



**WETLANDS BOARD**

**MINUTES**

CITY OF VIRGINIA BEACH

10:01 AM

CITY COUNCIL CHAMBER

NOVEMBER 19, 2018

**MEMBERS PRESENT:**

CHAIRMAN, JAMES T. VAIL, PRESIDING

VICE CHAIR, JOASHUA SCHULMAN

NILS S. BAHRINGER

JASON BARNEY

CINDY HAWKS WHITE

**MEMBERS ABSENT:**

STEPHEN B. BALLARD

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

The November, 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 10:01 AM, November 19, 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 and Mr. David Compton.

**JOHN AND BARBARA FOSTER  
APPLICATION No.: 2016-WTRA-00195**

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

**PROJECT LOCATION:** 3276 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **John and Barbara Foster** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**LINDA KEPPLER**  
**APPLICATION NO.: 2016-WTRA-00198**

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

**PROJECT LOCATION:** 3680 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**SUNSET DEVELOPMENT OF NORTHERN VIRGINIA, LLC  
APPLICATION No.: 2016-WTRA-00197**

**PROJECT:** To excavate sand involving a Coastal Primary Sand Dune/Beach  
**PROJECT LOCATION:** 2768 Sandfiddler Road, contiguous to Atlantic Ocean  
**REQUEST:** Extension of Time  
**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Sunset Development of Northern Virginia, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**JAMES GEORGETTI**  
**APPLICATION No.: 2016-WTRA-00210**

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

**PROJECT LOCATION:** 3688 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**



**JOSE S. AND MILAGROS D. GUNDAYAO**  
**APPLICATION No.: 2016-WTRA-00212**

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

**PROJECT LOCATION:** 3348 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Jose S. and Milgros D. Gundayao** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**BRADLEY AND ANNIE CARDWELL**  
**APPLICATION No.: 2016-WTRA-00216**

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

**PROJECT LOCATION:** 3260 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Bradley and Annie Cardwell** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**SEAN AND KIM LACROIX**  
**APPLICATION No.: 2016-WTRA-00233**

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

**PROJECT LOCATION:** 3420 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of Sean and Kim LaCroix for a ONE (1) YEAR EXTENSION OF TIME was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**LAWRENCE AND KATHLEEN RING**  
**APPLICATION No.: 2016-WTRA-00234**

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

**PROJECT LOCATION:** 2616 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Lawrence and Kathleen Ring** for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**DAVID A. HEACOCK**  
**APPLICATION No.: 2016-WTRA-00217**

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

**PROJECT LOCATION:** 2744 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**2444 SANDFIDDLER ROAD, LLC**  
**APPLICATION No.: 2016-WTRA-00218**

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

**PROJECT LOCATION:** 2444 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **2444 Sandfiddler Road, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**JOHN AND AUDREY SETTLE, LLC**  
**APPLICATION No.: 2016-WTRA-00220**

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

**PROJECT LOCATION:** 3400 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **John and Audrey Settle, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**WILLIAM A. LYTLE**  
**APPLICATION No.: 2016-WTRA-00202**

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

**PROJECT LOCATION:** 2752 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**



**SUN, MOON & STARS, LLC**  
**APPLICATION No. 2016-WTRA-00203**

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

**PROJECT LOCATION:** 2904 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **Sun, Moon & Stars, LLC**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**STUART M. GREENWOOD**  
**APPLICATION No.: 2016-WTRA-00204**

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

**PROJECT LOCATION:** 2908 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**RESOURCE BUILDING CORPORATION  
APPLICATION No.: 2016-WTRA-00205**

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

**PROJECT LOCATION:** 3510 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**WHITLEY TRUST**  
**APPLICATION No.: 2016-WTRA-00206**

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

**PROJECT LOCATION:** 3528 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE:** 5-0

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**KEITH E. ANDERSON**  
**APPLICATION No.: 2016-WTRA-00207**

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

**PROJECT LOCATION:** 3532 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**GEORGE H. GLASS, JR.**  
**APPLICATION No.: 2016-WTRA-00209**

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

**PROJECT LOCATION:** 3384 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the request of **George H. Glass, Jr.**, for a **ONE (1) YEAR EXTENSION OF TIME** was **GRANTED**.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**MICHAEL JOHN LANDY**  
**APPLICATION No.: 2016-WTRA-00214**

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

**PROJECT LOCATION:** 3536 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

**SPEAKER:** None

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**SEA VISTA, LLC**  
**APPLICATION No.: 2017-WTRA-00314**

**PROJECT:** To construct pool and deck involving Coastal Primary Sand Dune/Beach

**PROJECT LOCATION:** 3036 Sandfiddler Road, contiguous to Atlantic Ocean

**REQUEST:** Extension of Time

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

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**



**AJ POTTER INVESTMENTS, LLC, ET. AL.  
APPLICATION No.: 2017-WTRA-00232**

**PROJECT:** To construct a bulkhead involving wetlands  
**PROJECT LOCATION:** 1539 McCullough Lane, contiguous to Linkhorn Bay  
**REQUEST:** Extension of Time  
**SPEAKER:** FOR—Robert E. Simon, Waterfront Consulting, Inc.

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**CELEBI OZIC**  
**No.: 2018-WTRA-00195**

**PROJECT:** To install a bulkhead involving wetlands

**PROJECT LOCATION:** 2725 Canal Road, contiguous to Long Creek

**SPEAKERS:** Billy Garrington, Governmental Permitting Consultants  
Justin Worrell, Virginia Marine Resources Commission (VRMC)

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

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Celebi Ozic** was **APPROVED, AS MODIFIED, WITH THE FOLLOWING CONDITIONS:**

1. If a new bulkhead is constructed along the western canal side of the existing property, the new bulkhead shall be placed landward or in line with the existing timber bulkhead that was constructed in 2015.
2. In order for the applicant to pursue a bulkhead alignment more than six (6) feet channel ward of the existing failed bulkhead, a variance from the Chesapeake Bay Preservation Area Board will be required prior to issuance of a Wetlands Board permit.

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**MARK E. KNUTSEN**  
**APPLICATION NO.: 2017-WTRA-00228**

**PROJECT:** To install a bulkhead, construct marsh sill, fill and plant vegetation involving wetlands

**PROJECT LOCATION:** 2037 Hackberry Road, contiguous to Long Creek

**SPEAKER:** FOR—Wayne McCoy, Mid Atlantic Environmental

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Mark R. Knutsen** as **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITIONS:

1. Revised plans shall specify the linear dimension of the rip rap in front of the existing bulkhead and the rock sill, and quantify the square feet of non-vegetated rock habitat established in front of the existing bulkhead.
2. Revised plans shall be submitted to the Virginia Marine Resources Commission (VMRC) and ultimately approved by the Department of Planning and Community Development prior to the issuance of a permit.

No Net Loss of wetlands on this project was achieved by the use of on-site compensation.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**RENO FAMILY DYNASTY TRUST**  
**APPLICATION No.: 2018-WTRA-00173**

**PROJECT:** To install a bulkhead involving wetlands and dune/beach

**PROJECT LOCATION:** 1460 North Woodhouse Road, contiguous to Linkhorn Bay

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

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Reno Family Dynasty Trust** was **APPROVED, AS SUBMITTED.**

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**LORETTA A. DUNCAN**  
**APPLICATION No.: 2018-WTRA-00175**

**PROJECT:** To install construct a rip rap revetment involving wetlands

**PROJECT LOCATION:** 2725 Bluebill Drive, contiguous to man-made Canal off Sand Broad Bay

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

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Loretta A. Duncan** was **APPROVED, AS MODIFIED**, WITH THE FOLLOWING CONDITION:

1. The proposed dog ramp shall be constructed using piles to allow the unobstructed ebb and flow of tides. Revise the plans accordingly.

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

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**FREDRICK HAYCOX, III**  
**APPLICATION No.: 2018-WTRA-00195**

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

**PROJECT LOCATION:** 1526 McCullough Lane, contiguous to Linkhorn Bay

**SPEAKER:** **FOR** – Richard Calvert, Calvert Marine

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the application of **Frederick Haycox, III**, was **APPROVED, AS SUBMITTED**.

No Net Loss of wetlands on this project was achieved on site for non-vegetated wetlands and by payment of an in-lieu fee for vegetated wetlands.

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

**SAMARAS FAMILY REVOCABLE TRUST  
2018-WTRV-0002**

**SHOW CAUSE HEARING**

**VIOLATION:** Unauthorized concrete block retaining wall  
**LOCATION:** 116 Pinewood Road #B, contiguous to Little Neck Creek  
**REQUEST:** Request for a Deferral  
**SPEAKER:** None

Upon Motion by Mr. Schulman, seconded by Mr. Barney, the SHOW CAUSE hearing of **Samaras Family Revocable Trust** was **DEFERRED TO THE DECEMBER 2018 WETLANDS PUBLIC HEARING.**

**VOTE: 5-0**

**MEMBERS VOTING AYE:**

Nils S. Bahringer, Jason Barney, Joashua Schulman,  
James T. Vail and Cindy Hawks White

**MEMBERS VOTING NAY:**

**MEMBERS ABSENT:**

Stephen B. Ballard

**MEMBERS ABSTAINING:**

At 11:29 AM, the November 19, 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.



Jennifer A. Grundler  
Deputy City Clerk II



James T. Vail, Chair  
Wetland Board