

**Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 28<sup>th</sup> day of February, 2013, A.D.**

**Members present:**

Mr. Earl B. Frederick, Chairman  
Mr. George H. Ward, Jr., Vice Chairman  
Mr. Gene Taylor  
Mr. T. Lee Byrd

**Members absent:**

Mr. C. Lee Davis

**Staff present:**

Mr. David Fluhart, Secretary  
Ms. Gracie A. Milbourne, Recording Secretary

**Others present:**

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

**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 January 24, 2013 meeting as circulated. Mr. Ward seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd.

2). **NEW BUSINESS**

**1). An application from Thomas C. & Carolyn R. Mayers, VMRC# 2013-0077, for the installation of new rip rap revetment and repair of rip rap section on property located at 27430 Cherry Tree Lane, Nebo area, near Onancock, Virginia. TM# 100-A-46B.**

Ms. Ellen Grimes of Coastal Resource Management LLC appeared before the Board to represent this application. Ms. Grimes asked that the Mayers be given permission to install new rip rap revetment and repair a rip rap section from a previous shoreline control where coir logs were used. She indicated that this project will be 50% repair and 50% new and will be landward of the existing wetlands with the exception of rip rap around an existing tree.

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

**2). An application from Occohannock on the Bay Camp & Retreat Center, VMRC# 2012-1872, for the installation of 1) rip rap revetment; 2) cobble sill; and 3) three stone sills on property located at 9403 Camp Lane, Camp Occohannock, near Belle Haven, Virginia. TM# 116-A-15.**

Messrs. Smith James and Scott Hardaway appeared before the board to represent this application. Mr. James opened the discussion about this project and asked Mr. Hardaway of VIMS to present the details as designed. Mr. Hardaway distributed drawings and referred to them to explain the areas of erosion and impacts. His explanation revealed damage from Hurricane Sandy and the need to restore all disturbed

areas for shoreline protection.

Mr. Hank Badger of VMRC appeared before the board and asked about additional wetlands impacts and re-plantings.

Mr. Hardaway explained that the impacts and replanting areas and stated that they will be over compensating the replacement as it is over the positive numbers as far as impacts.

Mr. James appeared again and offered to open the construction of this project, if approved, as a teaching tool and take pictures in different stages.

Mr. Gerald Mobley, Director of the Center, appeared before the board and welcomed anyone to this public facility while the project is underway. He indicated that there will be signage that will help visitors understand that it is a living shoreline project.

Mr. Frederick asked about a mitigation plan outlining the number of years that it will be observed and replanted.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented with condition that a mitigation plan must be submitted. Mr. Ward seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd.

**3). An application from Chincoteague Sunsets LLC, VMRC# 2013-0156, for the installation of a bulkhead with fill on non-vegetated tidal wetlands within an existing man-made boat basin along Chincoteague Channel at 6262 Marlin Lane, Chincoteague, Virginia. TM# 30A5-A-571.**

Mr. Raymond Britton of BIC, Inc. appeared before the Board to represent this application. Mr. Britton asked for the approval to install a 60-foot bulkhead and fill on the east end area of a manmade boat slip for parking spaces for restaurant employees. He

explained that the owners will lease this area from the adjacent property owner, Mr. Tolbert.

Mr. Frederick read a letter from Mr. Kenny Lewis, Town Zoning Administrator of Chincoteague, for the record that stated the required parking for the motel and the restaurant is adequate but any additional seating or staff parking was denied due to the lack of property.

Mr. Robert Cole appeared and discussed concerns the Army Corps has with processing of two permits for the same property, with two different impacts (one for the hotel and the other for the restaurant). He suggested building a parking garage or using other parking sites in the area for employee parking.

Mr. Britton stated the concerns Mr. Cole mentioned are being addressed and the suggestion about building a parking garage would be too costly.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented with the stipulation that a lease agreement from Mr. Tolbert be submitted. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd.

Mr. Fluhart read an email from the Marilyn and Irwin Ailes who wrote about an article posted in the Eastern Shore News titled *Swaths of the Eastern Shore will flood more frequently*. They asked the board to reject this application as it involved the filling of tidal wetlands in a highly risky area. Mr. Fluhart thanked them for their comments via email and agreed to forward this concern to VMRC and the Wetlands Board.

The Board members briefly discussed this email and decided that the concern stated should be addressed by the Army Corps and DEQ and did not see a need to rescind their motion.

3). **PERMIT EXTENSIONS**

An extension request from **Burbage Properties, VMRC #2010-1864**. This permit expired on January 27, 2013.

A brief discussion began about this project and the possible completion date. Mr. Taylor made a motion to approve this extension for one year from the date of the request with an expiration date of January 27, 2014. Mr. Ward seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd.

**OTHER BUSINESS:**

Mr. George Parker, former chairman of this board, visited this meeting and briefly acknowledged the Resolution he received and offered to work with the board if needed.

**OTHER BUSINESS:**

Mr. Fluhart told the board about a Wetlands' workshop that will be held on April 25, 2013 in Gloucester, Virginia.

**ADJOURNMENT:**

Mr. Taylor made a motion to adjourn at 11:30 a.m. Mr. Ward seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, and Mr. Byrd.

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Mr. Earl Frederick, Chairman