



**WETLANDS BOARD
VIRTUAL MEETING MINUTES**

CITY OF VIRGINIA BEACH

DUE TO COVID 19 THE MEETING NORMALLY HELD
IN CITY COUNCIL CHAMBER WAS MOVED TO THE
VIRGINIA BEACH CONVENTION CENTER

MARCH 15, 2021
10:00 AM

MEMBERS PRESENT:
CHAIRMAN, JOASHUA SCHULMAN, PRESIDING
VICE CHAIR, JASON BARNEY

STEPHEN BALLARD
KATIE CRUM
EMILY STEINHILBER
JAMES T. VAIL
CINDY HAWKS WHITE

MEMBERS ABSENT:

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**WETLANDS BOARD
VIRGINIA BEACH, VIRGINIA
PUBLIC HEARING MEETING MINUTES**

The March 2021 Virtual Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by the Chair, Joashua Schulman, in the Virginia Beach Convention Center located at 1000 19th Street, Suite 5, Virginia Beach, Virginia at 10:01 AM, March 15, 2021, while all other members participated virtually.

Chair Schulman welcomed all, stated the responsible charge of the Wetlands Board, as delineated in the Virginia State Code and announced appeals are available through the Virginia Marine Resources Commission (VMRC) within ten (10) days of this Board's decision.

Approval expires one (1) year from the date it is granted. A permit is normally extended, but not an approval. Applicants are advised to obtain their permit within no more than thirty (30) days of their Hearing. Extensions must be requested before the expiration date.

The Chair administered the oath of truth and honor to staff.

The Chair stated that as required by law four (4) affirmative votes are required for an approval of a permit application. The Clerk called on the seven (7) Board members and the members signified their presence verbally. The Clerk announced that quorum was present.

Chair Schulman administered the oath truth and honor to staff.

Ms. Whitney McNamara, Staff Liaison, thanked everyone for their participation and stated that this meeting is being conducted electronically in accordance with Virginia Code § 2.2-3708.2, Virginia Code § 15.2-1413 and the City's Continuity of Government Ordinance adopted on September 15, 2020, and Chapter 1289 of the 2020 Acts of Assembly, as amended.

Ms. McNamara administered the oath of truth and honor to each applicant and/or agent for the applicant during the meeting.

The slide presentation for each application site was rendered by Ms. Whitney McNamara.

LORNA C. DONATONE
APPLICATION No.: 2021-WTRA-00038

PROJECT: To relocate rip rap and install a bulkhead involving wetlands

PROJECT LOCATION: 1421 Blue Heron Road, contiguous to Eastern Branch Lynnhaven River

SPEAKER: **FOR** – Robert E. Simon, Waterfront Consulting, Inc. Agent for Applicant

Mr. Simon requested a thirty (30) Day Deferral so that more information can be gathered regarding costs associated with the project with building the bulkhead in line or creating a sill in front of the bulkhead.

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **Lorna C. Donatone** was **DEFERRED FOR THIRTY (30) DAYS TO THE APRIL 19, 2021 WETLANDS BOARD MEETING.**

VOTE: **7-0 (VERBAL VOTE)**

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

SAND MANAGEMENT GENERAL PERMIT CONDITIONS

PROPOSAL: To **ADOPT** the addition of a new condition to the general permit conditions to ensure that approved sand management permits meet requirements.

SPEAKER: Whitney McNamara, Staff Liaison

Ms. McNamara stated that US Fish and Wildlife Service has provided feedback requesting a condition be added to the Sand Management General Permit Conditions notifying residents of sea turtle nests on Sand Bridge Beach.

Vice Chair Barney moved to adopt the following addition to the Sand Management General Permit Conditions and add the following language:

“Prior to moving sand, the property owner, their agent, or their contractor shall check the beach for the presence of sea turtle nests. If any marked nests are found, all action shall be coordinated with US Fish and Wildlife Service to ensure compliance with state and federal laws. The US Fish and Wildlife Service can be reached at 804-824-2405. Once activities have been coordinated with the US Fish and Wildlife Service, documented compliance shall be provided by the applicant/property owner to Waterfront Operations Staff.”

Upon Motion by Mr. Barney, seconded by Mr. Vail, the **ADOPTION** of the additional condition to the Sand Management Permit Conditions was **APPROVED**.

VOTE: 7-0 (VERBAL VOTE)

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

DAVID BOWDEN
APPLICATION NO.: 2021-WTRA-00002

PROJECT: To construct a bulkhead and boat ramp involving wetlands

PROJECT LOCATION: 4018 North Witchduck Road, contiguous to Western Branch Lynnhaven River

SPEAKER: FOR – Robert E. Simon, Waterfront Consulting, Inc. Agent for Applicant

(This item was deferred from February 15, 2021)

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **David Bowden** was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by the payment of an in-lieu fee.

VOTE: 7-0 (VERBAL VOTE)

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

**WILLIAM & JACQUELINE DEANES
APPLICATION No.: 2021-WTRA-00014**

PROJECT: To construct rip rap involving wetlands

PROJECT LOCATION: 2344 Leeward Shore Drive, contiguous to Canal off Broad Bay

SPEAKER: **FOR** – Billy Garrington, Governmental Permitting Consultants, Agent for Applicant

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **William and Jacqueline Deanes** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITION:**

1. The existing oysters growing along the existing structure to be culled to the maximum extent practicable and relocated on the new rock structure.

No Net Loss of wetlands on this project was achieved by on-site compensation.

VOTE: 7-0 (VERBAL VOTE)

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

**JAMES BOYD/JAMES M. BOYD REVOCABLE LIVING TRUST
APPLICATION No.: 2021-WTRA-00044**

PROJECT: To rework rip rap and install a boat ramp involving wetlands

PROJECT LOCATION: 3199 Adam Keeling Road, contiguous to Lynnhaven Bay

SPEAKER: **FOR** –David Kledzik, Marine Engineering, LLC, Agent for Applicant

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **James M. Boyd Revocable Living Trust** was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by on-site compensation.

VOTE: 7-0 (VERBAL VOTE)

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

**HOLLOMON-BROWN FUNERAL HOME BAYSIDE CHAPEL
APPLICATION NO.: 2021-WTRA-00043**

PROJECT: To construct rip rap involving wetlands

PROJECT LOCATION: 3901 Richardson Road, contiguous to Western Branch Lynnhaven River

SPEAKERS: Robert E. Simon, Waterfront Consulting, Inc. Agent for Applicant
Susan Dillon, 3903 Richardson Road, Neighbor of Applicant

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **Hollomon-Brown Funeral Home Bayside Chapel** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. The toe of the rip rap shall be located landward of all the wetlands vegetation growing on the site. The extent of wetlands vegetation shall be determined and marked during a required pre-construction meeting with Planning and Community Development Staff. A note shall be added to the plans to advise the contractor of this requirement.
2. Wetlands vegetation shall be planted seaward of the rip rap revetment in the area of existing rip rap rubble to incorporate a living shoreline component into the project.
3. Rip rap rubble and rocks with oysters growing on them shall be preserved during construction and placed along the toe of the rip rap revetment after construction is complete.
4. Revised plans shall be submitted to the Virginia Marine Resources Commission and ultimately approved by the Department of Planning and Community Development with the information required in conditions 1, 2, and 3 above prior to the issuance of a building permit.
5. A Wetlands moderating plan shall be conducted during the growing season for three (3) years and submitted to Planning and Community Development Staff.

No Net Loss of wetlands on this project was achieved by on-site compensation

VOTE: 7-0 (VERBAL VOTE)

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Katie Crum, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

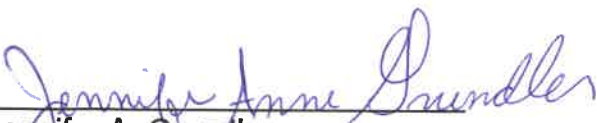
MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

At 10:59 AM, the March 15, 2021, Public Hearing of the Virginia Beach Wetlands Board was adjourned by the Chair, Joashua Schulman.

The comments of the Planning Department are on file with the City of Virginia Beach Planning Department.



Jennifer A. Grundler
Deputy City Clerk II



Joashua Schulman, Chair
Wetlands Board