



**WETLANDS BOARD
MEETING MINUTES**

CITY OF VIRGINIA BEACH

CITY COUNCIL CHAMBER
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456

OCTOBER 18, 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:

INDEX

MINUTES

SEPTEMBER 20, 2021 MINUTES	-----	4
<u>NEW BUSINESS – WETLANDS- REQUEST FOR DEFERRAL</u>		
JOSEPH J. LAMONTAGNE	2021-WTRA-00130	5
<u>ADMINISTRATIVE ITEM</u>		
POLICIES AND RULES OF PROCEDURE	-----	6
<u>OLD BUSINESS – WETLANDS</u>		
DAVID MEYER AND KATHY M. MEYER	2020-WTRA-00121	7
JAMES R. BURNELL	2020-WTRA-00156	8
<u>NEW BUSINESS – WETLANDS</u>		
900 LASKIN-B, LLC / 900 LASKIN-T, LLC	2021-WTRA-00266	9
JEFFERY L. BRUZZESI	2021-WTRA-00268	10
RYAN WOODS	2021-WTRA-00271	11

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

The October 2021 Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by the Chair, Joashua Schulman, in the Council Chamber, 2401 Courthouse Drive, Virginia Beach, Virginia 23456 at 10:00 AM, October 18, 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.

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

The Chair stated that as required by law four (4) affirmative votes are required for an approval of a permit application. The Clerk announced that the Wetlands Minutes of September 20, 2021, was approved, as distributed and acknowledged quorum was present.

The slide presentation for each application site was rendered by Mr. Paul J. (PJ) Scully.

MINUTES OF SEPTEMBER 20, 2021

Upon Motion by Mr. Barney, seconded by Mr. Vail, the September 20, 2021, Minutes was **APPROVED, AS DISTRIBUTED.**

VOTE: 6-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

Cindy Hawks White

JOSEPH J. LAMONTAGNE
APPLICATION No.: 2021-WTRA-00130

PROJECT: To construct rip rap revetment involving wetlands

PROJECT LOCATION: 203 Caspian Avenue and Lot 1 of Shadow Lawn Heights contiguous to Lake Rudee

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

Upon Motion by Mr. Barney, seconded by Mr. Vail, the request of **Joseph J. Lamontagne**, for a **THIRTY (30) DAY DEFERRAL TO THE NOVEMBER WETLAND BOARD MEETING** was **GRANTED**.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

**WETLANDS BOARD
AMENDMENT TO POLICIES AND RULES OF PROCEDURES
ADOPTED JULY 19, 1999**

PROPOSED AMENDMENTS TO POLICIES AND RULES OF PROCEDURES: Article II, Sections 7 and 8

1. Article II, Section 7 –

REMOVE *Permits shall expire one (1) year from the Board's approval date*
ADD *Permits shall expire two (2) years from the Board's approval date.*

2. Article II, Section 8 –

REMOVE *twice* **ADD** *once*

REMOVE *two extensions* **ADD** *one extension*

(A request for an extension of time for a previously issued permit must be received in writing prior to the expiration date of the permit. A permit's time limit may be extended ~~twice~~ once. However, the Board approvals may not be extended. Permit extensions are limited to a total of three (3) years (~~two extensions~~) (one extension) after the original extension.)

SPEAKERS: Paul J. (PJ) Scully and Harold Jones, Sigma Environmental, Services, Inc.,

Mr. Scully, Wetlands staff, presented the Board with a request for a revision to the Policies and Rules of Procedures, Article II, Sections 7 and 8.

Upon Motion by Mr. Barney, seconded by Ms. White, the requested **Amendments to Policies and Rules of Procedures** were **APPROVED / ADOPTED**.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

DAVID MEYER / KATHY M. MEYER
APPLICATION No.: 2020-WTRA-00121

PROJECT: To remove a rip rap involving wetlands

PROJECT LOCATION: 344 Pike Circle, contiguous to North Bay

REQUEST: Request for one (1) year extension

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

Upon Motion by Mr. Barney, seconded by Mr. White, the request of **David Meyer** and **Kathy M. Meyer** for a **one (1) year extension of time** was **GRANTED**.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

**JAMES R. BURNELL
APPLICATION No.: 2020-WTRA-00156**

PROJECT: To construct bulkhead involving wetlands

PROJECT LOCATION: 329 Teal Crescent, contiguous to man-made Canal of North Bay

REQUEST: Request for one (1) year extension

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

Upon Motion by Mr. Barney, seconded by Ms. White, the request of **James R. Burnell** for a **one (1) year extension of time** was **APPROVED**.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

**900 LASKIN-B, LLC AND 900 LASKIN-T, LLC
APPLICATION No.: 2021-WTRA-00266**

PROJECT: To construct rip rap overlay involving wetlands

PROJECT LOCATION: 900 Laskin Road, contiguous to Little Neck Creek

SPEAKER: FOR – Richard Calvert, Calvert Marine, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **900 Laskin-B, LLC and 900 Laskin-T, LLC** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. Shellfish currently growing on the existing rip rap revetment shall be collected prior to reworking and installation of rip rap, preserved to the greatest extent possible during construction, and relocate along the rip rap revetment after construction is complete.
2. Revised plans shall be submitted to the Virginia Marine Resource Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to issuance of a building permit.

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

JEFFERY L. BRUZZESI
APPLICATION No.: 2021-WTRA-00268

PROJECT: To construct a bulkhead involving wetlands

PROJECT LOCATION: 312 Pike Circle, contiguous to North Bay

SPEAKERS: R. Harold Jones, Sigma Environmental, Services, Inc., Agent for Applicant
Vince Bowhers, Lynnhaven River NOW, Shore Restoration Coordinator

Mr. Jones informed the Board, for the record, that he reviewed the submitted application and found that he made an error, it should be five (5) square feet of non-vegetated wetlands and four (4) square feet of vegetated.

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Jeffery L. Bruzzesi** was **APPROVED, AS SUBMITTED.**

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:

None

RYAN WOODS
APPLICATION No.: 2021-WTRA-00271

PROJECT: To construct rip rap revetment involving wetlands

PROJECT LOCATION: 620 Lake Point Circle, contiguous to Linkhorn Bay

SPEAKER: **FOR** –David Harmeyer, Waterfront Consulting, Inc., Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Ryan Woods** was **APPROVED, AS SUBMITTED.**

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

None

MEMBERS ABSTAINING:


None

At 10:44 AM the October 18, 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