

ACCOMACK COUNTY WETLANDS MINUTES OF JUNE 21, 2018

At a meeting of the Accomack County Wetlands Board held on the 21st day of June 2018 in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

1. CALL TO ORDER

MEMBERS PRESENT AND ABSENT

Wetland Board Members Present
Mr. Earl Frederick, Chairman
Mr. George Ward, Vice Chairman
Mr. T. Lee Byrd
Mr. David Montgomery, Alternate

Others Present:

Mr. G. Christian Guvernator IV, PE, Director Environmental Programs
Ms. Chontese Ridley, Environmental Programs Permit Specialist
Mr. Hank Badger, Virginia Marine Resources Commission (VMRC)

DETERMINATION OF A QUORUM

There being a quorum, Chairman Frederick called the meeting to order at 10:00 a.m.

2. ADOPTION OF AGENDA

The Wetlands Board unanimously adopted the Agenda as present

On a motion made by Mr. Byrd and seconded by Mr. Montgomery, the Wetlands Board voted to approve the agenda of the June 21, 2018 meeting.

3. MINUTES

A. May 24, 2018

On a motion made by Mr. Ward and seconded by Mr. Byrd, the Wetlands Board voted to approve the minutes of the May 24, 2018 meeting.

4. OLD BUSINESS

A. Front Row Properties– VMRC# 2018 – 0009

23 Atlantic Ave.

To upgrade and renovate a property that was a former vessel railway and return it to functional use for launching & mooring no more than 3 vessels. The property is located in Wachapreague, VA 23480, Tax Map # 113A-A-212.

Ms. Ellen Grimes, Coastal Resource Management, appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. Ms. Grimes stated that her client would like to renovate the existing structure and would like to have slips there. She also stressed that the town of Wachapreague needed this. Mr. Frederick asked how many slips would be put in and Ms. Grimes said there would five.

Ms. Grimes also quickly went over the different stages/proposals of the project thus far.

1. Put in two bulkheads and dredge
2. Put in one high bulkhead, one low bulkhead, and create a marsh area in between them.
3. Current- No slips and no dredging for the time being.

Ms. Grimes then talked more about what they planned to do in Phase I. There would be 6 “9x20” parking spaces, including 1 handicap adhering to regulations. Bulkhead number one will be shifted back 5 feet and a concrete pad will be placed over top of the existing railway. She also mentioned that the parking spaces were only for cars, no boats.

Mr. Hank Badger was sworn in by Chairman Frederick and asked how VMRC felt about the fill area and parking lot. Mr. Badger said there was a change of use, (Non-vegetative wetlands to vegetative). He also asked if the filling was necessary. Mr. Badger then stated that the jurisdiction was dicey and it was hard to tell where it started and stopped. Mr. Badger did note that the small patch of grass in Zone A was above the high water mark.

Mr. Byrd asked Ms. Grimes what had changed and what was new. Ms. Grime’s responding saying the parking spaces, movement of bulkhead number one to limit the amount of upland fill, and landscaping. Ms. Grimes also stressed that the landscaping was not being done for enticement.

Mr. Frederick asked about the parking and about making some changes to it. The applicant said this configuration was the only way to have the spaces and have access to the building on site.

Mr. Ward was asked what he thought about the project being that this project is in this district. Mr. Ward said he liked the idea of the railway and anything done to make the property look better. He also mentioned that the site was not appealing as it sits now. Ms. Grimes let Mr. Ward know that the railway would not be staying, and that it would be filled over. Mr. Byrd chimed in to say that he believed that with the project the site would be more appealing as well.

A short discussion ensued and the board concluded that this project presents more positive than negative.

On a motion made by Mr. Ward and seconded by Mr. Montgomery, the Wetlands Board voted to issue a permit (valid for (1) year) A. Front Row Properties– VMRC# 2018 – 0009, (using the June 16, 2018 revision. To upgrade and renovate a property that was a former vessel railway and return it to functional use for launching & mooring no more than 3 vessels. The property is located in Wachapreague, VA 23480, Tax Map # 113A-A-212.

5. NEW BUSINESS

A. Conner & McGee Seafood Village, Inc. – VMRC# 2018 – 0659 6576 Maddox Blvd.

The portion of the project which is in the Wetlands Board’s jurisdiction is to reconstruct an existing 6 feet wide walkway around the existing restaurant in the same footprint, and to construct a new 20 feet by 36 feet deck on back of the restaurant. The property is located on Chincoteague Island, VA 23336, and Tax Map# 30A6-6-14.

Mr. Guvernator announced, on behalf of the agent and applicant that they would be postponing until the July meeting of the Wetlands Board.

B. Bruce Ricci & April Flory – VMRC# 2018 – 0625 24453 Nancock Gardens Road

The portion of the project which is in the Wetlands Board’s jurisdiction is the construction of 140 feet of Navy Style Bulkhead with a 2 feet Boardwalk Style Cap 2 feet in front of the existing failing bulkhead with a 10 feet and 20 feet return wall with a new backing system. The property is located in Onancock, VA 23417, and Tax Map #92B-1-A.

Mr. John Mudd, Mudd Marine., appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. Mr. Mudd explained that the current bulkhead had been destroyed and needed to be replaced. He said the proposed bulkhead would be 8 to 10 inches higher.

Mr. Chris Guvernator, Environmental Programs, was sworn in by Chairman Frederick. Chris stated that the bulkhead was not failing, but that it had failed. He also added that because of this 28 square feet of wetland vegetation (vegetative wetlands) had been established.

To clarify Mr. Byrd stated that before the bulkhead failed there was nothing behind it, but now there is.

Mr. Mudd agreed to pay the mitigation fee of \$336.00, (12x28). Mr. Hank Badger also mentioned that when making the motion to approve that it needed to be for the drawing showing the bulkhead going 2 feet channel ward.

On a motion made by Mr. Byrd and seconded by Mr. Ward, the Wetlands Board voted to issue a permit (valid for (1) year) to Bruce Ricci & April Flory – VMRC# 2018 – 0625, (using the drawing showing the bulkhead going 2 feet channel ward), for the construction of 140 feet of Navy Style Bulkhead with a 2 feet Boardwalk Style Cap 2 feet in front of the existing failing bulkhead with a 10 feet and 20 feet return wall with a new backing system with the following conditions:

- 1. \$336.00 be paid into the mitigation fund for 28 sq.ft. Of impacts to vegetative wetlands.*

The property is located in Onancock, VA 23417, and Tax Map #92B-1-A.

C. Dana Proulx & Suzanne Amsbaugh – VMRC# 2018 – 0736

To replace the existing bulkhead 2 feet channel-ward, and to replace the existing pier with a longer, (100 linear feet), pier. The property is located on Chincoteague Island, VA 23336, Tax Map #31B1-A-3.

Mr. Raymond Britton, BIC INC., appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. Mr. Britton. Mr. Britton started off by saying that he would pay whatever was needed for mitigation.

Mr. Hank Badger let the board know that the bulkhead was in the Wetlands Board jurisdiction, but not the pier.

A discussion ensued about the amount of vegetative wetlands on the site. After a few minutes of deliberation board determined there was 40 square feet of impacts to vegetative wetlands totaling in \$480.00 of fees.

On a motion made by Mr. Ward and seconded by Mr. Montgomery, the Wetlands Board voted to issue a permit (valid for (1) year) to Michele Maccarone – VMRC# 2018 – 0696, To replace the existing bulkhead 2 feet channel-ward, and to replace the existing pier with a longer, (100 linear feet), pier with the following conditions:

- 1. \$480.00 be paid into the mitigation fund for 40 sq.ft. Of impacts to vegetative wetlands.*

The property is located on Chincoteague Island, VA 23336, Tax Map #31B1-A-3.

D. Linda B. Custis – VMRC# 2018 – 0747

24291 & 24341 Meadville Lane

The installation of 200 linear feet of quarystone marsh toe scour protection and for 100 linear feet of quarystone still, (no fill). The property is located in Onancock, VA 23417, Tax Map #84-A-80 & 81.

Ms. Ellen Grimes, Coastal Resource Management, appeared before the Wetlands Board on behalf of the applicant. Ms. Grimes stated that the bulkhead was put in 25 years ago and that the applicant wants to protect it from failing.

The bulkhead is not in need of repairs; Mr. Byrd chimed in, but will if this is not done.

Mr. Frederick asked if anyone had any questions. There were none so he asked the board members who wanted to make a motion to approve.

On a motion made by Mr. Byrd and seconded by Mr. Ward, the Wetlands Board voted to issue a permit (valid for (1) year) to Linda B. Custis – VMRC# 2018 – 0747, for the installation of 200 linear feet of quarystone marsh toe scour protection and for 100 linear feet of quarystone still, (no fill). The property is located in Onancock, VA 23417, Tax Map #84-A-80 & 81.

6. OTHER BUSINESS

A. Paul Jacobs – Ellen Grimes

Ellen shared with the board that Mr. Paul Jacob's is the first person in Accomack County, Virginia to have he's own oyster castle sills. A discussion ensued.

B. Makemie Park

Mr. Chris Guvernator spoke on the shoreline erosion and how quickly the land is disappearing. Some other topics discussed were the possibility of DCR coming in, funding, and other alternatives, (Bulkhead, rip-rap, break water, or stone revetment), to stop/slow the erosion. It was also mentioned that years of fishing off the shoreline could have caused some of the issues.

7. NEXT MEETING

The next Wetlands Board meeting is scheduled for Thursday, July 21, 2018 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac.

8. ADJOURNMENT

On a motion made by Mr. Byrd and seconded by Mr. Montgomery, the Wetlands Board voted to adjourn the meeting.

The meeting was adjourned at 11:37 a.m.

Earl Frederick, Chairman

Chontese Ridley, Environmental Permit Specialist