



WETLANDS BOARD MEETING MINUTES

February 19, 2026

INFORMAL MEETING 9 a.m.

City Manager's Conference Room #2034

Building 1

2401 Courthouse Drive

Virginia Beach, Virginia 23456

FORMAL MEETING 10 a.m.

City Council Chamber

Building 1

2401 Courthouse Drive

Virginia Beach, Virginia 23456

Cindy Hawks White, Chair, Presiding

MEMBERS	TITLES	ATTENDANCE INFORMAL & FORMAL
Stephen Ballard	Board Member (Alternate)	Present
Jason Barney	Board Member	Present
Barton Dexter	Board Member	Present
Paul Holley	Board Member	Absent (Excused)
Ben McFarlane	Vice Chair, Board Member	Present
Emily Steinhilber	Board Member	Present
James Vail	Board Member	Absent (Unexcused)
Cindy Hawks White	Chair, Board Member	Present

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Virginia Beach Wetlands Board Informal Hearing Meeting Minutes

The February 2026 Informal Meeting for the Virginia Beach Wetlands Board was called to order by Chair Cindy Hawks White in the City Manager's Conference Room, 2401 Courthouse Drive, Virginia Beach, Virginia 23456 at 9:10 a.m., February 19, 2026.

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

The informal meeting ended at 9:45 a.m.

Virginia Beach Wetlands Board Public Hearing Meeting Minutes

The February 2026 Public Hearing Meeting for the Virginia Beach Wetlands Board was called to order by Chair Cindy Hawks White in the Council Chamber, 2401 Courthouse Drive, Virginia Beach, Virginia 23456 at 10:03 a.m., February 19, 2026.

Chair White 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 White acknowledged each applicant and/or agent for the applicant and administered the oath of truth and honor.

The Chair stated that as required by law four (4) affirmative votes are required for an approval of a permit application. Chair White declared that the approval of the Minutes from the January 22, 2026, meeting was deferred to the April 20, 2026, Meeting, due to no quorum present for the vote. Chair White announced that the Wetlands Minutes of November 17, 2025, were approved, as distributed and the March 2026 meeting has been cancelled.

Quorum was present for this February 19, 2026, meeting.

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

Approval of Minutes

Upon Motion by Mr. Barney, seconded by Ms. Steinhilber, the November 17, 2025, Minutes were APPROVED, AS DISTRIBUTED.

RESULT: 4-0, APPROVED, AS DISTRIBUTED
MOVER: Jason Barney, Board Member
SECONDER: Emily Steinhilber, Board Member
AYES: Ballard, Barney, Steinhilber, and White
ABSTAINED: Dexter and McFarlane

**Barbara L. Boeshe Irrevocable Trust
[Applicant and Owner]
2025-WTRA-00224**

Project: To construct a bulkhead and return walls involving wetlands

Location: 2820 Wood Duck Drive contiguous to Bass Inlet West (District 2)

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

Upon motion by Mr. Ballard, seconded by Mr. Barney, the application of Barbara L. Boeshe Irrevocable Trust was APPROVED, AS MODIFIED, with the following conditions:

1. The proposed bulkhead shall be realigned to match the bulkhead at 2816 Wood Duck Drive in the area along the boat ramp at the Northern end of the property.
2. All trees removed in conjunction with construction of the bulkhead shall be mitigated on-site at a 1:1 ratio.
3. Revised plans shall be submitted to the U.S. Army Corps of Engineers 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 purchase of credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

RESULT: 6-0, APPROVED, [UNANIMOUS]

MOVER: Stephen Ballard, Board Member

SECONDER: Jason Barney, Board Member

AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

**Laura M. Ellis
[Applicant and Owner]
2026-WTRA-00006**

Project: To construct a rip rap revetment, return walls and boat ramp involving wetlands

Location: 2836 Bluebill Drive contiguous to Bass Inlet East (District 2)

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

Upon motion by Mr. Dexter, seconded by Mr. McFarlane, the application of Laura M. Ellis was APPROVED, AS MODIFIED, with the following conditions:

1. The rip rap north of the boat ramp shall be constructed landward of the existing bulkhead. The rip rap shall be aligned with the rest of the shoreline, rather than at an angle.
2. Revised plans shall be submitted to the U.S. Army Corps of Engineers 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 purchase of credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

RESULT: 6-0, APPROVED, [UNANIMOUS]

MOVER: Barton Dexter, Board Member

SECONDER: Ben McFarlane, Vice Chair, Board Member

AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

**Ramanlal K. and Nayanaben R. Patel
[Applicants and Owners]
2026-WTRA-00001**

Project: To construct a bulkhead and return walls involving wetlands

Location: 524 Kerry Lane contiguous to Lake Wesley (District 5)

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

Upon motion by Ms. Steinhilber, seconded by Mr. Dexter, the application of Ramanlal K. and Nayanaben R. Patel was APPROVED, AS MODIFIED, with the following conditions:

1. The proposed bulkhead from the pier to the terminus of the project at the northern end of the property shall be constructed no more than one (1) foot channelward of the existing bulkhead.
2. Revised plans shall be submitted to the U.S. Army Corps of Engineers 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 purchase of credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

RESULT: 5-0, APPROVED

MOVER: Emily Steinhilber, Board Member

SECONDER: Barton Dexter, Board Member

AYES: Ballard, Dexter, McFarlane, Steinhilber, and White

ABSTAIN: Barney

(Board Member Barney disclosed that the applicant was a former client and recused himself from this item.)

February 19, 2026

Kathy Warren
Planning and Community Development Department
2403 Courthouse Dr.
Municipal Center, Building 3
Virginia Beach, VA 23456

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 February 19, 2026 – Agenda Item 3, located at 524 Kerry Lane.
2. I have previously represented the applicant, Ramanlal and Nayanaben R. Patel, as an employee of Barney Environmental, Inc. located 216A 57th Street, Virginia Beach, 23451.
3. Due to their involvement, I will abstain from this vote.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Barney', with a long horizontal flourish extending to the right.

Jason Barney
Wetlands Board Member

**Llewellyn E. Jalbert, Jr., & Teresa S. Jalbert
[Applicants and Owners]
2026-WTRA-00003**

Project: To construct bulkhead and return walls involving wetlands

Location: 512 Kerry Lane contiguous to Lake Wesley (District 5)

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

Upon motion by Ms. Steinhilber, seconded by Mr. McFarlane, the application of Llewellyn E. Jalbert, Jr., & Teresa S. Jalbert was APPROVED, AS MODIFIED, with the following conditions:

1. The proposed bulkhead shall be constructed no more than one (1) foot channelward of the existing bulkhead.
2. Revised plans shall be submitted to the U.S. Army Corps of Engineers 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 purchase of credits from the Virginia Stream and Wetland Mitigation Program (SWMP).

RESULT: 6-0, APPROVED, [UNANIMOUS]

MOVER: Emily Steinhilber, Board Member

SECONDER: Ben McFarlane, Vice Chair, Board Member

AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

**Amir Hajimomenian
[Applicant and Owner]
2026-WTRA-00004**

Project: To construct a bulkhead and return wall involving wetlands

Location: 2389 Haversham Close contiguous to Ferebee Cove (District 8)

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

Upon motion by Mr. Dexter, seconded by Mr. McFarlane, the application of Amir Hajimomenian was APPROVED, AS MODIFIED, with the following condition:

1. Mitigation for impacts to wetlands will be made by purchasing credits through an approved mitigation bank. If credits are not available through an approved wetlands bank, the use of an approved in-lieu fee program, such as the Virginia Stream and Wetland Mitigation Program (SWMP) is permitted.

No Net Loss of wetlands on this project was achieved by the purchase of credits in a wetlands bank.

RESULT: 6-0, APPROVED, [UNANIMOUS]

MOVER: Barton Dexter, Board Member

SECONDER: Ben McFarlane, Vice Chair, Board Member

AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

**Douglas G. Dickerson
[Applicant and Owner]
2025-WTRA-00162**

Project: To construct a bulkhead and return walls involving wetlands

Location: 1204 Kamichi Court contiguous to Linkhorn Bay (District 6)

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

Upon motion by Ms. Steinhilber, seconded by Mr. McFarlane, the application of Douglas G. Dickerson to DEFER TO THE APRIL 2026 MEETING was DENIED due to a tie vote.

RESULT: 3-3, MOTION DENIED (The Clerk stated the vote incorrectly but corrected the statement)
MOVER: Emily Steinhilber, Board Member
SECONDER: Ben McFarlane, Vice Chair, Board Member
AYES: McFarlane, Steinhilber, and White
NAYS: Barney, Ballard, and Dexter

Upon motion by Mr. Barney, seconded by Mr. Ballard, the application of Douglas G. Dickerson was APPROVED, AS MODIFIED, with the following conditions:

1. If Public Works Real Estate determines that an encroachment agreement with the City of Virginia Beach is required, such an agreement shall be obtained prior to the release of a Wetlands Board Permit or issuance of a building permit.
2. Mitigation for impacts of wetlands will be made by purchasing credits through an approved mitigation bank. If credits are not available through an approved mitigation bank, the use of an approved in-lieu fee program, such as the Virginia Stream and Wetland Mitigation Program (SWMP) is permitted.

No Net Loss of wetlands on this project was achieved by the purchase of credits in a wetlands bank.

RESULT: 6-0, APPROVED, [UNANIMOUS] (VERBAL)
MOVER: Jason Barney, Board Member
SECONDER: Stephen Ballard, Board Member
AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

(Ms. Steinhilber made a comment to Staff requesting that moving forward on bulkhead projects staff does not defer to two (2) feet channelward first but refer to the Staff and VMRC recommendations first and then staff and members can discuss each property on a case-by-case basis. Board Member McFarlane concurred.)

**SHOW CAUSE HEARING
Richard J. Neary, III (Property Owner)
2026-WTRV-00001**

Violation: Unauthorized construction of a bulkhead involving wetlands

Location: 1704 Stephens Road contiguous to Broad Bay (District 6)

Speakers: FOR – Richard J. Neary, III, Property Owner
Robert E. Simon, Waterfront Consulting, Inc., Agent for Property Owner

Upon motion by Mr. Barney, seconded by Mr. Ballard, it was moved that Richard A. Neary, III, be found in violation and findings are as follows:

1. The testimony presented in this hearing indicated that the activity of unauthorized construction of a bulkhead, conducted by Richard J. Neary, III, at 1704 Stephens Road, which is the subject of this Show Cause action constitutes a violation of the provisions of the Wetlands Zoning Ordinance.
2. Based on the testimony of staff, all relevant information, and discussion by the Board, the environmental impact to the Wetlands Resources is moderate.
3. The relative degree of deviation or non-compliance is moderate.

RESULT: 5-0, APPROVED
MOVER: Jason Barney, Board Member
SECONDER: Stephen Ballard, Board Member
AYES: Ballard, Barney, McFarlane, Steinhilber, and White
ABSTAINED: Dexter

Accordingly, upon Motion by Mr. McFarlane, seconded by Ms. Steinhilber, it was moved that a civil charge of \$3000.00 be imposed on Richard J. Neary, III, pursuant to Section 1418(b) of the Wetlands Zoning Ordinance. This civil charge shall be paid by certified check or cashier's check, payable to the Treasurer of the City of Virginia Beach, and delivered to the Office of the City Attorney no later than ten (10) days from today, together with an executed Memorandum of Agreement acknowledging the violation and consent to the imposition of a civil charge. Payment of the civil charge shall be in lieu of any civil penalty that may be imposed by the Circuit Court with respect to the violation, which is the subject of this show cause, and in addition to any cost of restoration that may be ordered by the Board.

RESULT: 5-0, APPROVED, [VERBAL]
MOVER: Ben McFarlane, Vice Chair, Board Member
SECONDER: Emily Steinhilber, Board member
AYES: Ballard, Barney, McFarlane, Steinhilber, and White
ABSTAINED: Dexter

Further, upon motion by Mr. McFarlane, seconded by Ms. Steinhilber, it was moved that Richard A. Neary, III, is hereby ordered to file a completed after-the-fact permit application, if they have not already done so, to be delivered to the Virginia Marine Resources Commission (VMRC) on or before March 1, 2026, for the public hearing to be held on April 20, 2026. Failure to file a completed after-the-fact permit application within the time period as set forth herein constitutes a separate violation.

RESULT: 5-0, APPROVED, [VERBAL]
MOVER: Ben McFarlane, Vice Chair, Board Member
SECONDER: Emily Steinhilber, Board member
AYES: Ballard, Barney, McFarlane, Steinhilber, and White
ABSTAINED: Dexter

(Board Member Dexter disclosed that he has a personal relationship with the property owner and therefore abstained from this item.)

SHOW CAUSE HEARING

Richard J. Neary, III (Property Owner)

2026-WTRV-00001

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February 19, 2026

Kathy Warren
Planning and Community Development Department
2403 Courthouse Dr.
Municipal Center, Building 3
Virginia Beach, VA 23456

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 February 19, 2026 – Show Cause Agenda Item 7, located at 1704 Stephens Road.
2. I have a personal relationship with the property owner, Richard J. Neary, III, and do not feel that I can participate in this transaction fairly, objectively, and in the public interest. I am an employee of Hourigan Group, Inc. located at 4429 Bonney Road, Ste. 200, Virginia Beach, VA 23462.
3. Due to their involvement, I will abstain from this vote.

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

Sincerely,



Barton Dexter
Wetlands Board Member

SHOW CAUSE HEARING
Chris Sheppard, Piranha Pier Works (Contractor)
2026-WTRV-00002

Violation: Unauthorized construction of a bulkhead involving wetlands

Location: 1704 Stephens Road contiguous to Broad Bay (District 6)

Speaker: FOR – Chris Sheppard, Piranha Pier Works (Contractor)

Upon motion by Mr. McFarlane, seconded by Mr. Barney, it was moved that Chris Sheppard, Piranha Pier Works, be found in violation and requested that following finding be incorporated into the motion:

1. The testimony presented in this hearing indicated that the activity of unauthorized construction of a bulkhead, conducted by Chris Sheppard, Piranha Pier Works, at 1704 Stephens Road, which is the subject of this Show Cause action constitutes a violation of the provisions of the Wetlands Zoning Ordinance.
2. Based on the testimony of staff, all relevant information, and discussion by the Board, the environmental impact to the Wetlands Resources is moderate.
3. The relative degree of deviation or non-compliance is moderate.

RESULT: 6-0, APPROVED, [UNANIMOUS]

MOVER: Ben McFarlane, Vice Chair, Board Member

SECONDER: Jason Barney, Board member

AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

(For disclosure, Mr. Barney and Mr. Dexter seconded the motion simultaneously. However, Board Member Barney selected “Second” on the eboardroom tablet.)

Accordingly, upon motion by Mr. McFarlane, seconded by Mr. Barney, it was moved that a civil charge of \$3,000.00 be imposed on Chris Sheppard, Piranha Pier Works, pursuant to Section 1418(b) of the Wetlands Zoning Ordinance. This civil charge shall be paid by certified check or cashier’s check, payable to the Treasurer of the City of Virginia Beach, and delivered to the Office of the City Attorney no later than ten (10) days from today, together with an executed Memorandum of Agreement acknowledging the violation and consent to the imposition of a civil charge. Payment of the civil charge shall be in lieu of any civil penalty that may be imposed by the Circuit Court with respect to the violation, which is the subject of this show cause, and in addition to any cost of restoration that may be ordered by the Board.

RESULT: 6-0, APPROVED, [UNANIMOUS] VERBAL
MOVER: Ben McFarlane, Vice Chair, Board Member
SECONDER: Jason Barney, Board member
AYES: Ballard, Barney, Dexter, McFarlane, Steinhilber, and White

(At the Beginning of the introduction of the SHOW CAUSE HEARINGS, Board Member Barney disclosed that he has previously worked with Chris Sheppard of Piranha Pier Works. Board Member, Jason Barney acknowledged that he was able to participate in this transaction fairly, objectively, and in public interest.)

SHOW CAUSE HEARING

Chris Sheppard, Piranha Pier Works (Contractor)

2026-WTRV-00002

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February 19, 2026

Kathy Warren
Planning and Community Development Department
2403 Courthouse Dr.
Municipal Center, Building 3
Virginia Beach, VA 23456

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 February 19, 2026 – Agenda Item 8, located at 1704 Stephens Road.
2. I have previously worked with Chris Sheppard of Piranha Pier Works ("Contractor"), as an employee of Barney Environmental, Inc. located 216A 57th Street, Virginia Beach, 23451. I do not currently work with the Contractor and have no financial interest in the project that this the subject of this show cause, and I am able to participate in this transaction fairly, objectively, and in the public interest.
3. I will not abstain from this vote.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jason Barney', with a long, sweeping horizontal line extending to the right.

Jason Barney
Wetlands Board Member

At 12:02 p.m. the February 19, 2026, Public Hearing of the Virginia Beach Wetlands Board was adjourned by the Chair, Cindy Hawks White.

The comments of the Planning Department are on file with the City of Virginia Beach Planning Department.

**Jennifer A. Grundler
Deputy City Clerk II**

**Cindy Hawks White, Chair
Wetlands Board**