

Wetlands Board Agenda

July 20, 2020



Wetlands Board Hearing Procedures

The Virginia Beach Wetlands Public Hearing is held at 10:00 a.m. in the Council Chamber of the City Hall Building, Municipal Center.

If you desire to speak at the public hearing you must notify Staff prior to 9 am, July 20, 2020 at (757) 385-4621. Citizens are encouraged to submit comments to the Wetlands Board prior to the public hearing via email to waterfront@vbgov.com or via United States Mail to David K. Compton, 2875 Sabre Street, Suite 500, Virginia Beach, VA 23452.

There will be limited seating in Council Chambers for citizens who wish to attend the meeting in person. For those citizens who desire to attend this meeting virtually via WebEx, registration is required. Please visit www.vbgov.com/wetlands or enter the following URL into your web browser to register: <https://vbgov.webex.com/vbgov/onstage/g.php?MTID=ec0aead2f41e20fd334f71c53465404dc>.

Staff will attempt to facilitate real-time citizen participation/comments in the public hearing for both citizens attending in person and virtually for those citizens who registered, which includes speaker's name, physical address, email address, and phone number. For more information on this process, please review the Wetlands Board website at www.vbgov.com/wetlands or contact Staff at (757) 385-4621.

Those members of the public interested in attending the 10:00 a.m. Public Hearing should be advised that, for reasons the Wetlands Board deems appropriate, certain items on the agenda may be heard out of order and that it should not be assumed that the order listed in this document will be exactly followed during the public hearing.

PLEASE TURN YOUR CELL PHONE OFF OR TO VIBRATE WHILE IN THE COUNCIL CHAMBER.

THE ADMINISTRATIVE COMMENTS CONTAINED IN THE ATTACHED AGENDA CONSTITUTE STAFF RECOMMENDATIONS FOR EACH APPLICATION AND ARE ADVISORY ONLY. FINAL DETERMINATION OF THE APPLICATION IS MADE BY THE VIRGINIA BEACH WETLANDS BOARD AT THE PUBLIC HEARING.

THE FOLLOWING DESCRIBES THE ORDER OF BUSINESS FOR THE PUBLIC HEARING

1. **WITHDRAWALS AND DEFERRALS:** The first order of business is the consideration of withdrawals or requests to defer an item. The Board will ask those in attendance at the hearing if there are any requests to withdraw or defer an item that is on the agenda. PLEASE NOTE THE REQUESTS THAT ARE MADE, AS ONE OF THE ITEMS BEING WITHDRAWN OR DEFERRED MAY BE THE ITEM THAT YOU HAVE AN INTEREST IN.
 - a. An applicant may WITHDRAW an application without the Boards's approval at any time prior to the commencement of the public hearing for that item. After the commencement of the hearing, however, the applicant must request that the Wetlands Board allow the item to be withdrawn.
 - b. In the case of DEFERRALS, the Board's policy is to defer the item FOR AT LEAST 60 DAYS. Although the Board allows an item to be deferred upon request of the applicant, the Board will ask those in attendance if there are any objections to the request for deferral. If you wish to oppose a deferral request, let the Board know when they ask if there is anyone in attendance who is opposed to the deferral. PLEASE confine your remarks to the deferral request and do not address the issues of the application – in other words, please let the Board know why deferring the application is unacceptable rather

* Deferral

** Withdrawal

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than discussing what your specific issue is with the application.

2. **REGULAR AGENDA:** The Board will then proceed with the remaining items on the agenda, according to the following process:
 - a. The applicant or applicant's representative will have 10 minutes to present the case.
 - b. Next, those who wish to speak in support to the application will have 3 minutes to present their case.
 - c. If there is a spokesperson for the opposition, he or she will have 10 minutes to present their case.
 - d. All other speakers not represented by the spokesperson in opposition will have 3 minutes.
 - e. The applicant or applicant's representative will then have 3 minutes for rebuttal of any comments from the opposition.
 - f. There is then discussion among the Board members. No further public comment will be heard at that point. The Board may, however, allow additional comments from speakers if a member of the Board sponsors them. Normally, you will be sponsored only if it appears that new information is available and the time will be limited to 3 minutes.
 - g. The Board does not allow slide or computer-generated projections other than those prepared by the Planning Department Staff.
 - h. The Board asks that speakers not be repetitive or redundant in their comments. Do not repeat something that someone else has already stated. Petitions may be presented and are encouraged. If you are part of a group, the Board requests, in the interest of time, that you use a spokesperson, and the spokesperson is encouraged to have his or her supporters stand to indicate their support.

The Staff reviews of some or all of the items on this agenda suggest that certain conditions be attached to approval by the Wetlands Board. However, it should not be assumed that those conditions constitute all the conditions that will ultimately be attached to the project. Staff agencies may impose further conditions and requirements during administration of applicable City ordinances.

* Deferral
** Withdrawal

10:00 A.M. – PUBLIC HEARING

OLD BUSINESS - WETLANDS

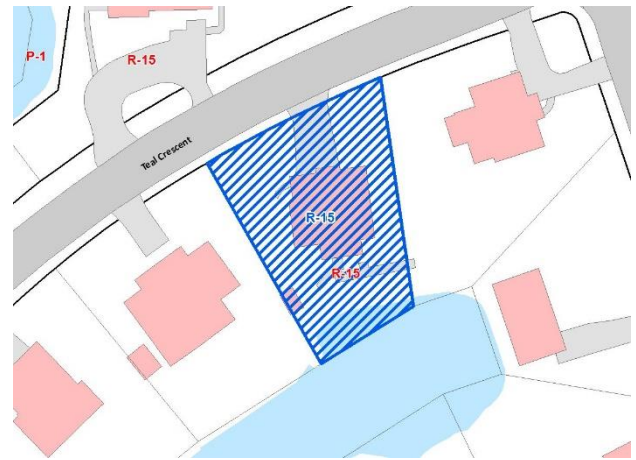
1. 2019-WTRA-00127

Charles C. Pogue [Applicant/Owner]

REQUEST FOR ONE YEAR EXTENSION
To construct a rip rap revetment
involving wetlands

303 Teal Crescent
(GPIN 2433-26-1791)

Waterway – Pike Inlet
Subdivision – Sandbridge Shores
Council District – Princess Anne



2. 2020-WTRA-00109

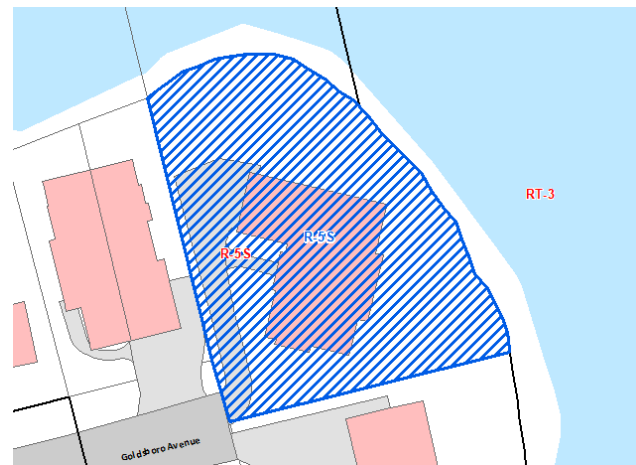
Gary Allen [Applicant]

Allen RLT [Owner]

DEFERRED FROM JUNE 15, 2020
To construct rip rap involving wetlands

601 Goldsboro Ave
(GPIN 2427-01-8768)

Waterway – Rudee Inlet
Subdivision – Shadow Lawn Heights
Council District – Beach



NEW BUSINESS – WETLANDS

3. 2020-WTRA-00113

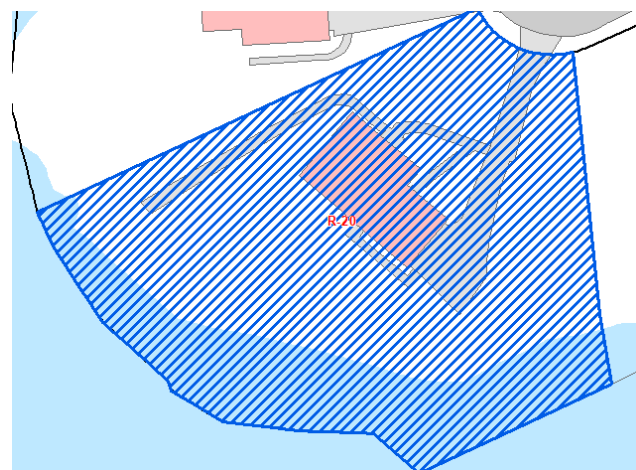
Richard W. Zahn, Sr

[Applicant/Owner]

To construct rip rap, marsh sill, coir log,
and plant vegetation involving wetlands

2033 Sunset Point
(GPIN 2409-23-7264)

Waterway – Overstreet Cove
Subdivision – Baycliff
Council District – Lynnhaven



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** Withdrawal

4. 2020-WTRA-00121

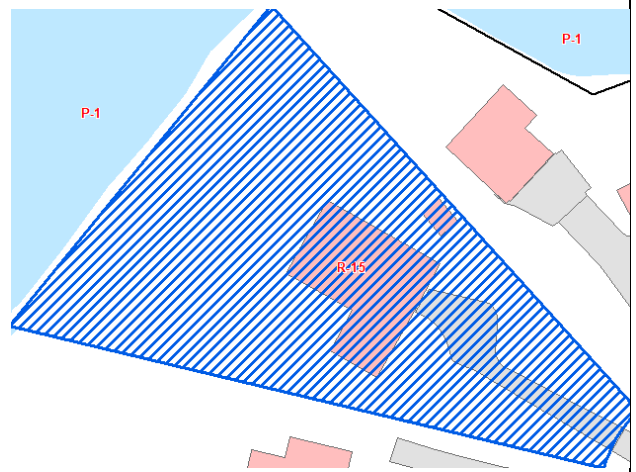
David Meyer [Applicant]

Kathy M. Meyer [Owner]

To remove rip rap involving wetlands

344 Pike Circle
(GPIN 2433-30-6408)

Waterway – North Bay
Subdivision – Back Bay Meadows
Council District – Princess Anne



5. 2020-WTRA-00143

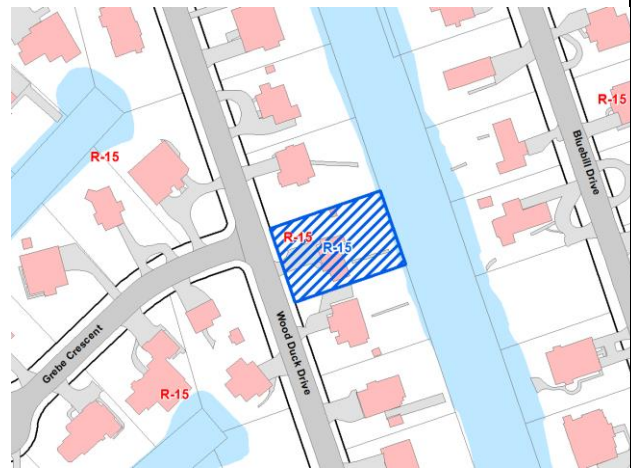
Todd Miller [Applicant]

Miller Living Trust [Owner]

To rework rip rap revetment involving wetlands

2900 Wood Duck Drive
(GPIN 2433-24-7761)

Waterway – Man-Made Canal off Mill Creek
Subdivision – Sandbridge Shores
Council District – Princess Anne



SHOW CAUSE HEARING

6. 2020-WTRV-00001 & 2020-WTRV-00002

Nathan Davis, Grade A Landscaping & Land Development LLC

[Contractor]

Unauthorized sand grading involving a Coastal Primary Sand Dune/Beach

2448 Sandfiddler Road
(GPIN 2434-12-3465)

Waterway – Atlantic Ocean
Subdivision – Sandbridge Oceanfront
Council District – Princess Anne

* Deferral
** Withdrawal