



CITY OF  
**VIRGINIA  
BEACH**

**CITY OF VIRGINIA BEACH  
WETLANDS BOARD MINUTES**

April 17, 2023

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

**APRIL 17, 2023  
10:00 AM**

JASON BARNEY, CHAIR, PRESIDING

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Stephen Ballard	Board Member	Present
Jason Barney	Chair	Present
David Bradley	Board Member	Present
Katie Crum	Board Member	Present
Jarrod Katzer	Board Member (Alternate)	Present
SunTemple Helgren	Board Member (Alternate)	Excused
Ben McFarlane	Board Member (Alternate)	Excused
Emily Steinhilber	Board Member	Present
James Vail	Board Member	Absent
Cindy Hawks White	Vice Chair	Present

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

The April 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 10:00 AM, April 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 the Wetlands Minutes of March 20, 2023, was approved, as Amended. Chair Barney stated that Quorum was present.

The slide presentation for each application site was rendered by Ms. Heaven L. Manning.

**APPROVAL OF THE MINUTES**

Board Member Bradley announced that he would like to amend the Minutes noting that the seconder should be Member Crum in the boxes at the bottom of pages 5 of 7 and 6 of 7.

Upon Motion by Mr. Bradley, seconded by Mr. Ballard, the March 20, 2023, Minutes was **APPROVED, AS AMENDED**.

<b>RESULT:</b>	<b>APPROVED, AS AMENDED [5 TO 0]</b>
<b>MOVER:</b>	David Bradley, Board Member
<b>SECONDER:</b>	Stephen Ballard, Board Member
<b>AYES:</b>	Ballard, Barney, Bradley, Crum and Steinhilber
<b>ABSTAIN:</b>	Katzer and White



**CITY OF VIRGINIA BEACH PUBLIC WORKS OPERATIONS  
2023-WTRA-00041**

- PROJECT:** To maintenance dredge involving wetlands.
- LOCATION:** 604 Downing Crescent, 608 Downing Crescent, 600 Runnymede Court, 601 Runnymede Court, 681 Oxford Circle, 685 Oxford Circle contiguous to Oxford Drive Canal to Buchanan Creek
- SPEAKER:** **FOR** – Rebecca Francese, Senior Scientist, Waterways Survey and Engineering, LTD, Agent for Applicant

Upon motion by Ms. White, seconded by Ms. Crum, the application of **City of Virginia Beach Public Works Operations** was **APPROVED, AS SUBMITTED.**

**The payment of an in-lieu fee to be waived.**

**RESULT:** 7-0 APPROVED [UNANIMOUS]  
**MOVER:** Cindy Hawks White, Vice Chairman  
**SECONDER:** Katie Crum, Board Member  
**AYES:** Ballard, Barney, Bradley, Crum, Katzer, Steinhilber and White

**DANIEL A. & CRYSTAL MAXWELL  
2023-WTRA-00050**

**PROJECT:** To construct a rip rap revetment and return walls involving wetlands.  
**LOCATION:** 680 Thalia Point Road contiguous to Western Branch Lynnhaven River  
**SPEAKER:** **FOR** – Richard Calvert, Calvert Marine, Agent for Applicant

Upon motion by Ms. White, seconded by Ms. Crum, the application of **Daniel A. and Crystal Maxwell** 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 rip rap on site as applicable at a similar place in the water column.
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 use of on-site compensation.**

<b>RESULT:</b>	<b>7-0 APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Cindy Hawks White, Vice Chairman
<b>SECONDER:</b>	Katie Crum, Board Member
<b>AYES:</b>	Ballard, Barney, Bradley, Crum, Katzer, Steinhilber and White



**DAVID A. SCHRENK  
2023-WTRA-00058**

**PROJECT:** To construct a bulkhead and return wall involving wetlands.

**LOCATION:** 2709 Canal Road contiguous to Broad Bay

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

Upon motion by Ms. White, seconded by Ms. Crum, the application of **David A. Schrenk** 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 bulkhead at a similar place in the water column.
2. Construction limits and associated land disturbance shall be limited to the area necessary to provide for a single point construction accessway as shown on the Site Access and Demolition Plan. The staging area, stockpiling of materials, and contractor parking area shall be noted on the revised plan, and all occur within the limits of construction.
3. Wire reinforced thirty-six (36)-inch silt fence, for erosion and sedimentation control measures, shall be installed along the landward limits of the site access prior to any land disturbance and shall remain in place until such time as vegetative cover is established.
4. Permanent soil stabilization measures shall be applied to all disturbed / denuded area(s) outside of the limits of construction at the time of mobilization and within the limits of construction after the proposed improvements have been installed. All disturbed or denuded areas shall be stabilized in accordance with the Virginia Erosion and Sediment Control Law and Regulations.
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 the payment of an in-lieu fee.**

<b>RESULT:</b>	<b>APPROVED [6 TO 0]</b>
<b>MOVER:</b>	Cindy Hawks White, Vice Chairman
<b>SECONDER:</b>	Katie Crum, Board Member
<b>AYES:</b>	Ballard, Barney, Bradley, Crum, Steinhilber and White
<b>ABSTAIN:</b>	Katzer

***Mr. Katzer abstained due to his employer's (WPLarge, Inc.) involvement on this project.***



April 17, 2023

Kathy Warren  
Planning and Community Development Department  
2875 Sabre Street  
Suite 500  
Virginia Beach, VA 23452

Re: Abstention Pursuant to the Conflicts of Interests Act, Va. Code Section 2.2-3115(F)

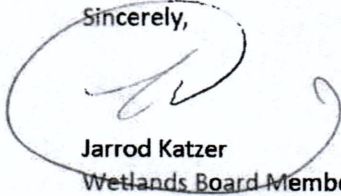
Dear Ms. Warren:

Pursuant to the State and Local Government Conflict of Interests Act, I make the following declaration:

1. I am executing this written disclosure regarding the Wetlands Board's discussion and vote on April 17, 2023 – 2023-WTRA-00058 David A. Schrenk [Applicant & Owner] 2709 Canal Road GPIN 1499-57-7374 City Council District: District 8, formerly Lynnhaven Waterway – Broad Bay Subdivision – Broad Bay Colony Request: To construct a bulkhead and return wall involving wetlands.
2. My employer, WPLarge, Inc., LOCATED AT 242 Mustang Trail, Suite 8, Virginia Beach Virginia, 23451 has consulted on this project.
3. For this reason, I will abstain from this vote.

Please record this declaration in the official records of the Wetlands Board. Thank you for your assistance.

Sincerely,



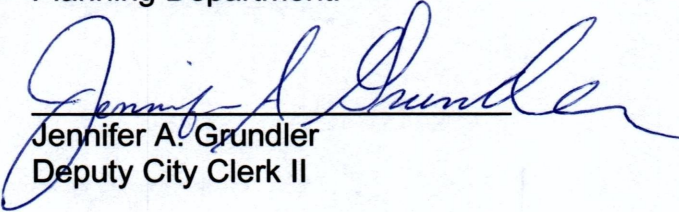
Jarrod Katzer

Wetlands Board Member

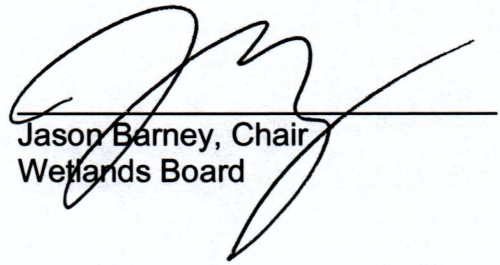


At 10:26 AM the April 17, 2023, Public Hearing of the Virginia Beach Wetlands Board was adjourned by the Chair, Jason Barney.

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