



**CITY OF VIRGINIA BEACH
WETLANDS BOARD MINUTES**

December 19, 2022

**CITY COUNCIL CHAMBER
BUILDING 1
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456**

**DECEMBER 19, 2022
10:00 AM**

Attendee Name	Title	Status	Arrived
Stephen Ballard	Board Member	Present	8:50 AM
Jason Barney	Vice Chairman	Present	8:50 AM
Cindy Hawks White	Board Member	Present	8:45 AM
Joashua Schulman	Chairman	Present	8:49 AM
James Vail	Board Member	Present	8:46 AM
Katie Crum	Board Member	Present	8:45 AM
Emily Steinhilber	Board Member	Present	9:02 AM
Ben McFarlane	Board Member (Alternate)	Excused	
SunTemple Helgren	Board Member (Alternate)	Excused	

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

The January 2023, Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by the Chair, Jason Barney, in the Council Chamber, 2401 Courthouse Drive, Virginia Beach, Virginia 23456 at AM, January 17, 2023.

Chair Barney 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 two (2) years 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 Barney 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 quorum was present and that the Wetlands Minutes of December 19, 2022, was approved, as distributed.

The slide presentation for each application site was rendered by

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

The December 2022, 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 10:07 AM, December 19, 2022.

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 two (2) years 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 quorum was present and that the Wetlands Minutes of November 21, 2022, was approved, as distributed.

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

APPROVAL OF THE MINUTES

Upon Motion by Mr. Barney, seconded by Ms. White, the November 21, 2022, Minutes was **APPROVED, AS DISTRIBUTED.**

RESULT:	6 TO 0 (VERBAL VOTE)
MOVER:	Jason Barney, Vice Chair
SECONDER:	Cindy White, Board Member
AYES:	Ballard, Barney, Schulman, Steinhilber, Vail and White
ABSTAIN:	Crum

ANNUAL ELECTION OF OFFICERS

Mr. Vail presented the nomination of the slate of Officers to the Wetlands Board as **Jason Barney, Chair** and **Cindy Hawks White, Vice Chair**.

Upon motion by Mr. Vail, seconded by Mr. Ballard, the Board verified the new slate of officers as **Jason Barney, Chair** and **Cindy Hawks White, Vice Chair** for 2023.

RESULT:	7-0 UNANIMOUS (VERBAL VOTE)
MOVER:	James Vail, Board Member
SECONDER:	Stephen Ballard, Board Member
AYES:	Ballard, Barney, Crum, Schulman, Steinhilber, Vail and White

**ROBERT RAGSDALE FAMILY TRUST
2021-WTRA-00310**

PROJECT: To construct rip rap revetment involving wetlands

LOCATION: 1614 Ferebee Drive contiguous to Linkhorn Bay

SPEAKERS: Billy Garrington, Governmental Permitting Consultant, Inc., Agent for Applicant
Vince Bowhers, Lynnhaven River Now

(This Item was Deferred from the October 17, 2022, Wetlands Board Meeting)

Upon motion by Mr. Barney, seconded by Ms. White, the application of Robert Ragsdale Family Trust was **APPROVED, AS SUBMITTED.**

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

RESULT: 7-0 [UNANIMOUS]

MOVER: Jason Barney, Vice Chair

SECONDER: Cindy Hawks-White, Board Member

AYES: Ballard, Barney, Crum, Schulman, Steinhilber, Vail and White

**CITY OF VIRGINIA BEACH, DEPARTMENT OF PUBLIC WORKS, ET AL.
2022-WTRA-00196**

- PROJECT:** To dredge involving wetlands
- LOCATION:** Hurds Cove Special Service District (SSD)
Hurds Cove, Eastern Branch of Lynnhaven River
- SPEAKERS:**
 - FOR** – Rebecca Francese Waterway Surveys & Engineering, Ltd., Agent for Applicant
Martin Schildwachter, Neighbor, Hurds Cove SSD Member
Jack Godfrey, Neighbor
James White, Public Works Engineering
 - AGAINST** – Philip Hightower, neighbor
Justin Morris, Neighbor

Ms. Whitney McNamara read into the record two letters of opposition from Justin and Elizabeth Morris. Those documents are part of the permanent record of this public hearing and may be viewed at of the Office of the City Clerk.

Upon motion by Mr. Barney, seconded by Ms. White, the application of City of Virginia Beach, Department of Public Works, et al. was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by the purchase of credits in a wetlands bank - Virginia Aquatic Trust Fund

RESULT:	7-0 [UNANIMOUS]
MOVER:	Jason Barney, Vice Chair
SECONDER:	Cindy Hawks-White, Board Member
AYES:	Ballard, Barney, Crum, Schulman, Steinhilber, Vail and White

**CITY OF VIRGINIA BEACH, DEPARTMENT OF PUBLIC WORKS, ET AL.
2022-WTRA-00232**

PROJECT: To dredge involving wetlands

LOCATION: Gills Cove Special Service District (SSD) Neighborhood
Gills Cove, Eastern Branch of Lynnhaven River

SPEAKERS: FOR – Bob Kerr, Wetland Studies and Solutions, Inc., Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of City of Virginia Beach, Department of Public Works, et al. was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by the purchase of credits in a wetlands bank - Virginia Aquatic Trust Fund

RESULT:	7-0 [UNANIMOUS]
MOVER:	Jason Barney, Vice Chair
SECONDER:	Cindy Hawks-White, Board Member
AYES:	Ballard, Barney, Crum, Schulman, Steinhilber, Vail and White

**JAMES J. KELLY
2022-WTRA-00237**

PROJECT: To construct a bulkhead and return wall involving wetlands

LOCATION: 320 Sage Road contiguous to Canal to North Bay

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of James J. Kelly was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

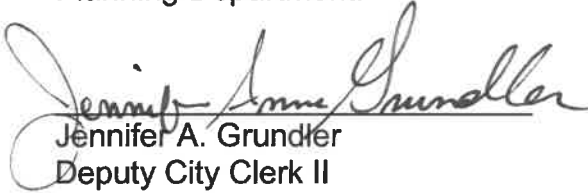
1. Impacts to non-vegetated wetlands shall be recalculated based off current field conditions.
2. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a building permit.

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

RESULT:	7-0 [UNANIMOUS]
MOVER:	Jason Barney, Vice Chair
SECONDER:	Cindy Hawks-White, Board Member
AYES:	Ballard, Barney, Crum, Schulman, Steinhilber, Vail and White

At 11:39 AM the December 19, 2022, 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



Jason Barney, Chair
Wetlands Board