



WETLANDS BOARD MEETING MINUTES

CITY OF VIRGINIA BEACH

CITY COUNCIL CHAMBER
BUILDING 3
2403 COURTHOUSE DRIVE
VIRGINIA BEACH, VIRGINIA 23456

MAY 16, 2022
10:00 AM

MEMBERS PRESENT:

CHAIRMAN, JOASHUA SCHULMAN, PRESIDING
VICE CHAIR, JASON BARNEY
SUNTEMPLE HELGREN
EMILY STEINHILBER
JAMES T. VAIL
CINDY HAWKS WHITE

MEMBERS ABSENT:

STEPHEN BALLARD
KATIE CRUM

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

The May 2022, Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by the Chair, Joashua Schulman, in the Council Chamber, 2403 Courthouse Drive, Virginia Beach, Virginia 23456 at 10:00 AM, May 16, 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 April 18, 2022, was approved, as distributed.

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

MINUTES OF APRIL 18, 2022

Upon Motion by Mr. Barney, seconded by Ms. White, the April 18, 2022, Minutes was **APPROVED, AS DISTRIBUTED.**

VOTE: 5-0

MEMBERS VOTING AYE:

Jason Barney, Joashua Schulman, Emily Steinhilber,
James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

SunTemple Helgren

**HARBOR GATE OWNERS ASSOCIATES, INC
APPLICATION No.: 2022-WTRA-00014**

PROJECT: To construct a bulkhead involving Coastal Primary Sand Dune/Beach

PROJECT LOCATION: 3300 Ocean Shore Avenue contiguous to Chesapeake Bay

REQUEST: Staff request item be Deferred Indefinitely

SPEAKER: Richard Calvert, Calvert Marine, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Harbor Gate Owners Associates, Inc**, was **DEFERRED TO THE JUNE 22, 2022 WETLANDS MEETING.**

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

William R. Dinkins
APPLICATION No.: 2020-WTRA-00065

PROJECT: To grade sand involving a Coastal Primary Sand Dune/Beach

PROJECT LOCATION: 3256 Sandfiddler Road contiguous to Atlantic Ocean

REQUEST: One (1) Year Extension of Time

SPEAKER: None

Upon motion by Mr. Barney, seconded by Ms. White, the request of **William R. Dinkins** for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

JAMES J. JAMISON
APPLICATION NO.: 2021-WTRA-00093

PROJECT: To rework rip rap revetment, create oyster reef, and plant vegetation involving wetlands

PROJECT LOCATION: 1508 Duke of Windsor contiguous to Linkhorn Bay

REQUEST: One (1) Year Extension of Time

SPEAKER: Robert E. Simon, Waterfront consulting, Inc, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the request of **James J. Jamison** for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

**JOHN AND TAMA PROFILET
APPLICATION No.: 2021-WTRA-00073**

PROJECT: To construct a bulkhead and rip rap involving wetlands

PROJECT LOCATION: 1336 Holly Point Road contiguous to Eastern Branch Lynnhaven River Subdivision

REQUEST: One (1) Year Extension of Time

SPEAKER: Richard Calvert, Calvert Marine, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the request of **John and Tama Profilet** for a one (1) year extension of time was **GRANTED**.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

HAVERSHAM CLOSE LLC
APPLICATION No.: 2022-WTRA-00078

PROJECT: To construct a bulkhead and groin wall involving wetlands

PROJECT LOCATION: 2393 Haversham Close contiguous to Dey Cove

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Haversham Close, LLC**, was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. The existing oysters shall be removed and preserved during construction and replaced on-site in a similar location in the water column, to the extent possible, once construction is complete.
2. 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 payment of an in-lieu fee.

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

**PATRICK M. CUMMINGS, SCOTT M. SACHS AND JILLIAN REYNOLDS
APPLICATION No.: 2022-WTRA-00080**

PROJECT: To dredge and relocate bulkhead involving wetlands

PROJECT LOCATION: 2209 and 2484 Haversham Close contiguous to Man-made canal to North Bay

SPEAKER: **FOR** –David Kledzik, Marine Engineering, LLC, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Patrick M. Cummings, Scott M. Sachs** and **Jillian Reynolds** was **APPROVED, AS SUBMITTED.**

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

VOTE: 6-0

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

**RAKHEE GOEL AND RAMAN UNNIKRISHNAN
APPLICATION No.: 2022-WTRA-00077**

PROJECT: To construct rip rap revetments involving wetlands

PROJECT LOCATION: 1624 Arrowhead Point contiguous to Western Branch Lynnhaven River Bay

SPEAKER: **FOR** – David Kledzik, Marine Engineering LLC, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Rakhee Goel and Raman Unnikrishnan** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITION:**

1. All trees removed shall be mitigated at a 1:1 ratio. 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, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

**ABBAY AND BRENDA HORWITZ
APPLICATION No.: 2022-WTRA-00076**

PROJECT: To construct a rip rap revetment involving wetlands

PROJECT LOCATION: 1308 Wren Place contiguous to Linkhorn Bay

SPEAKER: **FOR** – David Kledzik, Marine Engineering LLC, Agent for Applicant

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

1. Any shellfish impacted by construction of the proposed improvements shall be removed from the structure(s), preserved in the water column, and returned/placed on the completed or existing rip rap on site as applicable.
2. 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 Wetlands 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, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

(Chair Schulman disclosed that he previously worked at a law firm that Abbey and Brenda Horwitz were clients. It is possible that he may have represented them with the purchase or refinance of this property but does not recall precise details as it was many years ago. Chair Schulman felt that he could participate fairly, objectively and in the public interest.)

**JAMES AND MAUREEN A. COWAN
APPLICATION No.: 2022-WTRA-00075**

PROJECT: To dredge and construct a bulkhead and rip rap revetment involving wetlands

PROJECT LOCATION: 3181 Adam Keeling contiguous to Man-made canal to Lynnhaven Bay

SPEAKER: **FOR** –David Kledzik, Marine Engineering, LLC, Agent for Applicant

Upon motion by Mr. Barney, seconded by Ms. White, the application of **James and Maureen A. Cowan** was **APPROVED, AS SUBMITTED.**

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

VOTE: **6-0**

MEMBERS VOTING AYE:

Jason Barney, SunTemple Helgren, Joashua Schulman,
Emily Steinhilber, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen Ballard and Katie Crum

MEMBERS ABSTAINING:

At 10:40 AM the May 16, 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