more than two 40'x8'x9' Connex boxes will be added to the site for ice and cold fish storage. Both Connex boxes will meet all City codes and ordinances, including zoning and building codes.
- A maximum of 12 of the 87 marina slips will be allocated for the commercial fishing operation.
- Pickup of catch from the commercial fish operation will be limited to 1 tractor trailer pickup per day.
- There will be no processing associated with the accessory use on site.
- There will be no on site sales of catch from the commercial fish operation.

A commercial fish packing/storage use is not permitted in the RT3 district, however the operation as described is considered accessory to the primary use of a marina. Section 111 of the Zoning Ordinance defines *accessory use*:

a) Is a use which is conducted on the same zoning lot as the principal use to which it is related (whether located within the same building or an accessory building or structure, or as an accessory use of land) or which is conducted on a contiguous lot (in the same ownership); and
b) Is clearly incidental to, and customarily found in connection with, such principal use;
c) Is operated and maintained substantially for the benefit of the owners, occupants, employees, customers, or visitors of the zoning lot with the principal use.

It is my determination that permitting an accessory commercial fish packing/storage use, as described, is considered incidental to and customarily found in connection with the principal use of a marina. This determination is valid only for the uses as described. Should the uses increase in size and/or capacity, a new determination will need to be requested by the operator for review. Further zoning and/or use requirements can be found at the following website: www.vbgov.com/government/departments/planning/zoning

In accordance with Section 15.2-2311 of the Code of Virginia, you have the right to appeal this determination to the Board of Zoning Appeals within 30 days. The appeal application and additional information regarding the filing of an appeal may be obtained at the Zoning Division located in 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452, from the City's Web Site at http://www.vbgov.com/BZA, or by calling the Zoning Division at (757) 385-8074. The application, along with a filing fee in the amount of $400.00 for residential uses (includes the costs of notification and advertising) and $500.00 for commercial uses (includes the costs of notification and advertising), payable to the Treasurer, City of Virginia Beach, must be filed with the Zoning Division. If you do not appeal, this determination shall be final and unappealable.

If I can be of further assistance, please contact me at (757) 385-5067 or email at HMSabo@vbgov.com.

Sincerely,

Hannah Sabo
Zoning Administrator

Grist, Joseph (MRC)

From: Paul Bayer <PBayer@vbgov.com>
Sent: Friday, October 23, 2026 4:28 PM
To: Grist, Joseph (MRC); Guilford, Michele (MRC)
Cc: Nelson, Alicia (MRC); Peabody, Rachael (VDACS); stillkickinseafood42@gmail.com; willharrington@fishermanswharfmarina.com
Subject: VMRC - Fisherman's Wharf
Attachments: Letter to Commissioner Grist.pdf; Exhibit A - Zoning Determination Fishermans Wharf.pdf

Good afternoon Commissioner Grist,

I hope you are well today.

For your review, please see my attached letter for consideration before Tuesday's VMRC Meeting. If you have any questions, please do not hesitate to reach out.

Thank you,

virginia beach
WAVES OF POSSIBILITY

Paul Bayer
VIRGINIA BEACH ECONOMIC DEVELOPMENT
Business Development Manager, Attraction Team

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4525 Main Street, Suite 700
Virginia Beach, VA 23462

Paul Bayer

Business Development Manager

City of Virginia Beach Economic Development

4525 Main Street, Suite 700

Virginia Beach, VA 23462

pbayer@vbgov.com

October 23, 2026

The Honorable Joseph Grist

RE: Agenda Item A-2 – Request for Reconsideration

Dear Commissioner Grist,

I am writing this response in regards to the Associate Commissioner William Bransom's October 21 request for reconsideration for the Virginia Beach Working Waterfront Revitalization Project approved by the Commission in September.

In that meeting, I spoke on behalf of Virginia Beach's Department of Economic Development (VBED) and presented the information regarding the City's support for the project, the proposed funding structure, and the work that had taken place with City staff prior to appearing before the Commission.

Due to the fact that the October 21 letter alleges that "materially false statements under oath" were made, I believe it important to clarify the information that was before the Commission from the City's perspective.

The project was not brought forward based solely on representations from a private business. VBED had been working with Fisherman's Wharf Marina, Still Kick'n Seafood, and City planning and zoning staff to determine whether the proposed operation could move forward at the site.

That process resulted in a written zoning determination issued by the City of Virginia Beach on September 1, 2026. I am attaching that determination and respectfully request that it be included in the Commission record.

The October 21 letter references the fact that Fisherman's Wharf and other properties discussed during the Commission meeting are located within the same RT3 zoning classification. The City's written determination provides important context to that point. It states:

"A commercial fish packing/storage use is not permitted in the RT3 district, however the operation as described is considered accessory to the primary use of a marina."

The determination was specific to the operation proposed at Fisherman's Wharf. The property has an existing Conditional Use Permit for a marina, but that alone did not establish that the proposed commercial fish packing and storage operation could occur. The proposed use was reviewed by City staff based on the details presented, including the allocation of commercial slips, storage facilities, truck activity, and the absence of onsite processing.

The City ultimately determined that the operation, as described, could be treated as an accessory use to the marina. That determination was also limited to the scale and characteristics presented to the City.

For that reason, the fact that multiple properties share an RT3 zoning classification does not, by itself, establish that the same uses or approvals apply to each property. I cannot speak to the approvals or compliance status of other businesses discussed during the Commission meeting, nor was the project application asking the Commission to make such a determination.

Since the closure of Spot's Fisheries, the commercial fishing industry in Virginia Beach has continued to operate, but without much of the centralized infrastructure that previously supported it. Fishermen have continued to land and market seafood, but many of the functions associated with ice, cold storage, handling, transportation, and buyer coordination have increasingly fallen on individual businesses and fishermen.

The proposed Fisherman's Wharf project was developed as a relatively modest infrastructure investment intended to restore some of those basic functions and help the commercial fishing industry moving forward.

Virginia Beach remains committed and open to working with the commercial fishermen in Virginia Beach to help meet their infrastructure needs. An expressed desire for this project is to be one of many more in the future and the hope is this project has helped spark conversation to generate more projects in the future.

I respectfully request that the Commission consider the City's September 1 Zoning Determination as part of the record and allow it's September approval of the project to stand.

Sincerely,

Paul Bayer
Business Development Manager
Viriginia Beach Economic Development

Attachment A: City of Virginia Beach Zoning Determination – Fisherman's Wharf, September 1, 2026

CITY OF VIRGINIA BEACH

PLANNING & COMMUNITY DEVELOPMENT
Zoning Administration
2403 Courthouse Drive, Building 3
Virginia Beach, VA 23456

DATE September 1, 2026

TO Will Harrington, General Manager
Fisherman's Wharf Marina

FROM Hannah Sabo, Zoning Administrator

SUBJECT Zoning Determination - Fisherman's Wharf, 530 Winston Salem Ave, GPIN 24271139570000

A request has been received to determine if the proposed commercial fish packing/storing facility is permitted as an accessory use to the primary marina use at 530 Winston Salem Ave [the Property].

530 Winston Salem Ave is zoned RT3. Section 1521 of the City of Virginia Beach Zoning Ordinance lists marinas as requiring a conditional use permit in the RT3 zoning district. On January 8, 1968 a conditional use permit for a marina was issued for the property with no conditions attached.

The proposed accessory commercial fish packing/storage operation has been described by the applicant as follows:

- No more than two 40'x8'x9' Connex boxes will be added to the site for ice and cold fish storage. Both Connex boxes will meet all City codes and ordinances, including zoning and building codes.
- A maximum of 12 of the 87 marina slips will be allocated for the commercial fishing operation.
- Pickup of catch from the commercial fish operation will be limited to 1 tractor trailer pickup per day.
- There will be no processing associated with the accessory use on site.
- There will be no on site sales of catch from the commercial fish operation.

A commercial fish packing/storage use is not permitted in the RT3 district, however the operation as described is considered accessory to the primary use of a marina. Section 111 of the Zoning Ordinance defines *accessory use*:

a) Is a use which is conducted on the same zoning lot as the principal use to which it is related (whether located within the same building or an accessory building or structure, or as an accessory use of land) or which is conducted on a contiguous lot (in the same ownership); and
b) Is clearly incidental to, and customarily found in connection with, such principal use;
c) Is operated and maintained substantially for the benefit of the owners, occupants, employees, customers, or visitors of the zoning lot with the principal use.

It is my determination that permitting an accessory commercial fish packing/storage use, as described, is considered incidental to and customarily found in connection with the principal use of a marina. This determination is valid only for the uses as described. Should the uses increase in size and/or capacity, a new determination will need to be requested by the operator for review. Further zoning and/or use requirements can be found at the following website: www.vbgov.com/government/departments/planning/zoning

In accordance with Section 15.2-2311 of the Code of Virginia, you have the right to appeal this determination to the Board of Zoning Appeals within 30 days. The appeal application and additional information regarding the filing of an appeal may be obtained at the Zoning Division located in 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452, from the City's Web Site at http://www.vbgov.com/BZA, or by calling the Zoning Division at (757) 385-8074. The application, along with a filing fee in the amount of $400.00 for residential uses (includes the costs of notification and advertising) and $500.00 for commercial uses (includes the costs of notification and advertising), payable to the Treasurer, City of Virginia Beach, must be filed with the Zoning Division. If you do not appeal, this determination shall be final and unappealable.

If I can be of further assistance, please contact me at (757) 385-5067 or email at HMSabo@vbgov.com.

Sincerely,

Hannah Sabo
Zoning Administrator

Grist, Joseph (MRC)

From: Monica Schenemann <captain127041@gmail.com>
Sent: Sunday, October 25, 2026 9:37 AM
To: MRC-Commissioner (MRC); Nelson, Alicia (MRC); Guilford, Michele (MRC)
Subject: Agenda Item 5 - Comment

Dear Commissioners,

My name is Jeff Schenemann, and I am a commercial fisherman. After watching the video recording of the September Commission meeting regarding the Virginia Beach Working Waterfront project, I felt compelled to share my observations as you consider the request for reconsideration.

One particular part of the discussion stood out to me, especially given the concerns that have since been raised regarding zoning.

During the meeting, Nathan Everett was in the process of explaining the zoning issue when the conversation shifted in another direction. He explained that Fisherman's Wharf had worked with the City of Virginia Beach, that a zoning letter existed for the property, and that other locations had been used, but determining their compliance was not his responsibility.

At that point, Commissioner Bransom stated:

"My point wasn't about the city zoning it or controlling it. Is there actually a need?"

From that point forward, the discussion shifted away from zoning and focused on whether there was a demonstrated need for the project.

I believe this distinction is important, particularly now that zoning has become a central issue in the request for reconsideration.

After reviewing the exchange, my impression is that Nathan was attempting to provide an explanation when the discussion was redirected toward the broader need for working waterfront infrastructure. I do not believe it is fair to isolate portions of his statements without considering the full context of the conversation and the direction in which the Commission itself moved the discussion.

What also stood out to me was the importance placed on the need for this project and the benefits it could provide to other commercial fishermen in the area. The Commission's discussion appeared to recognize that this was about more than one individual or one business. It was about preserving access to essential infrastructure for an industry that continues to lose working waterfront opportunities.

That need has not changed.

Commercial fishermen continue to face challenges finding places to tie up, unload their catch, obtain ice, and move their seafood to market. Projects that help preserve or restore those services deserve consideration based on their overall benefit to the fishing industry.

After watching the September meeting, I came away with the understanding that the Commission's decision was based on the demonstrated need for the project and its potential benefits to the broader commercial fishing community, rather than on what other businesses in the area were or were not doing.

I respectfully ask the Commission to consider the full context of the September discussion, including the testimony supporting the need for this project, and allow its original decision to stand.

Respectfully,

Jeff
Commercial Fisherman

Guilford, Michele (MRC)

From: Nathan Reynolds <89ntreynolds@gmail.com>
Sent: Friday, October 23, 2026 4:17 PM
To: Guilford, Michele (MRC)
Subject: Rudee Project

Commissioner Grist and Members of the Commission:

My name is Nathan Reynolds. I am a commercial fisherman from Cape Charles, a member of CFAB, and I hold permits in the major ocean fisheries that depend on access to Rudee Inlet.

I supported this project at CFAB by voting for approval and also spoke in support in September at the Commission meeting, and I still support it.

Commercial fishermen may be surviving, but businesses and working waterfronts are disappearing. Places to tie up, unload, get ice, and move seafood are getting harder to find. That is why this project matters.

It is rare to see a private marina, the City, and the fishing industry all willing to work together to create commercial access. We should be encouraging that, not making it harder. I am also concerned as a CFAB member. CFAB reviewed this request and recommended funding it because we believed it benefited the commercial fishing industry. These funds are supposed to be used for the benefit of that industry, and the fishermen serving on CFAB understand firsthand what is being lost and what is needed.

I understand the Commission has the final say. But overturning a CFAB recommendation on a $25,000 working waterfront project should not be taken lightly.I am also one of the fishermen selected for Virginia's shrimp trawl fishery. I have never tied up in Rudee Inlet before, but now I am going to need to. So this is not theoretical for me, I need this project to be built in order for me to work.

And if another marina in Rudee Inlet wants to open its doors to commercial fishermen too, great. We need more options, not fewer.

I said in September that this project was a giant win. I still believe that.

Please let the September decision stand.

Thank you.
Nathan Reynolds
Commercial Fisherman
CFAB Member
Cape Charles, Virginia