



**WETLANDS BOARD  
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

JUNE 21, 2021  
10:01 AM

**MEMBERS PRESENT:**

CHAIRMAN, JOASHUA SCHULMAN, PRESIDING  
VICE CHAIR, JASON BARNEY

KATIE CRUM  
BENJAMIN MCFARLANE  
EMILY STEINHILBER  
JAMES T. VAIL  
CINDY HAWKS WHITE

**MEMBERS ABSENT:**

STEPHEN BALLARD

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## MINUTES

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### NEW BUSINESS – WETLANDS

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

The June 2021 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 19<sup>th</sup> Street, Suite 5, Virginia Beach, Virginia at 10:01 AM, June 21, 2021.

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 stated that as required by law four (4) affirmative votes are required for an approval of a permit application. The Clerk called on seven (7) Board members and announced that quorum was present and that the Wetlands Minutes of May 17, 2021, was approved, as distributed.

Chair Schulman acknowledged each applicant and/or agent for the applicant and administered the oath truth and honor.

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

## **MINUTES OF MAY 17, 2021**

Upon Motion by Mr. Barney, seconded by Ms. White, the May 17, 2021, Minutes was **APPROVED, AS DISTRIBUTED.**

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

**MEMBERS VOTING AYE:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

None

**CITY OF VIRGINIA BEACH / 1109 CHELSEA COURT, LLC AND  
DANIEL AND ALEKSANDRA MUJICA  
APPLICATION No.: 2021-WTRA-00112**

**PROJECT:** To construct a reinforced concrete pipe, rip rap apron and drainage channel involving wetlands

**PROJECT LOCATION:** 1109 Chelsea Court, contiguous to Western Branch Lynnhaven River

**SPEAKERS:** Mark Jones, Stormwater Manager, City of Virginia  
William Peterson, resident of Lake Oliver

A representative of Kimley-Horn provided the Board with a PowerPoint handout. The handout is a part of the permanent record of this public hearing and may be viewed at the Office of the City Clerk.

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **City of Virginia** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITION:**

1. A Wetlands monitoring plan shall be submitted to the Department of Planning and Community Development in Mid-August for three (3) consecutive growing seasons after construction is complete. Should the vegetative wetlands fail to naturally reestablish, the applicant shall either pay an in-lieu fee for the wetlands impacts or replant the area to restore the vegetative wetlands.

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

**VOTE: 6-0 (VERBAL VOTE)**

**MEMBERS VOTING AYE:**

Jason Barney, Benjamin McFarlane, Joashua Schulman,  
Emily Steinhilber, James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

Katie Crum

***Ms. Crum abstained due to her employer, Kimley-Horn, representing the applicant.***

June 15, 2021

Bobby Tajan, Planning Director  
Planning and Community Development  
2875 Sabre Street, Suite 500  
Virginia Beach, Virginia 23452

Re: Abstention Pursuant to the Conflicts of Interests Act, Va. Code Section 2.2-3115(F)

Dear Mr. Tajan:

Pursuant to the State and Local Government Conflict of Interests Act, I make the following declaration

1. I am executing this written disclosure regarding the Wetlands Board's discussion and vote on June 21-, 2021, agenda item 1. 2021-WTRA-00112 for property located at 1109 Chelsea Court, Virginia Beach, Virginia 23455.
2. My employer, Kimley-Horn is representing the applicant, City of Virginia Beach. Kimley-Horn is located at 4525 Main Street Suite 1000, Virginia Beach, Virginia 23462.
3. For this reason, I abstain from this vote.

Please record this declaration in the official records of the Wetlands Board. Thank you for your assistance.

Sincerely,



Katie Crum  
Wetlands Board Member

**MARK & KELSEY KINNANE**  
**APPLICATION No.: 2021-WTRA-00141**

**PROJECT:** To construct rip rap and plant vegetation involving wetlands

**PROJECT LOCATION:** 1200 & 1204 Kamichi Court, contiguous to Little Neck Creek

**SPEAKER:** **FOR** – David Harmeyer, Clark Design Group, LLC, Agent for Applicant

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **Mark and Kelsey Kinnane** was **APPROVED, AS SUBMITTED.**

**VOTE:** **6-0 (VERBAL VOTE)**

**MEMBERS VOTING AYE:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

None

After the Board heard Item 3, Chair Schulman asked if there was a motion to reopen **MARK & KELSEY KINNANE, APPLICATION No.: 2021-WTRA-00141** due to Mr. McFarlane having been inadvertently omitted in the call for the vote.

Upon Motion by Ms. White, seconded by Ms. Crum, the application of **Mark and Kelsey Kinnane** was **REOPENED.**

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

**MEMBERS VOTING AYE:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

None

**MARK & KELSEY KINNANE**  
**APPLICATION No.: 2021-WTRA-00141**  
**JUNE 21, 2021**  
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Upon Motion by Ms. White, seconded by Ms. Crum, the application of **Mark and Kelsey Kinnane** 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:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

None



**COVE POINT COUNCIL OF CO-OWNERS  
APPLICATION No.: 2021-WTRA-00146**

**PROJECT:** To construct a rip rap and plant vegetation involving wetlands

**PROJECT LOCATION:** 700 Oriole Drive, contiguous to Little Neck Creek

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Cove Point Council of Co-Owners**, was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. Any oysters impacted by the proposed rip rap revetment or proposed rip rap sill shall be preserved and relocated back onto the shoreline.
2. Following the installation of the wetlands vegetation, an annual vegetation monitoring report shall be submitted to the Department of Planning & Community Development in mid-August for three (3) years. The annual report shall include photographs and a re-vegetation plan for any areas of where the vegetation has failed to establish.

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

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

**MEMBERS VOTING AYE:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard

**MEMBERS ABSTAINING:**

None

**GENNARO & SUSAN FIORE REVOCABLE LIVING TRUST  
APPLICATION No.: 2021-WTRA-00147**

**PROJECT:** To construct vinyl sheet & pile bulkhead

**PROJECT LOCATION:** 2277 Haversham Close, contiguous to Broad Bay

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Gennaro and Susan Fiore Revocable Living Trust** 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:**

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

**MEMBERS VOTING NAY:**

None

**MEMBERS ABSENT:**

Stephen Ballard


**MEMBERS ABSTAINING:**

None

At 10:44 AM the June 21, 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