

COUNTY APPROVAL QUESTIONS

How can a PUD plan be compatible with the county code and yet allow higher density than allowed in a single zoning district? Specifically in a C-1 (Conservation) zone when the C-1 zone was created many years ago.

- Northumberland County created the C-1 zone in 1974. At that time there was little federal (Army Corp of Engineers) oversight on non tidal wetland impact.
- In 1981 Northumberland zoning regulations were changed to allow for a Planned Unit Development under a special exceptions permit.
- Special exceptions can be granted regardless of zoning district
- In 2007 Northumberland modified density for C-1 from one unit per 80,000 square feet to one half the property granted one unit and any additional units requiring 10 acres. The special exception, regardless of zoning district, was left unchanged.
- Thus, density in C-1 districts can be whatever is approved by the county under a Special Exception for a Planned Unit Development.

Does a Special Exception allow variations from the restrictions of the underlying zoning district.

- Yes, there is a Virginia Supreme court case (Bell versus City Council of the City of Charlottesville) that states a special exception is permitted by state legislation, Code 15.1-486, et seq., and that “nothing in the act prevents the alteration of setback and height requirements as part of the issuance of a special exception”, and that, “The special permit procedure, by its very nature, presupposes that a given use may be allowed in one part of a zoning district, but not another”.
 - o It should be noted that Bluff Point is not requesting any height variance and is adhering to all setbacks to neighboring properties in the county ordinances.

What will prevent a change to the Submittal Plan and that the commitments in the Submittal Plan will be implemented?

- Bluff Point Holdings LLC is requesting that approval of the Submittal Plan be subject to a mutually acceptable document between the county and itself that incorporates the key components of the Submittal Plan.
- Any material change from the Submittal Plan will require Board of Supervisor Approval.

What assurances can be given that the project will be completed as proposed in the Submittal Plan?

- Specific detailed site plans will be submitted for each phase and must be approved by county officials prior to any work being started.
- Partnering with a strong, seasoned development company is critical
 - o The financial structure will be conservatively structured.
 - o Bluff Point Holdings LLC will continue to have substantial investment at risk.
- Bonding of certain services and facilities by the development team will be required.
 - o This will result in assurance that those project aspects, such as roads, and utilities are completed.
 - o Only a financially strong development team can provide the required bonding.

COUNTY IMPACT QUESTIONS

How will Bluff Point Impact Northumberland and her citizens?

- Depending upon one's perspective the project could have benefits or drawbacks.
- No impact will be immediate as it will be two years before all approvals are obtained
- The year to year impact will be moderate due to the build out period which is projected to be 15 years
- Bluff Point will create jobs, both directly within the project and outside the project
 - o The jobs will allow it citizens and their children to remain in the county
 - o Construction related jobs are estimated to be 141 fulltime equivalent over the 15 year build out, with a potential annual payroll of \$4,500,000
 - o Direct operating jobs will be across all employment levels; managers to service providers.
 - o Total fulltime direct equivalent jobs are estimated to be 210 with an annual payroll of \$8,050,000
 - o Total fulltime equivalent indirect jobs are estimated to be up to 165 with payroll of \$5,280,000
- Bluff Point will provide operating revenue to the county to fund schools, public services and other governmental functions.
 - o At build out the estimated net increase in county funds, after all county expenses allocated to the project, will be greater than \$1,700,000 annually.
 - o In no year during build out is the net contribution to the county negative.
- Based upon other the profile of communities similar to Bluff Point, its residents will support the local community and its service organizations.
- Traffic will increase and ultimately a stop light at Routes 200 and 608 will probably need to be installed.
 - o The traffic impact study, by VDOT requirement, was based on all residents being fulltime.
 - Northumberland County's experience is that less than 20% will be fulltime. Thus, a reasonable assessment of traffic levels will be way below the six daily roundtrips per household from the Traffic Impact Analysis study.
- The amenities of the Bluff Point Inn and Spa, restaurants and marina village will be available to the public.

ENVIRONMENTAL QUESTIONS

How will treated wastewater be discharged?

- The proposed system will have no discharge into the waters of the Chesapeake Bay or its tributaries.
- The quality of the discharge will allow for it to be used for surface irrigation.
 - o Reuse of wastewater for surface irrigation is broadly used.
 - Required in Florida
 - On golf courses in New Kent, Loudoun and Prince William Counties Virginia.

- Golf course irrigation with reuse water is being recommended by the PGA
- Water which is not used for surface irrigation will be discharged in a drip irrigation system within upland pine forests.
 - Based on soil maps and test bores there is adequate area for the drip system
- The operation of wastewater treatment facility will be regulated by the Virginia Department of Environmental Quality.

The potable water desalinization plant will create a brine byproduct. How will it be discharged?

- The discharge from the desalinization plant will be controlled by EPA and/or the Virginia Department of Environmental Quality.
 - EPA controls discharge back into the saline aquifers
 - VA DEQ controls discharge into the Chesapeake Bay
- The discharge will be pumped back into either the saline aquifer supplying the water, a deeper saline aquifer or pumped into the Bay
 - The maximum daily discharge volume is projected to be 75,000 gallons with a saline content estimated to be 15,000 parts per million.
 - The Bay waters have a saline content of 20,000 parts per million
 - The discharge pipe will be a 3" diameter pipe

Will the wastewater treatment plant be public or private and can other individual lot owners tie into the plant?

- The plant will be private; however it will be regulated by the State Corporation Commission and must meet all requirements of the Virginia Department of Environmental Quality.
- The plant capacity is limited because the pine forest drip system has limited capacity and a 200% dip field must be provided.
- We have offered to tie in the Marnock Shores lots on the North side of Barnes Creek as we have the capacity for these 19 lots and believe given the age of the septic systems and their proximity to the water, doing so could have a positive impact on water quality in Barnes Creek.
- We have offered to provide capacity for the commercial operations of Indian Creek Yacht and Country Club.
- There may be a limited number of additional connections provided there is capacity and a strategic reason (environmental or business) to allow a connection.

How is the plan consistent with protecting the Chesapeake Bay?

- The upland shoreline will be protected from further erosion with sand nourished breakwaters and planted with native grasses, both having a positive impact on water clarity
- The shoreline protection will also provide habitat for the endangered Tiger Beetle and other species.
- Protecting the upland shoreline will protect the most environmentally sensitive portion of all of Bluff Point – the salt water marsh. If the upland shoreline is allowed to continue to erode, the salt water marsh will also erode and potentially be lost.
- In 2003 a plan for Bluff Point was approved for homes with septic systems. The Submittal Plan, calls for only temporary use of septic fields and in addition will allow for connection of

all nineteen lots of Marnock Shores to the wastewater treatment facility, thereby removing these lots from septic systems, many of which are within the RPA.

- The stormwater management/control system will result in no more surface runoff into the Bay than is presently occurring.
- A self imposed additional 100' RPA setback along all but 315' of the upland Bay front provides a substantially enhanced protective barrier versus what is allowed.
- Private docks will be prohibited.
- Bluff Point will work to restore oysters on its oyster leases.
- Bluff Point will work to plant aquatic grasses in Barnes Creek where suitable
- A strong homeowner and visitor education program will teach all about ways to enjoy the Bay while protecting and preserving it.
- We will enhance some marginal wetlands and increase biodiversity through the guidance of Audubon Environmental

Sea level has been rising and the most commonly predicted impact from climate change is a continuing rise in sea level. How will this affect Bluff Point?

- The shoreline of Bluff Point has been eroding at varying rates and unless preventative action is taken, the upland shoreline will erode and the salt marsh will erode and be lost.
- The planning, engineering and construction of the Bluff Point community will utilize the highest standards to ensure the protection of the property, safety and welfare of all its residents and guests.
- Building structures and roadways will be designed to accommodate sea level rise should this change occur by utilizing material on site and having buildings be of proper height. All construction will meet or exceed regulatory permitting requirements.

What will be the minimum flood zone level of all properties at Bluff Point?

- All buildings will be constructed to eight feet above mean water level to ensure they meet the requirements of the standards for AE6 flood zones and thus qualifying for flood insurance.
- Insurance will be available for all properties.

What environmental safeguards and programs will be in place at Bluff Point?

- Stringent environmental guidelines have been established with the assistance of Audubon International and Audubon Environmental.
 - o A detailed ecological design has been created for the property to insure the preservation, protection and restoration of the property
 - o A fulltime naturalist is required to be on site throughout the construction of the community to sure contractors abide by the guidelines set forth in the ecological design.
 - o During the construction and throughout the life of the project, the onsite naturalist will monitor the site, organize/administer restorations activities and create educational programs for residents and guests.

How will the dredge spoils (material dredged to create the marina and the entrance channel) be managed?

- There are different types of spoils and spoils may be created at different times, thus requiring a variety of plans.
- During the initial phases of marina construction and channel dredging the proposed spoil management plans is:
 - o Sand material from the channel dredging will be stored and dewatered near the hotel site and then reused for shoreline nourishment
 - o Higher organic content material will be stored and dewatered where future inland lakes will be created. The soil will be mixed with the material when the lakes are dug and used on various locations during build-out.
 - o Maintenance dredge material will likely have a high sand content and a three acre upland site will be utilized for storage and dewatering prior to being reused for shoreline enhancement or building purposes.
- Marina basin material is proposed to be stored immediately adjacent to the marina and used for construction purposes.
 - o Preliminary soil tests confirm that the material will be usable for this purpose.
 - o The marina entrance will remain closed until the basin has been completed, thereby minimizing impact on Barnes Creek.

There was no geotechnical study in the submittal to address soil suitability of the development. Was such a study conducted?

- No detail geotechnical study was conducted.
- There have been numerous soil bores taken across the property.
 - o Bores have shown a sand base below the surface
- There are proven foundation techniques for dealing with any soil issues that may exist at Bluff Point.

ROAD AND ACCESS QUESTIONS

There are almost 10 miles of roads in the Bluff Point Development. Will they be publicly or privately maintained and if private how will the maintenance be funded?

- The roads will all be private, even those that are open to the public that go to the Harbor Village, Marina and Bluff Point Inn and Spa
- Maintenance will be funded through annual homeowner dues that are presently estimated to be \$400 - \$600 annually per residential lot. Funds will also come from all the commercial operations.

What portions of Bluff Point will be open to the public?

- The Bluff Point Inn and Spa
- The Harbor Village – Shops, restaurant
- The Marina
- The intended native plant nursery
- Educational programs – Residents and Inn guests will have the first availability
- Various activities and events such as artist events and shows, and village events

Can two points of ingress and egress to the Marina Village be provided?

- Only one point exists at this point in time.
- Other options are being pursued and will continue to be pursued.

Will the roads open to the public include bike paths?

- Bluff Point is committed to providing the safest bike travel possible consistent with minimizing wetland impact and working within the restraints of existing roadway widths.
- The ideal roadway width to include separate bike paths is 60'. In some instance Bluff Point only owns a 50' roadway.

Will the entry to Bluff Point be gated?

- No, there will be a greeter station at the main entrance solely to direct and assist all visitors.

Who owns the road to Bluff Point from the terminus of Route 608?

- Bluff Point Holdings owns the road which was granted to its predecessor in title and recorded on Book 117 Page 420.

OTHER QUESTIONS

How are you working with the homeowners of Marnock Shores whose homes are immediately adjacent to Bluff Point?

- o We have met with these homeowners and have agreed to modify the Submittal Plan as originally submitted to reflect the following:
 - Provide wastewater service as offered in the Submittal Plan
 - Provide potable water service as requested by them
 - Move the entrance road to Marnock Shores as requested by them
 - Fence the common boundary
 - Provide a privacy gate if desired by Marnock Shores homeowners
 - Allow Marnock Shores homeowners to join the Bluff Point Club

When did Bluff Point Holdings LLC start acquiring the Bluff Point parcels?

- The first parcel was acquired in December 2005 with the remainder in 2006.

Will Bluff Point have any public housing?

- No. There will be different neighborhoods with different housing styles and price levels within Bluff Point, however all areas will be deemed to be "upscale".

Where are other desalinization plants in Virginia and how is the brine byproduct discharged?

- There are currently five desalinization plants in Tidewater Virginia.
 - o James City County serving Williamsburg
 - o Gloucester County
 - o Newport News
 - o City of Chesapeake
 - o Suffolk
- Brine from all five systems is discharged into water bodies