



**WETLANDS BOARD
MINUTES**

CITY OF VIRGINIA BEACH
10:00 AM
CITY COUNCIL CHAMBER

MARCH 20, 2017

MEMBERS PRESENT:

LEONARD A. JOHNSON, CHAIRMAN, PRESIDING

JAMES T. VAIL, VICE CHAIRMAN

NILS S. BAHRINGER

MOLLY P. BROWN

STEPHEN B. BALLARD (LEFT MEETING AT 10:42 A.M.)

JEFFREY MARKS

JOASHUA SCHULMAN

MEMBERS ABSENT:

PATRICK SHULER

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

The March, 2017 Public Hearing for the Virginia Beach Wetlands Board was called to order by the Chair, Leonard A. Johnson, in the City Council Chamber, Virginia Beach, Virginia, at 10:00 AM, March 20, 2017.

Chairman Johnson, welcomed all present, 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 within ten (10) days of this Board's decision.

Approval expires one (1) year 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.

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

The slide presentation for each application site was rendered by Mr. McKenna.

**ALPHA OMEGA FARM, INC., ET. AL.
APPLICATION No. 2016-WTRA-00066**

PROJECT: To maintenance dredge in a canal involving wetlands
PROJECT LOCATION: 2585 West Landing Road, contiguous to West Neck Creek
SPEAKER: FOR –Robert E. Simon, Waterfront Consulting, Inc.
REQUEST: Modification of Conditions and Extension of Time/ Thirty (30) day Deferral

Upon motion by Mr. Vail, seconded by Ms. Brown, the request of Alpha Omega Farm, Inc. for a **THIRTY (30) DAY DEFERRAL** was **GRANTED**

VOTE: 7 – 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

CITY OF VIRGINIA BEACH, ET AL
APPLICATION No. 2015-WTRA-00037

PROJECT: To dredge involving wetlands

PROJECT LOCATION: Harbour Point Special Service District Neighborhood, contiguous to Rudee Inlet

SPEAKER: No Speaker

REQUEST: Extension of time

Upon motion by Mr. Vail, seconded by Brown, the request of **City of Virginia Beach** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 – 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING

CITY OF VIRGINIA BEACH, ET AL
APPLICATION No. 2016-WTRA-00028

PROJECT: To dredge involving wetlands

PROJECT LOCATION: Rudee Inlet Dredge Support Dock contiguous to Rudee Inlet and Lake Wesley

SPEAKER: No Speaker

REQUEST: Extension of time

Upon motion by Mr. Vail, seconded by Ms. Brown, the request of City of Virginia Beach was **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

**CITY OF VIRGINIA BEACH, ET AL
APPLICATION No. WTR 15 061**

PROJECT: To dredge involving wetlands

PROJECT LOCATION: Shadowlawn Special Service District Neighborhood, contiguous to Rudee Inlet

SPEAKER: No Speaker

REQUEST: **Extension of time**

Upon motion by Mr. Vail, seconded by Ms. Brown, the request of **City of Virginia Beach** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

KEVIN AND PATRICIA HALSTEAD
APPLICATION No. 2017-WTRA-00021

- PROJECT:** Construct an approximately 109 linear foot bulkhead behind the existing bulkhead and remove approximately 65 square feet of riprap from a vegetated wetland.
- PROJECT LOCATION:** Parcels East of 1315 Mill Landing Road, contiguous to Nawney Creek
- SPEAKER:** FOR –R. Harold Jones, Sigma Environmental Services, Inc.

Upon motion by Mr. Vail, seconded by Ms. Brown, the application of **Kevin and Patricia Halstead** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. The existing rock shall be removed by hand and disposed of in a lawful manner.
2. The applicant shall submit a Wetlands Monitoring Report to Waterfront Operations after the rubble has been removed for one (1) year to provide an update on the status of the rhizomes repopulating the compensation area
3. If the existing wetlands vegetation located under the rock excavation area fails to repopulate within a year, the applicant shall plant the area with appropriate wetlands vegetation. The applicant shall submit a separate monitoring report to Waterfront Operations addressing the required compensation.
4. The applicant shall pay the in-lieu fee for the eight (8) square feet of vegetated wetlands prior to the issuance of a building permit.

No net loss of wetlands on this project was achieved by on-site and the payment of an in-lieu fee.

VOTE: 7 – 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

DON KLIMKIEWICZ, ET AL
APPLICATION No. 2017-WTRA-00041

PROJECT: Construct Riprap with a Living Shoreline

PROJECT LOCATION: Parcel South of Cornwell Lane & West of Duke of Windsor Road, contiguous to Linkhorn Bay

SPEAKERS: FOR –Billy Garrington, Governmental Permitting Consultants
FOR –Trista Imrich on behalf of Lynnhaven Now

Upon motion by Mr. Vail, seconded by Ms. Brown, the application of **Don Klimkiewicz** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. The applicant shall revise Item 6 on Page 16 of the Joint Permit Application narrative and the drawings to reflect the appropriate Class and/or weight for the proposed riprap.
2. The applicant shall revise Item 3 on Page 16 of the narrative to reflect the total non-vegetated wetlands impacts.
3. *Spartina patens* be used overall as opposed to *Spartina alterniflora*
4. Three (3) year monitoring plan be submitted as part of the application.

No net loss of wetlands on this project was achieved by on-site compensation.

VOTE: 7 – 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

CHARLES CAYTON
APPLICATION No. 2017-WTRA-00051

PROJECT: Construct a 216 linear foot bulkhead involving wetlands

PROJECT LOCATION: 808 Close Avenue, contiguous to Lake Rudee

SPEAKER: FOR –Robert E. Simon, Waterfront Consulting, Inc.

Upon motion by Mr. Vail, seconded by Ms. Brown, the application of **Charles Cayton** was **APPROVED, AS SUBMITTED.**

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

VOTE: 7-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

DEEPAK TALREJA
APPLICATION No. 2016-WTRA-00275

PROJECT: Construct a bulkhead involving a Coastal Primary Sand Dune/Beach

PROJECT LOCATION: 2353 Haversham Close, contiguous to Broad Bay

SPEAKER: FOR –Billy Garrington, Governmental Permitting Consultants

Upon motion by Mr. Vail, seconded by Ms. Brown, the application of **Deepak Talreja** was **APPROVED, AS SUBMITTED.**

VOTE: 7-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Steven B. Ballard, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

LAMAR HENRY SMITH
APPLICATION No. 2017-WTRA-00004

PROJECT: Construct 143 linear feet of Class A1 riprap involving a Coastal Primary Sand Dune/Beach

PROJECT LOCATION: 1816 South Woodside Lane, contiguous to Eastern Branch of Lynnhaven River

SPEAKERS: FOR –David Kledsik, Marine Engineering, LLC,
FOR –Lamar Henry Smith
FOR –Trista Imrich on behalf of Lynnhaven Now

Upon motion by Mr. Vail, seconded by Brown, the application of **Lamar Henry Smith** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITION:**

1. The applicant shall provide additional *Spartina* plantings in the intertidal zone sprigging twelve (12) inches on center. The applicant shall submit revised plans showing the location of the additional planting to Waterfront Operations.

VOTE: 7-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Steven B. Ballard, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman, James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Patrick Shuler

MEMBERS ABSTAINING:

CHET, LLC
APPLICATION NO. 2017-WTRA-00047

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 2912 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –James Barton, Aloha Pool & Spa Services, LLC

Upon motion by Mr. Vail, seconded by Brown, the application of **Chet, LLC** was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any Sand excavated shall be limited to within subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and must be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand, it may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard and Patrick Shuler

MEMBERS ABSTAINING:

STEVE HODGES
APPLICATION No. 2017-WTRA-00048

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 3684 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Steve Hodges** was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand, it may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.
9. Sand grading shall match the grades at the adjacent properties and a vegetated dune shall be created in line with the dunes on the adjacent properties.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard and Patrick Shuler

MEMBERS ABSTAINING:

PETER BEDDIA
APPLICATION No. 2017-WTRA-00049

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 3640 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Peter Beddia** was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand, it may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard and Patrick Shuler

MEMBERS ABSTAINING:

BUTLER PROPERTIES, LLC
APPLICATION No. 2017-WTRA-00053

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 3108 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Butler Properties, LLC** was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and must be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand, it may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or

operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard
Patrick Shuler

MEMBERS ABSTAINING:

CLEARWATER AT SANDBRIDGE, LLC
APPLICATION No. 2017-WTRA-00054

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 2572 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Clearwater at Sandbridge, LLC**, was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or

operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard and Patrick Shuler

MEMBERS ABSTAINING:

VB HOUSE, LLC
APPLICATION No. 2017-WTRA-00055

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 2348 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **VB House, LLC**, was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or operator doing the work shall contact the Waterfront Operations office at (757)385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman and James T. Vail

MEMBERS VOTING NAY:

Steven B. Ballard and Patrick Shuler

MEMBERS ABSENT:

MEMBERS ABSTAINING:

SARAH POWELL LIVING TRUST
APPLICATION No. 2017-WTRA-00056

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 3428 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKER: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Sarah Powell Living Trust**, was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand, it may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
6. The contractor or operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 to schedule a pre-construction meeting to occur prior to any site work or beginning excavation.
7. Valid Sand Management Permits can be reactivated multiple times whenever an excessive accumulation of sand affects infrastructure; however, the contractor or

operator doing the work shall contact the Waterfront Operations office at (757) 385-8246 prior to any site work or beginning excavation.

8. Any existing dune vegetation removed shall be re-installed on the dune crest and face to the greatest extent practicable. In order to prolong the design life of the sand reservoir and minimize the need for maintenance sand management, the Department of Planning & Community Development recommends that the existing vegetation or American Beachgrass be sprigged twelve (12) inches on center during the winter months, five (5) feet seaward from the new crest, over the crest, and halfway down the newly created backslope.

VOTE: 6-0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard A. Johnson,
Jeffery Marks, Joashua Schulman, James T. Vail

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Steven B. Ballard
Patrick Shuler

MEMBERS ABSTAINING:

COASTAL VIEW PROPERTIES
APPLICATION No. 2017-WTRA-00057

PROJECT: Sand Management –excavation of sand

PROJECT LOCATION: 3304 Sandfiddler Road, contiguous to Atlantic Ocean

SPEAKERS: FOR –Steven Heinrich, Seaside Restoration

Upon motion by Mr. Vail, seconded by Brown, the application of **Coastal View Properties** was **APPROVED, AS SUBMITTED, WITH THE FOLLOWING CONDITIONS:**

1. Any sand excavated shall be limited to within the subject property's boundaries. The applicants and their agents should communicate with adjacent property owners regarding the project's potential to alter the contours of the sand on adjacent properties.
2. Excavated sand that contains debris or rubble shall not be placed on the beach and shall be disposed of offsite in a lawful manner.
3. If the excavated sand is clean beach quality sand may be placed upon the beach in accordance with the following conditions:
 - A single unvegetated access way to the beach is used to transport the sand.
 - No sand is to be placed upon existing dune vegetation.
 - No sand is to be placed within twenty (20) feet of Public Beach Access ways.
 - Any sand placed within one-hundred (100) feet of mean high water shall be evenly graded along the beach berm (flat dry portion of the beach).
4. The Sand Management Permit will not authorize construction of any type of structure or any activity other than the excavation or grading indicated.
5. A Federal project, the Sandbridge Beach Erosion Control and Hurricane Protection Project, is present on or near the property. At the request of the Corps of Engineers, if any work will occur below seven (7) feet NAVD88 (design profile for Sandbridge Beach), please coordinate with Ms. Michelle Hamor in the ACOE Planning Branch at (757) 201-7491 to determine if authorization is required under Section 408.
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MEMBERS VOTING NAY:


MEMBERS ABSENT:

Steven B. Ballard
Patrick Shuler

MEMBERS ABSTAINING:

At 10:50 AM, the March 20, 2017, Public Hearing of the Virginia Beach Wetlands Board was adjourned by Chairman Johnson.

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


Jennifer A. Grundler
Deputy City Clerk II


Leonard A. Johnson
Chairman, Wetlands Board