



**WETLANDS BOARD
MINUTES**

CITY OF VIRGINIA BEACH
10:10 AM
CITY COUNCIL CHAMBER

DECEMBER 18, 2017

MEMBERS PRESENT:

LEONARD JOHNSON, CHAIRMAN
JAMES T. VAIL, VICE CHAIR,
NILS S. BAHRINGER
MOLLY P. BROWN
JOASHUA SCHULMAN
PATRICK SHULER
CINDY HAWKS WHITE

MEMBERS ABSENT:

STEPHEN B. BALLARD

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

The December, 2017 Public Hearing for the Virginia Beach Wetlands Board was called to order by the Leonard Johnson, Chairman, in the City Council Chamber, Virginia Beach, Virginia, at 10:10AM, December 18, 2017.

Chairman Leonard 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. Charles McKenna.

ELECTIONS OF OFFICERS

Upon motion by Mr. Shuler, seconded by Ms. Brown, the Virginia Beach Wetlands Board Election of Officers was **ADDED** to the December 18, 2017 Agenda.

VOTE: 7 – 0 (VOICE VOTE)

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

Upon motion by Mr. Shuler, seconded by Ms. Brown, the current **Chairman, Leonard Johnson**, and **Vice-Chairman, James T. Vail**, were **RE-ELECTED** to serve for a one (1) year term.

VOTE: 7 – 0 (VOICE VOTE)

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

RITZ 2756, LLC
APPLICATION No. 2016-WTRA-00229

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 2756 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Ritz 2756, LLC** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

JEAN F. SIEBERT
APPLICATION No. 2016-WTRA-00231

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 2724 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Jean F. Siebert** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

NORTH STAR 2468, LLC
APPLICATION No. 2016-WTRA-00230

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 2468 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **North Star 2468, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

JEAN F. SIEBERT
APPLICATION No. 2016-WTRA-00231

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 2724 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Jean F. Siebert** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

LUCK STAR 2704, LLC
APPLICATION No. 2016-WTRA-00232

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 2704 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Luck Star 2704, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

ANUP GOKLI
APPLICATION No. 2016-WTRA-00235

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3408 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Anup Gokli** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

DAVID AND KATHLEEN TAYLOR
APPLICATION No. 2016-WTRA-00240

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3268 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **David and Kathleen Taylor** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

DAM Kids, LLC
APPLICATION No. 2016-WTRA-00241

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3308 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **DAM Kids, LLC** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

3316 SANDFIDDLER, LLC
APPLICATION No. 2016-WTRA-00246

PROJECT: To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3316 Sandfiddler Road, contiguous to the Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon motion by Mr. Vail, seconded by Ms. Brown, the request of **3316 Sandfiddler, LLC** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

3352 SANDFIDDLER, LLC
APPLICATION No. 2016-WTRA-00247

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3352 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **3352 Sandfiddler, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

SANCTUARY AT FALSE CAPE CONDOMINIUM ASSOCIATION, INC.
APPLICATION No. 2016-WTRA-00248

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3700 and 3738 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Sanctuary at False Cape Condominium Association, Inc.** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

CT MACLIN II, LLC
APPLICATION No. 2016-WTRA-00253

PROJECT: Sand Management - To excavate sand involving a Coastal Primary Sand Dune and Beach

PROJECT LOCATION: 3280 Sandfiddler Road, contiguous to Atlantic Ocean

REQUEST: Extension of Time

SPEAKER: No Speaker

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **CT Maclin II, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

RICHARD DICKENS
APPLICATION NO. 2016-WTRA-00244

PROJECT: To construct riprap and living shoreline involving wetlands

PROJECT LOCATION: 3545 North Crestline Drive contiguous to Eastern Branch of the Elizabeth River

REQUEST: Extension of Time

SPEAKER: FOR –Richard Dickens, Applicant

Upon Motion by Mr. Vail, seconded by Ms. Brown, the request of **Richard Dickens** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

**CHARLES AND DIANA MARTIN
APPLICATION No. 2016-WTRA-00280**

PROJECT: To construct riprap involving wetlands

PROJECT LOCATION: 3433 Sandpiper Road, contiguous to Canal off North Bay

SPEAKER: FOR –R. Harold Jones, Sigma Environmental Services, Inc.

Upon Motion by Ms. White, seconded by Mr. Bahringer, the application of **Charles and Diana Martin** for a **SIXTY (60) DAY DEFERRAL** was **GRANTED**.

VOTE: 6 – 1

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler and Cindy Hawks White

MEMBERS VOTING NAY:

James T. Vail

MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

**JUDITH R. WILSON REVOCABLE TRUST
APPLICATION NO. 2016-WTRA-00275**

PROJECT: To construct a bulkhead involving wetlands

PROJECT LOCATION: 864 Winwood Drive, contiguous to Linkhorn Bay

SPEAKER: FOR –Billy Garrington, Governmental Permitting Consultants

Upon motion by Mr. Vail, seconded by Ms. Brown, the application of **Judith R. Wilson Revocable Trust and John W. Wilson** was **APPROVED, AS SUBMITTED.**

No Net Loss of wetlands on this project was achieved by the payment of an in-lieu fee.

VOTE: 7 - 0

MEMBERS VOTING AYE:

Nils S. Bahringer, Molly P. Brown, Leonard Johnson, Joashua Schulman,
Patrick Shuler, James T. Vail and Cindy Hawks White

MEMBERS VOTING NAY:


MEMBERS ABSENT:

Stephen B. Ballard

MEMBERS ABSTAINING:

At 10:48 AM, the December 18, 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 Johnson
Chairman, Wetlands Board