



**WETLANDS BOARD
MEETING MINUTES
City Council Chamber
Building 1
2401 Courthouse Drive
Virginia Beach, Virginia 23456**

**March 18, 2024
10:00 am**

Jason Barney, Chair, Presiding

MEMBERS	TITLE	STATUS
<i>Jason Barney</i>	<i>Chair, Board Member</i>	<i>Present</i>
<i>David Bradley</i>	<i>Board Member</i>	<i>Present</i>
<i>Barton Dexter</i>	<i>Board Member (Alternate)</i>	<i>Excused</i>
<i>Paul Holley</i>	<i>Board Member (Alternate)</i>	<i>Excused</i>
<i>Jarrold Katzer</i>	<i>Board Member</i>	<i>Present</i>
<i>Ben McFarlane</i>	<i>Board Member</i>	<i>Present</i>
<i>Emily Steinhilber</i>	<i>Board Member</i>	<i>Present</i>
<i>James Vail</i>	<i>Board Member</i>	<i>Present</i>
<i>Cindy Hawks White</i>	<i>Vice Chair, Board Member</i>	<i>Present</i>

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NEW BUSINESS – WETLANDS

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**Wetlands Board
Virginia Beach, Virginia
Public Hearing Meeting Minutes**

The March 2024, Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by Chair Jason Barney in the Council Chamber, 2401 Courthouse Drive, Virginia Beach, Virginia 23456 at 10:01 AM, March 18, 2024.

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 three (3) years from the date it is granted. Applicants are advised to obtain their permit within no more than thirty (30) days of their Hearing.

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 February 22, 2024, was approved, as distributed.

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

Approval of the Minutes

Upon Motion by Ms. White, seconded by Mr. Vail, the February 22, 2024, Minutes was APPROVED, AS DISTRIBUTED.

RESULT: 7-0, APPROVED, AS DISTRIBUTED [UNANIMOUS]

MOVER: Cindy Hawks White, Vice Chair, Board Member

SECONDER: James Vail, Board Member

AYES: Barney, Bradley, Katzer, McFarlane, Steinhilber, Vail and White

**Fabiszewski Family Trust
[Applicant & Owner]
2024-WTRA-00014**

Project: *To construct an Envirolock revetment involving wetlands*

Location: *4300 Calverton Lane contiguous to Western Branch Lynnhaven River*

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

Upon request by Board Member Steinhilber, Paul J. Scully, Staff, read into the record an email with recommendations dated March 12, 2024, from Emily Hine, Assistant Director for Advisory Services, Virginia Institute of Marine Science (VIMS) Research and Advisory Service. This document is a part of the permanent record of this public hearing and may be viewed at the Office of the City Clerk.

A motion was made by Ms. White to defer to the May 2024 hearing. The Chair acknowledged that the motion failed due to no second.

Upon motion by Ms. White, seconded by Mr. Vail, the application of Fabiszewski Family Trust was APPROVED, AS MODIFIED, with the following conditions:

- 1. Impacts to existing wetlands, both vegetated and non-vegetated, shall be recalculated based off current field conditions from mean low water (MLW) to the factor one and one-half (1½) times the mean tide range at the site.*
- 2. Submitted concurrent with the revised Joint Permit Application (JPA) shall be a separate planting plan for the redeveloped shoreline detailing location, number, and species of vegetation to be installed within the wall system. The planting plan shall clearly delineate the area to be planted, existing vegetation to be removed within the planting area, and areas of shoreline vegetation to be managed permitting sunlight to interface with tidal fringe marsh. Salt and flood tolerant plant species shall be planted below the five (5)-foot contour to ensure greater survival of the plantings.*
- 3. Mature trees exist adjacent to tidal waters, the select removal of lower tree limbs shall be performed thereby permitting sunlight to interface with tidal fringe marsh. The removal of lower limbs from existing trees shall be coordinated in the field with Waterfront Operations during the preconstruction meeting.*

***Fabiszewski Family Trust
[Applicant & Owner]
2024-WTRA-00014
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- 4. Following the installation, 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 eighteen (18)-inches on center for average cover conditions.*
- 5. Revised plans including installation of coir logs shall be submitted to the Virginia Marine Resources Commission (VMRC) and shall ultimately be 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, APPROVED [UNANIMOUS]*

MOVER: *Cindy Hawks White, Vice Chair, Board Member*

SECONDER: *James Vail, Board Member*

AYES: *Barney, Bradley, Katzer, McFarlane, Steinhilber, Vail and White*

***Vijaya L. Gottimukkala Trust [Applicant & Owner]
2024-WTRA-00030***

Project: To construct a rip rap revetment and rip rap sill involving wetlands

Location: 1613 Arrowhead Point contiguous to Western Branch Lynnhaven River

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

Upon motion by Ms. White, seconded by Mr. Vail, the application of Vijaya L. Gottimukkala Trust was APPROVED, AS MODIFIED, with the following conditions:

- 1. Any shellfish located within the footprint of the proposed rip rap sill and rip rap revetments shall be removed, 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. Following the installation, 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 eighteen (18) -inches on center for average cover conditions.***
- 3. 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 and the payment of an in-lieu fee.

RESULT: 7-0, APPROVED [UNANIMOUS]

MOVER: Cindy Hawks White, Vice Chair, Board Member

SECONDER: James Vail, Board Member

AYES: Barney, Bradley, Katzer, McFarlane, Steinhilber, Vail and White

**John & Kristen Wheeler [Applicants]
Wheeler Joint Revocable Living Trust [Owner]
2024-WTRA-00023**

Project: *To construct a rip rap revetment, install a coir log, place sand, and plant vegetation involving wetlands*

Location: *4133 Ewell Road contiguous to Western Branch Lynnhaven River*

Speaker: *Richard Calvert, Calvert Marine, Agent for Applicant*

Upon motion by Ms. White, seconded by Mr. Vail, the application of John & Kristen Wheeler was APPROVED, AS MODIFIED, with the following conditions:

- 1. Install "New 12" Coir Log" landward of the existing vegetated wetlands through cross-section locations 3, 4, and 5 shall be relocated seaward of the existing vegetated wetlands in a manner consistent with the State Code 4VAC 20-1330-40, Specific Criteria with regard to water depth, material weight, height and width of sill, placement to avoid existing vegetated wetlands, and provided the necessary five (5)-foot-wide gaps specifications.*
- 2. Specify the depth and area of any sand backfill placed behind the granite rip rap sill. Sand backfill shall comply with State Code 4VAC 20 -1330-40, Specific Criteria (I) for grain size and sand placement.*
- 3. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and shall ultimately be 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.

RESULT: *7-0, APPROVED [UNANIMOUS]*

MOVER: *Cindy Hawks White, Vice Chair, Board Member*

SECONDER: *James Vail, Board Member*

AYES: *Barney, Bradley, Katzer, McFarlane, Steinhilber, Vail and White*

At 10:41 AM the March 18, 2024, 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***