

Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 22nd day of October, 2015, A.D.

Members present:

Mr. Earl B. Frederick, Chairman
Mr. Gene Wayne Taylor
Mr. T. Lee Byrd
Mr. Jay Ford, Alternate

Members absent:

Mr. George H. Ward, Jr., Vice Chairman
Mr. Timothy Getek

Staff present:

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

Others present:

Mr. George (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

Mr. Taylor made a motion to approve the minutes of the September 24, 2015 meeting as circulated. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, and Mr. Byrd. Abstaining: Mr. Ford.

2). **NEW BUSINESS**

1). An application from Thomas & Mary Ellen Kalil, VMRC# 2015-1360 to construct a new bulkhead with two return walls along a manmade canal, Broadside Drive, Captain's Cove Subdivision, Lot# 1228, Section 1, Greenbackville, Virginia. TM# 5A1-1-1228.

Ms. Ellen Grimes of Coastal Resource Management appeared before the Board to represent this application. Ms. Grimes referred to the drawings that showed an existing bulkhead on the adjacent lot and explained that the proposed bulkhead has been designed to be constructed as close to the scarp of the bank as possible with two 2' return walls on either side to eliminate the need to fill a corner next to lot 1229 and to be in alignment with the future bulkhead on Lot# 1227. She further stated that all work will be done behind the marsh.

At this time, Mr. Frederick read the VIMS report for the record which preferred a vegetative approach or revetment along special concern shorelines. He also provided some comments from Mr. Getek in his absence, suggesting a small ramp should be installed from the wetlands area to the top of the bulkhead to allow aquatic wildlife egress to land areas.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented. Mr. Ford seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, Mr. Ford, and Mr. Byrd.

2). An application from Sandpiper Cove LLC, VMRC# 2015-1125 to construct a new bulkhead on the right side of existing dock and replace one

of the three concrete panels that makes the ramp along Pungoteague Creek, Sandpiper Drive, Onancock, Virginia. TM# 91-A-75

Mr. Radak Juran, contractor, appeared before the board to represent this application. Mr. Juran described the location of the ramp, the replacement concrete panel and the proposed bulkhead.

Mr. Frederick read a statement from VIMS that indicated no comments would be given since this is a boat ramp.

At this time, questions arose about the drawings submitted with this application. Mr. Frederick noticed there was no mention about mitigation for the destruction of grasses along the side of the dock and Mr. Byrd was not clear about the concrete placement and what they were trying to protect.

Mr. Juran explained that they are trying to protect the retaining wall from the winds and explained the process of how he will replace the concrete panel.

Mr. George (Hank) Badger of VMRC appeared before the board to answer questions about the impact this project will have to vegetated wetlands. He explained that the vegetated wetlands will change (not a loss) to non-vegetated wetlands. He also revealed that the dock was originally permitted in 2004.

After a lengthy discussion, Mr. Byrd made a motion to approve this application with the condition that an update to the application must be submitted to reflect mitigation of 18 square feet of vegetated wetlands and a mitigation fee of \$12.00 per square foot must be paid. Mr. Ford seconded the motion. Ayes: Mr. Frederick, Mr. Byrd, Mr. Ford, and Mr. Taylor.

3). An application from Bruce A. Iseman, VMRC# 2015-0858 to construct a

replacement bulkhead along Onancock Creek, Russell Drive, Onancock, Virginia. TM# 83B-2-D-3 & 4.

Mr. Nathan Iseman appeared before the Board to represent this application and presented the certified mail receipt from the notice sent to Mr. Gemmel, the adjoining property owner. Mr. Iseman described how the existing bulkhead had deteriorated and how the replacement would be constructed two feet channelward of the existing. He also mentioned that the tide rises and falls on the bulkhead.

Mr. Frederick asked Mr. Badger if this project was in the local board's jurisdiction. Mr. Badger stated yes and explained that during a site visit at low tide, he found that the low water was three feet channelward of the deteriorating bulkhead. He also mentioned that the old bulkhead was blown out and the sand is now in front of the existing bulkhead and referred to a revised drawing to further explain.

Mr. Frederick read the VIMS report for the record which suggested removing the existing bulkhead, grading the bank to a slope and installing a properly sized revetment landward of the original bulkhead alignment. A discussion regarding the length of the lot revealed that the suggestion would not work for this small parcel.

At this time, Mr. Edward Gemmel, an adjoining property owner, appeared before the board with questions about the bulkhead construction process as he plans to construct a bulkhead in the future.

After a brief discussion, Mr. Byrd made a motion to approve this application as presented. Mr. Ford seconded the motion. Ayes: Mr. Frederick,

Mr. Byrd, Mr. Ford, and Mr. Taylor.

4). An application from Chandra Ward, VMRC# 2015-1402 to construct a new bulkhead along a manmade canal, Scimitar Way, Captain's Cove Subdivision, Lot# 1045, Section 1, Greenbackville, Virginia. TM# 5A1-1-1045.

Mr. Raymond Britton of BIC, Inc. appeared before the Board to represent this application. Mr. Britton asked for permission to construct and connect a new 60-foot bulkhead between two existing bulkheads on either side.

The VIMS report received for this project was not read as it was provided for the wrong lot.

There was some discussion about Mr. Getek's comments, in his absence, about the new bulkhead stopping before the drainage pipes at the eastern end to avoid moving the stones in the area that have aquatic life. Mr. Britton addressed the questions about the design and the drainage pipe/area.

After a brief discussion, Mr. Taylor made a motion to approve this application with the condition that the drainage pipe at the eastern end of the property must be extended through the bulkhead and a revised drawing must be submitted showing the same. Mr. Ford seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, Mr. Ford, and Mr. Byrd.

3. PERMIT EXTENSION:

An application from James Reynolds, VMRC# 2014-1044, for the installation of a bulkhead with a 2-foot return on the water end and to dredge an area at

**3509 Main Street, Chincoteague Channel, Chincoteague, Virginia. TM#
30A3-A-62**

Mr. Raymond Britton of BIC appeared before the board to represent this request. He stated that this project was scheduled for the first of October but due to the northeast winds work was delayed.

Mr. Frederick and Mr. Taylor stated that they had visited the site within the last few days and based on the pictures from last year, it appeared that site conditions had not changed.

After a brief discussion about the incorrect 911 address listed for this project, Mr. Taylor made a motion to extend the wetlands permit for an additional year. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, Mr. Byrd, and Mr. Ford.

OTHER BUSINESS:

A discussion about permit extensions ensued. The board agreed that all future extension requests must be submitted at least one month prior to the expiration date to provide adequate time to conduct a site visit to determine if site conditions have changed.

ADJOURNMENT:

Mr. Taylor made a motion to adjourn at 11:03 a.m. Mr. Ford seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, Mr. Ford, and Mr. Byrd.

Earl B. Frederick, Chairman