

Virginia: At a meeting of the Accomack County Wetlands Board, held in the chambers of the Board of Supervisors on the 25th day of June, 2009, A.D.

Members present:

Mrs. Lee L. Merrill, Chairman
Mr. George H. Ward, Jr., Vice-Chairman
Mr. C. Lee Davis
Mr. Earl B. Frederick
Mr. George T. Parker (ABSENT)

Mr. David Fluhart, Secretary
Mrs. Marie E. Fox, Recording Secretary

Alternate Members Present:

(None at present time)

Others present:

Mr. Hank Badger, Virginia Marine Resources Commission

The meeting was called to order by Chairman Lee L. Merrill, and opened to a public hearing at 10 AM. 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 to the objectives of the Virginia Marine Resource Commission's Wetlands Policy of No Net Loss.

TALL PINES HARBOR CAMPGROUND, MR. RAY BARKER

Mr. Fluhart gave a brief update regarding the misalignment of the bulkhead and boat ramp. This is a meeting to allow Mr. Barker the chance to explain the progress he is making and the progress he will continue to make and to discuss the necessity of a Show Cause hearing.

Mr. Fluhart presented pictures of the area from June 4th, 2009 and June 18th, 2009, which showed a string line and the alignment was painted.

At this time, Mr. Ray Barker appeared before the board to explain the reasons for the misalignment, which was the result of using the incorrect site plan drawing. He advised he was confused with the flagging.

Mr. Fluhart and Ms. Grimes reflagged and realigned the proposal. Mr. Barker advised he is working as hard as possible to finish the project because of the busy season and his customers. However the problem is the tides, which have been higher than normal. It has to be low tide in order to do the work, and Mr. Barker explained he probably needs three more weeks to finish. A discussion ensued regarding the boat ramp, which was relocated approximately 15' from the proposed approved plan and the necessity of a new wetlands permit.

Mr. Badger, of VMRC, advised the permit from his agency will not be issued until the violation has been corrected.

Mr. Davis advised it appears Mr. Barker has made a good faith effort to correcting and completing the incorrect alignment.

After a brief discussion, regarding the tides and the amount of the project that has been completed, Mr. Davis made a motion to extend the board's decision for one more month to allow Mr. Barker time to complete the effort that he is making to get into compliance, and we all recognize the weather has not been conducive to working on this particular project for the last week at least, and with the understanding if he hasn't been making a good faith effort and doesn't have it completed, then we will reevaluate it at the

next meeting and the possibility of going forward with our legal responsibility. Mr. Ward seconded the motion. Ayes: Mrs. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

OTHER BUSINESS

MARSH ISLAND and NASA

Mr. Davis stated concerns regarding an excavator on Marsh Island, Chincoteague, Virginia, beside the Townhomes. Mr. Badger advised this is a permitted project.

Mr. Davis also stated concerns regarding the bulkhead at Marsh Island that has been damaged by the contractor who is constructing the new bridge to Chincoteague.

He further questioned the work at NASA and if it had been completed at the Island. Mr. Fluhart advised the work was complete.

MARINE SCIENCE CONSORTIUM

Mr. Badger advised a new application had been received to reconstruct the bulkhead, ramp and floating dock near the Visitor's Center for the Marine Science Consortium.

Mr. C. Lee Davis-reappointment

Mr. Fluhart acknowledged and congratulated Mr. Davis as he has been reappointed for five more years to the Wetlands Board.

TOWN OF CHINCOTEAGUE-WETLANDS BOARD

Mr. Fluhart advised it appears the Town of Chincoteague is looking to establish a Wetlands Board, they are pursuing legislative action to enable them to have their own board.

ADJOURNMENT

Mr. Davis made a motion to adjourn the meeting at 10:33 AM. Mr. Ward seconded the motion. Ayes: Mrs. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

Mrs. Lee L. Merrill, Chairman