

Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 28th day of March, 2013, A.D.

Members present:

Mr. Earl B. Frederick, Chairman
Mr. George H. Ward, Jr., Vice Chairman
Mr. C. Lee Davis
Mr. Gene Taylor
Mr. T. Lee Byrd

Staff present:

Mr. David Fluhart, Secretary
Ms. Gracie A. Milbourne, Recording Secretary

Others present:

Mr. Hank Badger, VMRC
Mr. Robert Cole, USACE

The meeting was called to order by Chairman Earl B. Frederick, and opened to a public hearing at 10 a.m. All applications are approved for a one-year period from the date of this hearing, unless specifically noted. All applicants, speakers and representatives are sworn in before the Board on the following wetlands applications:

This Board is aware of and complies as closely as possible with the objectives of the Virginia Marine Resource Commission's Wetlands Policy of No Net Loss.

1). MINUTES

Mr. Taylor made a motion to approve the minutes of the February 28, 2013 meeting as circulated. Mr. Ward seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Davis, and Mr. Byrd.

2). NEW BUSINESS

1). An application from Mark Kerner, VMRC# 2013-0277, for the installation of bulkhead and riprap bulkhead toe protection on property located at 23600 Holly

Cove Lane, near Onancock, Virginia. TM# 83-8-7

Ms. Ellen Grimes of Coastal Resource Management appeared before the Board to represent this application. She asked that the property owner be given permission to install approximately 144 linear feet of vinyl bulkhead with a 15-foot toe protector around the return walls to restore a crumbling low-lying bank that was virtually taken away during Hurricane Sandy.

A brief discussion ensued regarding the pictures and drawings. Mr. Davis suggested that the bulkhead be pulled back closer to the embankment thereby achieving what's needed with less impacts, reducing the length from 76' to 74' and from 93' to 90'. Ms. Grimes stated she was open to suggestions and further stated that there will be no loss of vegetated wetlands whether the bulkhead is pulled back or stays as shown on the drawings.

Mr. Brook Layton, an adjoining property owner to the West, appeared before the board in support of this application.

Ms. Grimes agreed to submit revised drawings as suggested.

After a brief discussion, Mr. Ward made a motion to approve this application pending receipt of revised drawings showing the 65-foot setback staying the same, the 93' reduced to 90', and a relatively straight line run from the 65 to the 90 with the bulkhead installed along that alignment. Mr. Taylor seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Davis, and Mr. Byrd.

2). An application from More Fund, LLC, VMRC# 2012-1656, for the location of a Community Pier and four boat slips on property located at Olde Mill Pointe Subdivision, Lot# 70, near Wattsville, Virginia. TM# 28-6-70

Mr. Bill Davis appeared before the Board to represent this application. Mr. Bill Davis described the location of Lot 70 and asked for permission to construct an L-shaped community pier that will serve all residents in the subdivision. He indicated that the waterfront property owners will have the option of using the proposed community pier or construct a private pier.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd. Abstaining: Mr. C. Lee Davis.

3). An application from Carl E. & Arlene J. Meixner, VMRC# 2013-0272, for the installation of a bulkhead with a return wall in front of an existing failing riprap structure on property located across from 3166 Main Street, Chincoteague, Virginia. TM# 30A2-A-46

Mr. Raymond Britton of BIC Inc. appeared before the board to represent this application. Mr. Britton stated that during Hurricane Sandy, the riprap on this property was beaten up and the wall was knocked down 2-feet beyond the low water line. He mentioned that this project will impact 360 square feet of non-vegetated wetlands along the rip rap wall.

Mr. Hank Badger reviewed the cross section of the drawings and indicated that revised drawings were needed as the low water mark is not correct.

After a brief discussion, Mr. Davis made a motion to approve this application as presented with a copy of the revised drawing to be submitted to the Wetlands Office and with the stipulation that the riprap in front of the bulkhead now remains (with the exception of the amount that is needed to put the bulkhead in) which is two feet behind

the lines of railroad ties that are in place, and that the railroad ties remain also. Mr. Taylor seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Taylor, and Mr. Byrd.

3). **ADJOURNMENT**

Mr. Ward made a motion to adjourn at 10:50 a.m. Mr. Davis seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Davis, Mr. Taylor, and Mr. Byrd.

Mr. Earl Frederick, Chairman