



**WETLANDS BOARD
MEETING MINUTES**

CITY OF VIRGINIA BEACH

CITY COUNCIL CHAMBER
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456

NOVEMBER 15, 2021
10:00 AM

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

STEPHEN BALLARD
KATIE CRUM
BENJAMIN J. MCFARLANE
EMILY STEINHILBER
JAMES T. VAIL

MEMBERS ABSENT:

CINDY HAWKS WHITE

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

The November 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, November 15, 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 October 18, 2021, was approved, as distributed, and acknowledged quorum was present.

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

MINUTES OF OCTOBER 18, 2021

Upon Motion by Mr. Vail, seconded by Mr. Barney, the October 18, 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:

Cindy Hawks White

MEMBERS ABSTAINING:

Benjamin J. McFarlane

**THE TERRY COMPANIES FIVE, LLC
APPLICATION No.: 2021-WTRA-00298**

PROJECT: To construct access stairs involving Coastal Primary Sand Dune / Beach

PROJECT LOCATION: 2301 Point Chesapeake Quay, contiguous to Chesapeake Bay

SPEAKER: **FOR** – Tuck Bowie with Terry Companies Five, LLC

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of The Terry Companies Five, LLC, **was APPROVED, AS SUBMITTED.**

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**JOSEPH J. LAMONTAGNE
CITY OF VIRGINIA BEACH /LEE PERCY
APPLICATION No.: 2020-WTRA-00130**

PROJECT: To construct riprap revetment involving wetlands

PROJECT LOCATION: Lot 1 of Shadow Lawn Heights, Caspian Avenue, contiguous to Canal from Lake Rudee

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of Joseph J. Lamontagne **was APPROVED, AS SUBMITTED.**

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**BERTRAND ROSS AND SUSANNE HUGHES
APPLICATION No.: 2021-WTRA-00270**

PROJECT: To install rip rap with living shoreline involving wetlands

PROJECT LOCATION: 1630 Arrowhead Point, contiguous to Western Branch of Lynnhaven River

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **Bertrand Ross** and **Susanne Hughes** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITION:

1. 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 the use of on-site compensation.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

LAUREN GRAHAM
APPLICATION No.: 2021-WTRA-00299

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

PROJECT LOCATION: 665 Chesopeian Point, contiguous to Eastern Branch Lynnhaven River

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **Lauren Graham** 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, Benjamin McFarlane,
Joashua Schulman, Emily Steinhilber and James T. Vail

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

BRIAN AND MARY GEARY
APPLICATION No.: 2021-WTRA-00300

PROJECT: To construct rip rap revetment and sill and plant vegetation involving wetlands

PROJECT LOCATION: 1900 West Twin Cove Road, contiguous to Lynnhaven River

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

Mr. Barney left the room at 10:30 a.m. and returned at 10:40 am.

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **Brian and Mary Geary** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITION:

1. 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 the use of on-site compensation.

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**JAMES BENNETT AND MARY MANTEY
APPLICATION No.: 2021-WTRA-00301**

PROJECT: To construct rip rap and oyster castles and plant vegetation involving wetlands

PROJECT LOCATION: 1618 Duke of Windsor Road, contiguous to Linkhorn Bay

SPEAKERS: **FOR** – Richard Calvert, Calvert Marine, Agent for Applicant
Vince Bowhers, Lynnhaven River NOW

Ms. McNamara, Staff Liaison, informed the Board that an email on Friday, November 12, 2021, in opposition to the proposed covered boatlift. This email is part of the permanent record of this public hearing and may be viewed at of Office of the City Clerk.

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **James Bennett and Mary Mantey was APPROVED, AS SUBMITTED.**

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**JOHN S. ALSPAUGH LIVING TRUST AND PATRICIA H. ALSPAUGH LIVING TRUST
APPLICATION NO.: 2021-WTRA-00280**

PROJECT: To construct rip rap revetment involving wetlands

PROJECT LOCATION: 1661 Bay Point, contiguous to Broad Bay

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **John S. Alspaugh Living Trust and Patricia H. Alspaugh Living Trust** 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, Benjamin McFarlane,
Joashua Schulman, Emily Steinhilber and James T. Vail

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**CHRISTIAN AND JENNIFER COOL
APPLICATION No.: 2021-WTRA-00296**

PROJECT: To install a bulkhead involving wetlands

PROJECT LOCATION: 2317 Leeward Shore Drive, contiguous to Bay Island

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **Christian and Jennifer Cool** 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

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:

Cindy Hawks White

MEMBERS ABSTAINING:

None

**LUCY ANN MAEYER TRUST
APPLICATION No.: 2021-WTRA-00305**

PROJECT: To install a bulkhead, marginal wharf and plant deck involving wetlands

PROJECT LOCATION: 2964 Sand Bend Road, contiguous to North Bay Inlet

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

Upon motion by Mr. Barney, seconded by Mr. Vail, the application of **Lucy Ann Maeyer Trust** 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, Benjamin McFarlane,
Joashua Schulman, Emily Steinhilber and James T. Vail

MEMBERS VOTING NAY:

None

MEMBERS ABSENT:


Cindy Hawks White

MEMBERS ABSTAINING:

None

At 11:10 AM the November 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