



**WETLANDS BOARD**

**MINUTES**

CITY OF VIRGINIA BEACH

10:02 AM

CITY COUNCIL CHAMBER

OCTOBER 15, 2018

**MEMBERS PRESENT:**

CHAIRMAN, JAMES T. VAIL, PRESIDING

VICE CHAIR, JOASHUA SCHULMAN

NILS S. BAHRINGER

STEPHEN B. BALLARD

JASON BARNEY

CINDY HAWKS WHITE

**MEMBERS ABSENT:**

NONE

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

The October, 2018 Public Hearing for the Virginia Beach Wetlands Board was called to order by the Chair, James T. Vail, in the City Council Chamber, Virginia Beach, Virginia, at 10:02 AM, October 15, 2018.

The Chair 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 (VMRC) 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.

**ROBERT LINCOLN, ET. AL.**  
**APPLICATION No.: 2016-WTRA-00075**

**PROJECT:** To construct riprap and a bulkhead involving wetlands

**PROJECT LOCATION:** 404 & 408 Wolfs Neck Trail, contiguous to Eastern Branch of the Lynnhaven River

**REQUEST:** Extension of Time

**SPEAKER:** Robert Lincoln, applicant

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Robert Lincoln, et. al.**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 6-0**

**MEMBERS VOTING AYE:**

Stephen B. Ballard, Nils S. Bahringer, Jason Barney,  
Joashua Schulman, James T. Vail, Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

**MEMBERS ABSTAINING:**

**NEIL C. THOMPSON  
2017-WTRA-00164**

**PROJECT:** To construct a bulkhead involving wetlands  
**PROJECT LOCATION:** 2821 Wood Duck Drive, contiguous to Sand Broad Inlet  
**REQUEST:** Extension of Time  
**SPEAKER:** **FOR** – Robert E. Simon, Waterfront Consulting

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Neil C. Thompson** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 6-0**

**MEMBERS VOTING AYE:**

Stephen B. Ballard, Nils S. Bahringer, Jason Barney,  
Joashua Schulman, James T. Vail, Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

**MEMBERS ABSTAINING:**

**JERAMY AND NATALIE BIGGIE**  
**APPLICATION NO. 2018-WTRA-00155**

**PROJECT:** To remove existing bulkhead and construct a rip rap revetment involving wetlands

**PROJECT LOCATION:** 409 Susan Constant Drive, contiguous to Stratton’s Creek

**SPEAKER:** **FOR** – Robert E. Simon, Waterfront Consulting and Jeramy Biggie, Applicant  
**AGAINST** – Michael Byrnes, Member of Princess Anne Hills Civic League and Neighbor – 417 Susan Constant Drive and David Ware, Neighbor – 551 Susan Constant Drive

**This application was deferred from the September 2018, Public Hearing.**

Mr. Michael Byrnes read a letter dated October 15, 2018, from the Princess Anne Hills Civic League Board. This letter is a part of the permanent record of this Public Hearing and may be viewed at the office of the City Clerk.

The Chair declared that the Board move on to the next application to allow the Applicant and the Agent to discuss this application (10:40 AM – 11:00 AM).

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Jeramy and Natalie Biggie** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. The proposed riprap toe between points A and K, and points Y through Z on the plans sealed on October 11, 2018, shall extend no further channel ward than the existing bulkhead.
2. During the pre-construction meeting, all trees proposed for removal shall be identified. All trees removed shall be mitigated onsite at a 1:1 ratio.
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 and the payment of an in-lieu fee.

**VOTE: 6-0**

**MEMBERS VOTING AYE:**

Stephen B. Ballard, Nils S. Bahringer, Jason Barney,  
Joashua Schulman, James T. Vail, Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

**MEMBERS ABSTAINING:**

**BRYAN GARNETT**  
**APPLICATION NO. 2018-WTRA-00169**

**PROJECT:** To construct bulkhead and rip rap involving wetlands

**PROJECT LOCATION:** 1428 North Woodhouse Road, contiguous to Linkhorn Bay

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

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Bryan Garnett** was **APPROVED, AS SUBMITTED.**

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.

**VOTE: 6-0**

**MEMBERS VOTING AYE:**

Stephen B. Ballard, Nils S. Bahringer, Jason Barney,  
Joashua Schulman, James T. Vail, Cindy Hawks White


**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

**MEMBERS ABSTAINING:**

At 11:07 AM, the October 15, 2018, Public Hearing of the Virginia Beach Wetlands Board was adjourned by the Chair, James T. Vail.

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



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Jennifer A. Grundler  
Deputy City Clerk II



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James T. Vail, Chair  
Wetland Board