



**WETLANDS BOARD
MEETING MINUTES**

CITY OF VIRGINIA BEACH

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

JULY 18, 2022
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:

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

The July 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 10:01AM, July 18, 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 June 22, 2022, was approved, as distributed.

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

MINUTES OF JUNE 22, 2022

Upon Motion by Mr. Barney, seconded by Ms. Steinhilber, the June 22, 2022, Minutes was **APPROVED, AS DISTRIBUTED.**

VOTE: 4-0

MEMBERS VOTING AYE:

Stephen Ballard, Jason Barney, Joashua Schulman and Emily Steinhilber

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

Katie Crum, James T. Vail and Cindy Hawks White

SHAILESHKUMAR PATEL
APPLICATION No.: 2021-WTRA-00181

PROJECT: To construct rip rap involving wetlands

PROJECT LOCATION: 4044 North Witchduck Road contiguous to Western Branch Lynnhaven River

REQUEST: One (1) Year Extension of Time

SPEAKER: FOR – David Harmeyer, Waterfront Consulting, Inc.

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

VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

**HOLLOMAN BROWN FUNERAL HOME BAYSIDE CHAPEL, INC.
APPLICATION NO.: 2022-WTRA-00122**

PROJECT: To construct a rip rap revetment involving wetlands

PROJECT LOCATION: 3901 Richardson Road contiguous to Western Branch Lynnhaven

SPEAKER: FOR – David Harmeyer, Waterfront Consulting, Inc.

(Deferred from June 22, 2022, Wetlands Meeting)

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Holloman Brown Funeral Home Bayside Chapel, Inc.**, was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. The toe of the rip rap shall be located landward of all wetland vegetation growing on the site. The extent of wetlands vegetation shall be determined and marked during a required pre-construction meeting with Planning and Community Development Staff. A note shall be added to the plans to advise the contractor of this requirement.
2. Wetland vegetation shall be planted seaward of the rip rap revetment in the area of existing rip rap rubble to incorporate a living shoreline component into the project. Chesapeake Bay Preservation Area (CBPA) Variances & Wetlands Board Permit History Summary of Proposal Evaluation & Staff Recommendations Hollomon-Brown Funeral Home Bayside Chapel Agenda Item 7 Page 7.
3. Rip rap rubble and rocks with oysters growing on them shall be preserved during construction and placed along the toe of the rip rap revetment after construction is complete.
4. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development with the information required in conditions 1, 2, and 3 above 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: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

DOUGLAS DICKERSON
APPLICATION No.: 2022-WTRA-00140

PROJECT: To construct a bulkhead involving wetlands

PROJECT LOCATION: 1204 Kamichi Court contiguous to Little Neck Creek

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

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

1. Two-hundred and twenty-five (225) square feet of wetland vegetation shall be planted along the east portion of the shoreline subject to the rip rap sill construction associated with the June 2021 Wetland Permit. Plant spacing depends on the area to be covered and may be arranged in rows or random clusters at eighteen (18)-inches on center for average cover conditions.
2. Clean coarse-grained sand fill shall be placed within the area of wetland vegetation associated with condition 1 above at an acceptable depth to establish the planted wetland vegetation. No planting in the sand fill area shall occur within two (2) weeks of placement of sand to allow for settlement. Prior to planting this area, actual tide levels within planting area shall be verified and adjustments to the slope or height as necessary shall occur before planting.
3. The revised plans shall include grade elevations along the existing rip rap sill and area to be planted with wetland vegetation. Grade elevations shall be suitable to support tidal wetland establishment and protection.
4. Following the installation of the wetland 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.
5. 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 payment of an in-lieu fee.

DOUGLAS DICKERSON
APPLICATION No.: 2022-WTRA-00140
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VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

**MICHAEL J. & MARYANNE E. MILLER
APPLICATION No.: 2022-WTRA-00143**

PROJECT: To construct a rip rap revetment, sill, and oyster castles, and plant vegetation involving wetlands

PROJECT LOCATION: 2708 Hood Circle contiguous to Eastern Branch Lynnhaven River

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Michael J. and Maryanne E. Miller** was **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 at a similar place in the water column.
2. The existing *Spartina* growing in the existing rip rap shall be monitored for three growing seasons and included in the annual vegetation monitoring report. The annual report shall include photographs and a re-vegetation plan for any areas of where the vegetation has not survived.
3. A revised plan 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: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

JOHN B. NOWELL JR.
APPLICATION No.: 2022-WTRA-00144

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

PROJECT LOCATION: 2241 Leeward Shore Court contiguous to Man-made Canal to Broad Bay

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

Upon motion by Mr. Barney, seconded by Ms. White, the application of **John B. Nowell, Jr.**, 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,
James T. Vail and Emily Steinhilber, and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

MEMBERS ABSTAINING:

CHARIS PROPERTIES, LLC
APPLICATION No.: 2022-WTRA-00085

PROJECT: To construct a rip rap revetment and sand fill involving wetlands

PROJECT LOCATION: 465 Goodspeed Road contiguous to Crystal Lake

SPEAKER: FOR – Billy Garrington, Governmental Permitting Services

Upon motion by Mr. Barney, seconded by Ms. White, the application of **Charis Properties, Inc.**, 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 at a similar place in the water column.
2. The sand fill shall be shook into place by hand equipment so to not cover existing vegetation. Sand depth shall not exceed the six (6)-inch depth maximum as specified on the Joint Permit Application (JPA) and the sand will be installed during the dormant season of the vegetated wetlands. Sand depth shall not exceed the six-inch depth maximum as specified on the Joint Permit Application (JPA).
3. Following the installation of the sand fill, 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. Should areas need to be re-vegetated, plant spacing may be arranged in rows or random clusters at 18-inches on center for average cover conditions. CBPA Variances & Wetlands Board Permit History Summary of Proposal Evaluation & Staff Recommendations Charis Properties, LLC Agenda Item 6 Page 7
4. Provide a top of rip rap elevation of 3.0' for Schematic Section A-A' Detail.
5. A revised plan 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.

CHARIS PROPERTIES, LLC
APPLICATION No.: 2022-WTRA-00085
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VOTE: 7-0

MEMBERS VOTING AYE:

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

MEMBERS VOTING NAY:

MEMBERS ABSENT:

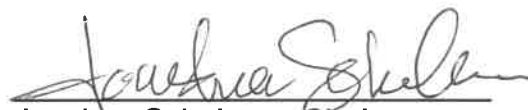
MEMBERS ABSTAINING:

At 10:52 AM the July 18, 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