



**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

FEBRUARY 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 February 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, February 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. Chair Schulman confirmed there were no changes to the agenda.

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

WILLIAM A. YEARICK, ET. AL.
APPLICATION No.: 2019-WTRA-00250

PROJECT: To construct rip rap involving wetlands

PROJECT LOCATION: 901 Holladay Point, contiguous to Little Neck Creek

REQUEST: Extension of Time

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

Upon Motion by Mr. Barney, seconded by Ms. White, the request of **William A. Yearick, et. al.**, for a **one (1) year extension of time** was **GRANTED**.

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 WALPERT, GREGORY STRANGWAYS, MICHAEL ANDERSON
APPLICATION No.: 2020-WTRA-00200**

PROJECT: To dredge involving wetlands

PROJECT LOCATION: 1016 Witch Point Trail, 1020 Witch Point Trail and 4058 Schilling Point, contiguous to Western Branch Lynnhaven

SPEAKER: **FOR** – Tom Langley, PE, LS

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **William Walpert, Gregory Strangways and Michael Anderson** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. A Dredge Materials Management plan shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a Wetlands Permit.
2. A hauling permit shall be applied and approved by the Development Services Center prior to the issuance of a Wetlands Board Permit.

No Net Loss of wetlands on this project was achieved by 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:

MODIFICATION OF AGENDA

After Ms. McNamara, Staff Liaison, presented the application of Neil and Christina Hutchinson (Item 3), she informed the Board that Mr. Jones, the Agent for Items 3 and 4, was having some trouble connecting to WebEx.

Chair Schulman stated that he would entertain a motion to modify the Agenda by moving Items 5, 6 and 7 before Items 3 and 4.

Upon Motion by Mr. Barney, seconded by Mr. Vail, **the Agenda was MODIFIED to allow Items 5, 6, and 7 to be heard before Items 3 and 4.**

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:

JEAN HAYEK
APPLICATION No.: 2020-WTRA-00224

PROJECT: To construct a rip rap involving wetlands

PROJECT LOCATION: 4321 Alfriends Trail, contiguous to Western Branch Lynnhaven

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

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **Jean Hayek** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. Trees removed shall be mitigated at a 1:1 ratio. Mitigated trees shall either be canopy or understory trees.
2. Sheet 2 of the proposed plans shall be modified to show the limits of construction, located seaward of the trees to be preserved and to show the limits of fill on the property.
3. Construction matting shall be used for the site access through the existing canopy to limit soil compaction.
4. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a building permit.

No Net Loss of wetlands on this project was achieved by the use of on-site compensation and 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:

DAVID BOWDEN
APPLICATION No.: 2021-WTRA-00002

PROJECT: To construct a bulkhead, rip rap and boat ramp and plant vegetation involving wetlands

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

SPEAKERS: Robert E. Simon, Waterfront Consulting, Inc.
Justin Worrell, Virginia Marine Resources Commission (VRMC)

Mr. Simon requested a deferral for thirty (30) days to submit revised plans.

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **David Bowden** was **DEFERRED TO THE MARCH 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:

**GEORGE LAUTERBACH
APPLICATION No.: 2021-WTRA-00003**

PROJECT: To repair bulkhead involving wetlands

PROJECT LOCATION: 1500 Horse Point Court, contiguous to Linkhorn Bay

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

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

No Net Loss of wetlands on this project was achieved by 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:

**NEIL AND CHRISTINA HUTCHINSON
APPLICATION No.: 2020-WTRA-00274**

PROJECT: To construct a bulkhead involving wetlands

PROJECT LOCATION: 2833 Wood Duck Drive, contiguous to Mill Creek

SPEAKER: **FOR** – R. Harold Jones, Sigma Environmental Services, Inc.

Upon Motion by Mr. Barney, seconded by Ms. White, the application of **Neil and Christina Hutchinson** was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by 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 J. PRICE TRUST
APPLICATION No.: 2020-WTRA-00291

PROJECT: To construct a bulkhead involving wetlands

PROJECT LOCATION: 333 Pike Circle, contiguous to North Bay

SPEAKER: **FOR** – R. Harold Jones, Sigma Environmental Services, Inc.

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

1. Sheet 3 of the proposed plans shall be modified to revise the note so that backfill shall be limited to fifteen (15) feet from the proposed bulkhead. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a building permit.

No Net Loss of wetlands on this project was achieved by 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

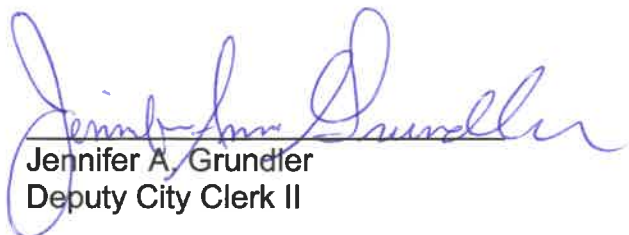
MEMBERS VOTING NAY:

MEMBERS ABSENT:


MEMBERS ABSTAINING:

At 11:18 AM, the February 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