

Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 27th day of August, 2015, A.D.

Members present:

Mr. Earl B. Frederick, Chairman
Mr. George H. Ward, Jr., Vice Chairman
Mr. Gene Wayne Taylor
Mr. T. Lee Byrd
Mr. Timothy Getek

Staff present:

Ms. Gracie A. Milbourne, Secretary to Wetlands Board & Recording Secretary

Others present:

Mr. Hank Badger, VMRC

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

Prior to a motion for the adoption of the minutes, Mr. Frederick asked Mr. Hank Badger if the General Assembly had adopted any laws pertaining to living shorelines.

Mr. Badger stated that the law has not passed but indicated that a living shoreline should be addressed first.

Following this discussion, Mr. Ward made a motion to approve the minutes of the June 25, 2015 meeting with corrections to statements in Application #1 that should state

that a *living shoreline* is the preferred method but is not mandatory at this time. Mr. Taylor seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Getek, and Mr. Byrd.

2). **NEW BUSINESS**

1). An application from Carlton Mason, VMRC# 2015-0907, to construct nine additional boat slips and associated finger piers & mooring piles on Marsh Island, Chincoteague, Virginia. TM# 30-A-3 & 3C

Ms. Ellen Grimes of Coastal Resource Management LLC appeared before the Board to represent this application. Ms. Grimes referred to the site drawing to show the location of the existing boat slips and where the nine additional slips were proposed. She further indicated that the additional slips will serve the 14-unit townhouse complex.

Further discussion revealed that the health department and Old Dominion Electric have been notified for their approval and comments on this project.

Mr. Kenneth Thomas, President of Captain's Quarters Townhouse Association appeared before the board with questions about the permitting process for the existing and proposed boat slips only to get an understanding.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented and asked that a change be made to Page 7, Item 9 of the *Joint Permit Application* from *single-user* to *multi-user* as this project is for community purposes. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Byrd, and Mr. Getek.

3). **OTHER DISCUSSIONS:**

*Some discussion commenced between the board members and Mr. Hank Badger regarding the history of the Wetlands board's decision to hear community/commercial projects when there are no wetlands involved. Although no changes were made during this discussion, Mr. Frederick asked the board to consider whether this policy should be continued for future applications of this type and prepare for additional discussion at the next meeting.

*Another discussion began about the legality of encroachment of (e.g. bulkheads, etc.) on neighboring properties and whether there should be two Joint Permit Applications (JPAs) or whether it can be just one. In conclusion, this discussion revealed that written consent from the neighboring property owner would suffice for the encroachment.

ADJOURNMENT:

Mr. Ward made a motion to adjourn at 10:37 a.m. Mr. Getek seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Getek, Mr. Byrd, and Mr. Taylor.

Earl B. Frederick, Chairman