



**WETLANDS BOARD
MEETING MINUTES**

CITY OF VIRGINIA BEACH

CITY COUNCIL CHAMBER
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456

FEBRUARY 21, 2022
10:00 AM

MEMBERS PRESENT:

CHAIRMAN, JOASHUA SCHULMAN, PRESIDING
VICE CHAIR, JASON BARNEY
STEPHEN BALLARD
BENJAMIN J. MCFARLANE
EMILY STEINHILBER
CINDY HAWKS WHITE

MEMBERS ABSENT:

KATIE CRUM
JAMES T. VAIL

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

The February 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 9:59 AM, February 21, 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.

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

MINUTES OF JANUARY 20, 2022

Upon Motion by Mr. Barney, seconded by Ms. White, the January 20, 2022, Minutes was **DEFERRED TO THE MARCH 21, 2022 WETLANDS MEETING.**

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

**MARK KESKE & MILLETTE MALLILLIN
APPLICATION No.: 2021-WTRA-00378**

PROJECT: To install a boat ramp with return walls involving wetlands

PROJECT LOCATION: 5620 Blackwater Road contiguous to Blackwater Creek

SPEAKER: None

APPLICANT REQUESTED A DEFERRAL

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Mark Keske** and **Millette Mallillin** was **DEFERRED TO THE MARCH 21, 2022, WETLANDS BOARD MEETING.**

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

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

REQUEST: One (1) Year Extension of Time

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

Upon motion by Mr. Barney, seconded by Ms. White, the requests of the **Neil and Christina Hutchinson** for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

KEVIN HEINSMAN
APPLICATION No.: 2021-WTRA-00083

PROJECT: To remove and relocate rip rap involving Wetlands

PROJECT LOCATION: 2960 Sand Bend Road contiguous to Canal to North Bay

REQUEST: One (1) Year Extension of Time

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

Upon motion by Mr. Barney, seconded by Ms. White, the requests of **Kevin Heinsman** for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

**THAO AND ANH NGUYEN
APPLICATION No.: 2021-WTRA-00084**

PROJECT: To construct a bulkhead and boat ramp involving Wetlands

PROJECT LOCATION: 3649 Sandpiper Road contiguous to Canal to Shipps Bay

REQUEST: One (1) Year Extension of Time

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

Upon motion by Mr. Barney, seconded by Ms. White, the requests of **Thao and Anh Nguyen**, for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

**ELIZABETH LASCARA REVOCABLE LIVING TRUST
APPLICATION No.: 2021-WTRA-00372**

PROJECT: To install rip rap involving Wetlands

PROJECT LOCATION: 1201 Kittiwake Court 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 **Elizabeth Lascara Revocable Living Trust** was **APPROVED, AS SUBMITTED.**

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

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

**GRANT & LISA SIBLEY
APPLICATION No.: 2022-WTRA-00001**

PROJECT: To install rip rap involving Wetlands

PROJECT LOCATION: 1500 Quail Point Road contiguous to Linkhorn Bay

SPEAKER: **FOR** – Billy Garrington, Governmental Permitting Services, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Grant** and **Lisa Sibley** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. The existing oysters (live and shells) within the area to be impacted by the rip rap revetment are to be carefully removed for temporary subaqueous storage and later replaced at the same elevation or lower along the seaward toe of the improvements.
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 the issuance of a building permit.

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

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Katie Crum and James T. Vail

MEMBERS ABSTAINING:

**DANIEL BLEVINS & BARBARA HALL
APPLICATION No.: 2022-WTRA-00002**

PROJECT: To install rip rap and plant vegetation involving Wetlands

PROJECT LOCATION: 3348 Whippoorwill Point contiguous to Dix Inlet

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

Vice Chair Barney read into the record an email in support that was received on Sunday, February 6, 2022, from Roy and Anne Mauer, neighbors directly across from the proposed rip rap installation. This document 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 **Daniel Blevins** and **Barbara Hall** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. A gap or low spot below Mean High Water, measuring at least twelve inches (12") wide shall be incorporated into the design of the sill to allow for daily tidal fluctuations.
2. Following installation of the wetland vegetation, an annual vegetation monitoring report shall be submitted 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.
3. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and 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.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, Stephen Ballard, Benjamin J. McFarlane,
Joashua Schulman, Emily Steinhilber and Cindy Hawks White

MEMBERS VOTING NAY:


MEMBERS ABSENT:

Katie Crum and James T. Vail

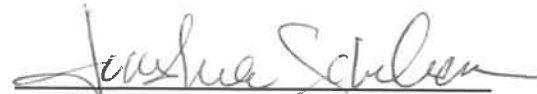
MEMBERS ABSTAINING:

At 10:26 AM the February 21, 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



Joashua Schulman, Chair
Wetlands Board