

**Virginia: At a meeting of the Accomack County Wetlands Board, held in the chambers of the Board of Supervisors on the 19th day of November, 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 (ABSENT)  
Mr. George T. Parker

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

**Alternate Members Present:**

**(None at present time)**

**Others present:**

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

**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.**

**MINUTES**

Mr. Davis made a motion to approve the minutes of the September 24, 2009 meeting as submitted. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Davis. Abstaining: Mr. Parker.

**1). An application from Lance Panarello, VMRC #09-1276 for the installation of approximately 50-foot of bulkhead channelward of an existing riprap shoreline**

**along Chincoteague Channel, thereby impacting wetlands, across from 3286 Main Street, Chincoteague, Virginia. TM#30A2-A-3.**

Mr. Raymond Britton, Jr. of BIC, Inc. appeared before the board to represent this application and explained the bulkhead will be at an angle and will be pulled back on the right side.

Mr. Fluhart read a portion of the minutes into the record, which stated, “Recommendation Summary: Removed the existing rock; Construct a properly designed revetment landward of MHW; Plant native vegetation in the riparian area and stop the routine mowing to the shoreline edge.”

After a brief discussion, Mr. Davis made a motion to approve this application as presented. Mr. Parker seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis, Mr. Parker. ABSENT: Mr. Frederick.

**2). An application from Mr. and Mrs. Christopher Needels, VMRC#09-1463 for the installation of approximately 177-foot of bulkhead around an existing man-made canal and landward of existing wetland vegetation, thereby impacting wetlands adjacent to Walston Creek, at 23419 Walston Place Drive, near Accomac, Virginia. TM#88-A-25**

Ms. Ellen Grimes, of Coastal Resource Management, appeared before the board to represent this proposal. She described the location of the low profile shoreline structure to maintain the bank. The property owners are renovating the property to its original state and also wish to replace a dilapidated pier.

Mr. Fluhart read a portion of the VIMS Report, which stated, "Recommendation Summary: Use vegetative stabilization measures to abate any erosion at this very low energy site."

Mr. Needels appeared before the board and advised he is attempting to eradicate the bamboo growing on the property and would like to restore what was once on the property as well as protect two large Balsam Cypress trees. Mr. Needels also stated he did not want to use riprap to protect the historical character of the property and location.

After a brief discussion, Mr. Parker made a motion to approve this application as presented. Mr. Davis seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

**3). An application from John A. Daisey Estate, VMRC #09-1433, for the installation of approximately 107-foot of replacement bulkhead (47-foot section and a 60-foot return wall) thereby impacting wetlands along Chincoteague Channel, across from 3492 Main Street, Chincoteague, Virginia. TM #30A3-A-65**

At the request of the agent, Mr. Ward made a motion to continue this request until the December meeting. Mr. Davis seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

**3). PERMIT EXTENSIONS AND MODIFICATION REQUESTS**

**1). A request from Deep Creek Plantation, VMRC #07-2505 for an extension. The original permit was issued on July 23, 2007 as proposed. An extension was reactivated on January 22,, 2009 to expire on December 19, 2009. This extension request was received on November 4, 2009 from Richard Mance.**

Since no one appeared to represent this application, Ms. Grimes advised she completed the initial application and would represent Mr. Mance. Ms. Grimes advised Mr. Mance has not been able to acquire a contractor and there were some issues to be resolved regarding the proposed development.

Ms. Grimes advised the project will remain as proposed and has requested the extension for another year as the construction of the roads has begun, but are not complete.

After a brief discussion, Mr. Davis made a motion to approve the extension for one year expiring on December 19, 2010. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

**2). Review a modification request from Coastal Resource Management, Ms. Ellen Grimes in regard to the Susan Merritt, VMRC #09-0263 application approved as presented May 28, 2009.**

Ms. Ellen Grimes, of Coastal Resource Management, appeared before the board to represent this modification request. Ms. Grimes advised there was a property line issue and since the application was approved in May, Ms. Merritt has gained ownership of that portion of property which was part of the original application.

Ms. Grimes discussed with the board the previous advertisement and the inclusion of the total square feet of impacts, however this modification will not exceed the originally requested impacts.

Mr. Fluhart advised the VIMS report would be the same as previously read at the May hearing. He further stated VMRC holds the position that this was a separate

property and should be re-advertised and adjoining property owners should be re-notified and acted on by the Wetlands Board.

After further discussion, Mr. Davis made a motion to grant the modification as requested. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis.

Nay: Mr. Parker

### **OTHER BUSINESS**

Mr. Fluhart advised the board regarding the Wetlands Mitigation Bank and use of the funds for restoration projects in the locality. A discussion ensued regarding the use of the funds to destroy Phragmites.

### **ADJOURNMENT**

Mr. Parker made a motion to adjourn the meeting at 10:40 AM. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Davis, Mr. Frederick.

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Ms. Lee L. Merrill, Chairman