

## ACCOMACK COUNTY WETLANDS MINUTES OF AUGUST 23, 2018

At a meeting of the Accomack County Wetlands Board held on the 23<sup>rd</sup> day of August 2018 in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

### 1. CALL TO ORDER

#### **MEMBERS PRESENT AND ABSENT**

Wetland Board Members Present

Mr. Earl Frederick, Chairman

Mr. T. Lee Byrd

Mr. Gene Wayne Taylor

Mr. David Montgomery, Alternate

Mr. David Elebash, Alternate

#### **Others Present:**

Mr. G. Christian Guvernator IV, PE, Director Environmental Programs

Ms. Chontese Ridley, Environmental Programs Permit Specialist

Mr. Hank Badger, Virginia Marine Resources Commission (VMRC)

#### **DETERMINATION OF A QUORUM**

There being a quorum, Chairman Frederick called the meeting to order at 10:00 a.m.

### 2. ADOPTION OF AGENDA

Chris Guvernator was sworn by Chairman Frederick to amend the agenda. Mr. Guvernator stated that his office was contacted by the applicant's agent the day before requesting a one month postponement.

Mr. Frederick asked Mr. Guvernator would he like to speak on this later in the meeting under "Other Business" and Mr. Guvernator said yes. Mr. Guvernator said he would like to have a discussion on having an on-site meeting.

The Wetlands Board unanimously adopted the Agenda with the adjustments.

### 3. MINUTES

#### **A. July 19, 2018**

**On a motion made by Mr. Elebash and seconded by Mr. Taylor, the Wetlands Board voted to approve the minutes of the July 19, 2018 meeting.**

### 4. OLD BUSINESS

#### **A. Conner & McGee Seafood Village, Inc. – VMRC# 2018 – 0659 6576 Maddox Blvd.**

To reconstruct an existing 6 feet wide walkway around the existing restaurant in the same footprint, and to construct a new 20 feet by 36 feet deck on back of the restaurant. The property is located on Chincoteague Island, VA 23336, and Tax Map# 30A6-6-14.

Postponed until the September 27, 2018 meeting.

## 5. NEW BUSINESS

### A. Sharon Lynn Hayden – VMRC# 2018 – 1156

#### 48 Ames Street

To reinforce the existing bulkhead by adding face pilings, and to replace a failing return wall in the same foot print. The property is located in Onancock, VA 23417, Tax Map #85A1-4-9.

Ellen Grimes, Coastal Resource Management, appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. Ms. Grimes pointed out that the return wall, (which is being replaced), had been split/ripped. She believed that there were no tiebacks, and the weight of the soil and water behind it eventually caused it to rip. Ms. Grimes also added that there are no face pilings.

Ms. Grimes stated Ms. Hayden wanted to add face pilings from left to right to support the bulkhead, put in a new return wall in the same footprint, and to add some fill. She did add that none of this would impact wetlands. Ms. Grimes noted wetlands on the right side where 4 or 5 pilings would go, and that they are willing to remove them and replant them.

Mr. Frederick asked what diameter of pilings would be used and Ms. Grimes responded 10 in. Mr. Frederick said if they did not move the grasses it would be at least a 2 feet impact.

George Badger was sworn in by Chairman Frederick. Mr. Badger said he had a minor detail to add. He stated the pulling the plug and putting it somewhere else would be a change of wetlands, and not a creation. Mr. Badger added that putting the plug in a non-vegetative area is a change and there is still a loss of wetlands that needs to be compensated for.

Mr. Guvernator's staff recommendation was to calculate the loss and pay the fee. Mr. Taylor agreed and also added that they could still replant the plug.

Ms. Sharon Hayden was sworn in by Chairman Frederick. Ms. Hayden asked for clarification on the project. A discussion between Mr. Frederick and Ms. Hayden ensued on the mitigation process and the fees involved. Ms. Hayden agreed to pay the mitigation fee of \$24.00.

**On a motion made by Mr. Byrd and seconded by Mr. Montgomery, the Wetlands Board voted to issue a permit (valid for (1) year) to Sharon Lynn Hayden – VMRC# 2018 – 1156, to reinforce the existing bulkhead by adding face pilings, and to replace a failing return wall in the same foot print with the following conditions:**

1. *Submit revised drawings showing the following:*
  - a. *Wetlands impact of 2 square feet*
2. *Pay \$24.00 into the Wetlands Mitigation Fund*

**The property is located in Onancock, VA 23417, Tax Map #85A1-4-9**

## 6. OTHER BUSINESS

### A. Wachapreague Project

Mr. Frederick asked Ms. Grimes for an update on the Wachapreague project, (VMRC# 2018-0009), on behalf of the board members. Ms. Grimes said the US Army Corps of Engineers decided that Phase I of the project was not a water dependent need, and suggested putting the dredging back in. Due to this a new application will be submitted with the dredging, finger piers and the slips. Ms. Grimes also added that due to a small section of intertidal mud that will come out with the dredging, that the board would most likely see this again.

**B. Conner & McGee Seafood Village**

Mr. Gubernator said there was some discussion with the town about scope and location and that a new revised drawing had been submitted. He also added that it had not been formally submitted to VMRC. Mr. Gubernator believes all involved parties need to meet to go through the options and the proposed need for the project. Mr. Gubernator has requested that all revisions need to be submitted formally.

Mr. Badger said that he has seen it, but that the revision has not been submitted formally.

A discussion ensued on the possible options for the project.

Mr. Gubernator said that he would contact the applicant and applicant's agent and arrange for conceptual discussion of any future revisions to this JPA. Mr. Gubernator said they would determine at this meeting if they want to proceed as presented or revise it.

**7. NEXT MEETING**

The next Wetlands Board meeting is scheduled for Thursday, September 27, 2018 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac.

**8. ADJOURNMENT**

On a motion made by Mr. Byrd and seconded by Mr. Elebash, the Wetlands Board voted to adjourn the meeting.

The meeting was adjourned at 10:44 a.m.

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Earl Frederick, Chairman

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Chontese Ridley, Environmental Permit Specialist