

Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 17th day of December, 2009, A.D.

Members present:

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

1). MINUTES

Mr. Parker made a motion to approve the minutes of the Thursday, November 19, 2009 meeting as submitted. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Parker.

2). **CONTINUED FROM NOVEMBER 19, 2009**

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

Ms. Stacy Hart, of J. Stacy Hart and Associates, appeared before the board to represent this application. She advised the existing bulkhead has failed as revealed in the photos submitted.

The proposal is to reconstruct the bulkhead and remove the existing debris. At this time, Mr. Fluhart read a portion of the VIMS Report into the record, which stated, "Recommendation Summary: Remove the failed bulkhead pilings, concrete and other debris along the shoreline; Construct a revetment with the toe aligned landward of wetland impacts; Plant native vegetation in the riparian area; and Stop the routine mowing to the shoreline edge."

Ms. Merrill called for comments from the audience, there was no response.

A discussion ensued regarding the height of the pier above the marsh substrate and the distance the bulkhead will be from a benchmark. After much discussion, a determination of 69.62' was designated on the drawing, from a nail in the bulkhead to the street.

At this time, Mr. Parker made a motion to approve this application based on the drawing received by Accomack County from VMRC dated 12-17-09 indicating the distance of 69.62' from the nail on the bulkhead to the street, with maximum impacts of 380 square feet.

Mr. Frederick seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Parker.

3). **NEW BUSINESS**

1). An application from Bobbie Buckwalter, VMRC #09-1415 for the installation of approximately 165-foot of rip rap revetment in front of an existing failing bulkhead, thereby impacting wetlands at 15240 Pebble Drive, East Point, near Onancock, Virginia. TM#83B-A-3.

Mr. Grant Cooley, of Shore Engineering, appeared before the board to represent this application and explained the proposal in detail. He further advised they would like to mitigate on-site.

Mr. Fluhart read a portion of the VIMS Report which stated, “Recommendation Summary: Removed bulkhead; construct revetment landward of bulkhead alignment; plant riparian plantings in yard; and stop the routine mowing to the shoreline edge.”

A discussion ensued regarding the grading, size of the revetment, beach nourishment, the existing vegetation, and the mitigation and monitoring.

Ms. Ellen Grimes, of Coastal Resource Management appeared before the board to discuss the bulkhead and rock projects.

Mr. David Bundick appeared to speak in regard to the alignment of the proposal.

There was no further comment or discussion.

Costs of the mitigation were discussed regarding the 180 square feet at \$12.00 per square foot, for a total of \$2,160.00 or create a mitigation plan to mitigate and monitor on-site.

At this time, Mr. Ward made a motion to approve the application as presented with the exception to mitigate on-site or pay into the mitigation fund for the 180 square feet at the rate of \$12.00 per square foot and with a determination decided within 60 days.

Mr. Frederick seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Parker.

2). An application from Mr. & Mrs. Scott Moreland and Mr. & Mrs. William Driscoll, VMRC #09-1520, for the construction of a Community Pier with a T-Head and mooring pilings, thereby impacting wetlands, at 18825 and 18831 Seaside Circle, near Parksley, Virginia. TM #80A-2-10 and 80A-2-11.

Mr. Bill Driscoll appeared before the board to represent this application and described the proposal as the two property owners will share the cost of constructing the pier.

At this time, Mr. Fluhart read a portion of the VIMS report into the record, which stated, “Recommended Summary: Properly elevate pier to avoid shading wetlands and provide garbage receptacles to help reduce waste entering the waterway.”

Mr. Fluhart advised a neighbor has concerns regarding dusk-to-dawn lighting. Mr. Driscoll advised there will be no electric down the pier.

After a brief discussion regarding the height of the pier, Mr. Ward made a motion to approve this application with the pier to be constructed 5’ above the marsh substrate. Mr. Frederick seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Parker.

3). An application from Ms. Susan Merritt, VMRC #09-0263, for the installation of a rip rap structure, thereby impacting wetlands, along property at Fowling Gut, at 7306 Kingfisher Lane, Chincoteague, Virginia.

Ms. Ellen Grimes, of Coastal Resource Management, appeared before the board to represent this application and advised the board this will add the additional footage for the riprap structure proposed.

Mr. Fluhart read a portion of the VIMS Report, which stated, "Recommendation Summary: Construct riprap revetment with toe aligned landward of wetland impacts as feasible."

There was no further comment or discussion.

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

OTHER BUSINESS

Mr. Fluhart advised the board of the Mitigation bank proposed by NASA. He advised most of it would be out of the Wetlands Board's jurisdiction and the credits would be based on the northernmost mitigation area.

ADJOURNMENT

Mr. Parker made a motion to adjourn the meeting at 11:27 AM. Mr. Ward seconded the motion. Ayes: Ms. Merrill, Mr. Ward, Mr. Frederick, Mr. Parker.

Ms. Lee L. Merrill, Chairman