

1                   **ACCOMACK COUNTY WETLANDS BOARD MINUTES OF APRIL 25, 2024**

2           At a meeting of the Accomack County Wetlands Board held on the 25<sup>TH</sup> day of APRIL 2024 in the  
3           Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

4           **1. CALL TO ORDER**

5                   **MEMBERS PRESENT AND ABSENT**

6                   Wetland Board Members Present  
7                   Mr. T. Lee Byrd, Chairman  
8                   Mr. George Ward, Vice Chairman  
9                   Mr. Gene Wayne Taylor  
10                  Mr. Timothy Getek  
11                  Mr. George H. Badger

12  
13                  **Others Present:**

14                  Ms. Chontese Ridley, Planner I  
15                  Ms. Beth Nunnally, Environmental Planner II  
16                  Ms. Claire Gorman, Virginia Marine Resources Commission (VMRC)

17  
18                  **DETERMINATION OF A QUORUM**

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

20  
21           **2. ADOPTION OF AGENDA**

22           **On a motion made by Mr. Badger and seconded by Mr. Ward, the Wetlands Board**  
23           **voted to approve the agenda.**

24           **3. MINUTES**

25           **A. March 28, 2024**

26  
27                   **On a motion made by Mr. Badger and seconded by Mr. Ward, the Wetlands**  
28                   **Board voted to approve the March 28, 2024 minutes.**

29  
30                   **Mr. Getek abstained.**

31  
32           **4. NEW BUSINESS**

33           **A. Vaux Hall Farm LLC- VMRC# 2024- 0511**

34                   The portion of the project, which is in the Wetlands Board’s jurisdiction, is the proposed  
35                   installation of a 100’ x 5’ dock and the installation of a 120’ rip-rap revetment with a 2’ deep x  
36                   3’ wide toe, located in Melfa, VA 23410, tax map#(s) 101-A-3.

37  
38                   **Mr. T. Lee Byrd**

39                   At this time, I would like to ask Ms. Nunnally to approach, be sworn in, and give us a  
40                   synopsis if you will.

41 Do you swear that you tell the truth, the whole truth, and nothing but the truth in all  
42 matters before this board?

43  
44 **Ms. Beth Nunnally**  
45 I do.

46  
47 **Mr. T. Lee Byrd**  
48 Thank you, ma'am.

49  
50 **Ms. Beth Nunnally**  
51 Like Mr. Bird said this is Vaux Hall Farm. The JPA number is 2024-0511. The owner  
52 is Eric Olson. The agent is Kelly Parks. The location is 101-A-3, that's the tax map  
53 number, and the address is 16165 Vauxhall Lane Melfa.

54  
55 The waterway is Warehouse Branch of Ponte Creek. The structure that we'll be talking  
56 about today is a private-use, 120-foot riprap revetment, that they wish to install at a  
57 two-to-one slope. The fetch in that area goes from .1 to greater than 2 miles. Also at  
58 that location, there are some boat wakes and a narrow beach with a steep bank.

59  
60 The construction method is riprap class 2 stone and filter cloth. Down trees and brush  
61 will be removed and the work will be done from the water and the uplands. It's currently  
62 a private use but has tourist homes that may require a Special Use Permit in the future.

63  
64 Wetland impacts are 25 feet of vegetated wetlands, and that would add up to \$450.00.

65  
66 This is the aerial for the property. This is the creek around here so it's at a point right  
67 here. We did get a letter from VIMS. I don't know was that included in your package?

68  
69 **Mr. T. Lee Byrd**  
70 VIMS? We just got it.

71  
72 **Ms. Beth Nunnally**  
73 Okay. If you would like I will read it.

74  
75 **Mr. T. Lee Byrd**  
76 We all just got this from Ms. Gorman. Does everybody have it? Appears we do, and  
77 Ms. Gorman will certainly speak of that.

78  
79 **Ms. Beth Nunnally**  
80 Here are some photos of the area. There is a small beach, and there's a little bit of an  
81 escarpment that has been eroded and the trees are falling in.

82  
83 This is the fetch. At that point, it's greater than two miles. The prevailing winds often  
84 are at this angle, and that explains a lot of this erosion. Though the ends, it is probably  
85 1 or 2 of a mile across here. On a normal day, it's nice and calm, but when the storms  
86 roll in, it gets quite a lot of energy in there.

87 This is just a closer look at those eroded banks and the vegetated wetlands there along  
88 the bottom of this escarpment.

89  
90 This is a closer look at the building plan. Ms. Parks has a little bit of vegetated wetlands  
91 here, here, and here that will be impacted. They will remove trees from the top of the  
92 escarpment. If you went out there, many of them have fallen in and the root systems  
93 are undercut.

94  
95 This is another diagram of that property facing the large fetch we saw in the photos,  
96 and the pier they've applied for is in this location.

97  
98 **Mr. T. Lee Byrd**  
99 The pier is out for today's discussion. Is that correct?

100  
101 **Ms. Beth Nunnally**  
102 Yes, we are not discussing it today.

103  
104 That's all I have to present.

105  
106 **Mr. T. Lee Byrd**  
107 Thank you.

108  
109 First of all, before we even get into this, anybody who has lived on the Bayside of the  
110 Eastern Shore for any length of time knows that a westward wind is killing us. They've  
111 lost more than most, but we've all done it. Before I put a bulkhead up on Onancock  
112 Creek, I was losing it as fast as I could put it there.

113  
114 Representing Mr. Olson of Vaux Hall Farms is Ms. Kelly Parks of Parks Planning and  
115 Consulting. Ma'am, are you available? Would you approach be sworn in?

116  
117 Thank you, would you state your name for the record?

118  
119 **Ms. Kelley Parks**  
120 Kelly Parks, Parks Planning Consulting

121  
122 **Mr. T. Lee Byrd**  
123 Thank you, ma'am. Do you affirm and swear that you will tell the truth, the whole truth,  
124 and nothing but the truth and all matters before this board?

125  
126 **Ms. Kelley Parks**  
127 Yes, sir.

128 **Mr. T. Lee Byrd**  
129 Thank you, ma'am. Continue.

130  
131  
132

133  
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177

**Ms. Kelley Parks**

Since this is my first time in front of you, I'm going to give you a brief background of myself. I have been working in this field for over 11 years now. I am a native of the Eastern Shore from south of Cape Charles. My dad is from Saxis and my mom is from Eastville. My dad's family is from Saxis and he moved to Cape Charles.

Fast forward a little bit. I went to Broadwater Academy, graduated in 2007, and then went to Randolph Macon for Biology and Environmental Studies. I came back as most people don't, but I did because I love the Shore.

I worked for Northampton County for the past 10 years, had a little girl, and decided I couldn't do nine-to-five life anymore with her and wanted to stay home. So here I am.

I worked with Hank for a while and worked with Beth for a while. So now I'm in these shoes and I'm loving it.

To get to the project. I think Beth gave a pretty good overview. There's not anything she didn't hit on. A few points I would like to make, it's a differing of opinion. We're all scientists here and scientists have different hypotheses sometimes.

The definition of a beach was very specific to unconsolidated sands. All the sands on this beach stretch are consolidated. I'm not sure I would consider it a beach. I don't know if that's something you are considering, but the definition of beach is very specific to unconsolidated sands.

Also, just a few points on the VIMS report. They're saying that it's a low-energy site, but it's not, it's a high-energy site. It might be low-energy six days out of the week, but that one day out of the week that it's not it's, it's brutal there. You are getting big wave action. The shoreline wouldn't be eroding if it was a low-energy site.

**Mr. T. Lee Byrd**

Excuse me, who is saying that it's a low-energy site? I'm sorry.

**Ms. Kelley Parks**

VIMS wrote that in their letter and that was their determination. They based their determination on it being a low-energy site, and the fetch was relatively low. VIMS did an average for the fetch. Working in this field you realize that the largest fetch, over a two-mile distance, is where you get the erosion because you're getting the wind from that too. Over a mile stretch and that's how the waves get big. You are seeing very heavy wave action on the shoreline, there's nothing to protect it. That's why we're getting the large erosion.

We are thinking that a riprap revetment would be best as a solution. We did consider a living shoreline, but we're just thinking that those rocks offshore are going to get eaten up. When you do a living shoreline, the rocks are significantly smaller than a revetment,

178 and the waves, the first time I went to the site, it was very brutal. We are saying this is  
179 the best go at it.

180  
181 We had the opportunity to pull it back outside of the Wetlands Board's jurisdiction, but  
182 I did not feel it would be best to do that. We need that gradual turn, instead of bringing  
183 it more on shore and making it more of a harsh curve.

184  
185 Hoping that you guys will consider it, and if you have any questions, I'm here, I'd be  
186 happy to answer any questions for you.

187  
188 **Mr. T. Lee Byrd**  
189 Thank you, ma'am. I'm sure we have a lot of questions. Are there any questions right  
190 now for Ms. Parks before we ask other people that are involved in this project to speak,  
191 or do you want to wait?

192  
193 **Mr. Badger**  
194 Just wait.

195  
196 **Mr. T. Lee Byrd**  
197 Is there anyone else that wishes to approach and speak about the project?

198  
199 Jeremy Ware would you approach and swear in? Do you affirm or swear that you will  
200 tell the truth, the whole truth, and nothing but the truth in all matters before this board?

201  
202 **Mr. Jeremy Ware**  
203 I do.

204  
205 **Mr. T. Lee Byrd**  
206 Please state your name for the record.

207  
208 **Mr. Jeremy Ware**  
209 My name is Jeremy Ware.

210  
211 **Mr. T. Lee Byrd**  
212 And your occupation?

213  
214 **Mr. Jeremy Ware**  
215 I am the general manager of Vauxhall Farms.

216  
217 **Mr. T. Lee Byrd**  
218 Thank you, sir. Carry on.

219  
220 **Mr. Jeremy Ware**  
221 I wanted to first of all take a second to thank the Accomack County Wetlands Board  
222 for working with us and coming out to see the site. It was a pleasure to meet all of you  
223 guys and show you around a little bit.

224 Thank you, Environmental Services, I appreciate you guys as well. You all do a lot for  
225 the County, and thank you too, Claire.

226  
227 First off, I have been around this particular area for about 10 years. When I first moved  
228 to the Eastern Shore of Virginia, I worked at a property that is directly adjacent to Vaux  
229 Hall. Some people would know it as the Windfall Farm.

230  
231 During my time at the Windfall Farm, I was fortunate enough to get to know  
232 Pungoteague Creek really well especially the shoreline that we're talking about.

233  
234 10 years ago, when I was looking for points on the shorelines of that area at a low tide,  
235 all those trees were standing, every single one of them. If you think about that time in  
236 10 years, the shoreline looks incredibly different. They're losing their shoreline at a  
237 very rapid pace, and it's considerably escalated over the last six months. I have been  
238 there since January and we've lost three trees.

239  
240 I would love to see that piece of land preserved, hopefully not at the expense of any  
241 environment. I would love to make sure that Vaux Hall stays intact, and that we  
242 continue to be able to enjoy that piece of property.

243  
244 **Mr. T. Lee Byrd**  
245 Thank you, sir.

246  
247 **Mr. Gene Wayne Taylor**  
248 I was going to ask about that 10-year period. How far out was the highland and what  
249 they're considering a beach now? How far out channelward?

250  
251 **Mr. Jeremy Ware**  
252 My particular memory of that, I remember, if you see that picture where I'm staying in  
253 there, that was the area I remember the most.

254  
255 How far out it went? I don't particularly remember, but I remember that particular  
256 shoreline because we had pulled the skiff up and we hopped off to look.

257  
258 **Mr. Gene Wayne Taylor**  
259 Everything to the left of where you're standing was high land?

260  
261 **Mr. Jeremey Ware**  
262 Yes, correct.

263  
264 **Mr. Gene Wayne Taylor**  
265 It would not be considered wetlands whatsoever, correct?

266  
267 **Mr. Jeremey Ware**  
268 Yes.

269

270 **Mr. Gene Wayne Taylor**  
271 That's my question.

272  
273 **Mr. T. Lee Byrd**  
274 For the record, and Mr. Badger may have something more current, I live on Onancock  
275 Creek and face the same westerly winds. Since World War II, we've lost 48 feet.

276  
277 **Mr. Gene Wayne Taylor**  
278 I was surprised it wasn't further out.

279  
280 **Mr. T. Lee Byrd**  
281 Would anyone else would like to speak about this project? We're not opening the floor  
282 yet, but is there anyone else that has knowledge or interest in speaking of this?

283  
284 All right, thank you.

285  
286 **CHAIRMAN BYRD OPENED THE FLOOR TO PUBLIC COMMENT**

287 Mr. Byrd asked if there was anyone who wished to comment on application 2024-  
288 0511.

289  
290 **Mr. T. Lee Byrd**  
291 May I swear you in?

292  
293 **Mr. Devin Smith**  
294 Yes sir.

295  
296 **Mr. T. Lee Byrd**  
297 Or do you affirm or swear that you'll tell the truth, truth, and nothing but the truth in  
298 all matters before this board?

299  
300 **Mr. T. Lee Byrd**  
301 Would you please state your name?

302  
303 **Mr. Devin Smith**  
304 My name is Devin Smith. I am an adjacent property owner to Vaux Hall Farms. I own  
305 Full Measure Oyster Company on Nandua Creek where we currently house 15  
306 million oysters. So, I'm very familiar with the environmental impacts of our great  
307 Eastern Shore.

308  
309 I personally carry no grievance with the project here. I support it, I have no problem  
310 with it. My overall concern with the project would be, what are the future plans for  
311 Vaux Hall?

312  
313 I fully support preserving the property and its historical value, but the lot I purchased  
314 two years ago, on Warehouse Prong, is 7 ½ acres and is completely surrounded by  
315 Vaux Hall. We purchased that property with the intent of building a large home in the

316 future with an immense amount of privacy. So, my overall concern for the project is  
317 this could potentially be step one, and then a long-term plan to subdivide Vaux Hall  
318 to build second homes for out-of-state customers.

319  
320 I would love to see the property preserved as is, where it does carry large amounts of  
321 historical value.

322  
323 That's all I have to say. Thank you

324  
325 **Mr. George Ward**  
326 Your property?

327  
328 **Mr. Devin Smith**  
329 Yes, sir.

330  
331 **Mr. George Ward**  
332 What direction is it in?

333  
334 **Mr. Devin Smith**  
335 Up the creek from the Warehouse Prong, it is not up Pungoteague Creek. It is almost  
336 at the head of Warehouse Prong. It is on the Pungoteague school side. It is essentially  
337 here where you see this clearing area it goes up, there's a big square block.

338  
339 **Mr. T. Lee Byrd**  
340 Where's the school based on that, show us.

341  
342 **Mr. Devin Smith**  
343 The school is right here.

344  
345 **Mr. T. Lee Byrd**  
346 You would turn down that hard surface road beside Pungoteague?

347  
348 **Mr. Devin Smith**  
349 Oh no, sir. Our right away goes along the northern side of the field. I have no issue  
350 with the project location.

351  
352 **Mr. T. Lee Byrd**  
353 Not Red Bank?

354  
355 **Mr. Devin Smith**  
356 No sir.

357  
358 **Mr. T. Lee Byrd**  
359 Got you.

360  
361

362 **Mr. Devin Smith**  
363 Vaux Hall's northern fields are between me and Red Bank and then their southern  
364 field is between me and Pungoteague Elementary School.

365  
366 **Mr. T. Lee Byrd**  
367 Thank you.

368  
369 Any questions for this gentleman regarding just that? We understand about your  
370 station.

371  
372 **Mr. Gene Wayne Taylor**  
373 That's out of our jurisdiction.

374  
375 **Mr. T. Lee Byrd**  
376 That's the next thing I was getting ready to say.

377  
378 **Mr. Devin Smith**  
379 I understand that.

380  
381 **Mr. T. Lee Byrd**  
382 Anything new will be out of our jurisdiction there. You'll be talking to Chesapeake  
383 Bay Foundation, zoning, etc.

384  
385 **Mr. Devin Smith**  
386 I just wanted to express that concern because this could possibly be step one in a very  
387 long process that I wouldn't support.

388  
389 **Mr. T. Lee Byrd**  
390 You're not the only one surrounding that has that issue, which is out of our control.  
391 thank you for your comments.

392  
393 **Mr. Devin Smith**  
394 Thank you, guys.

395  
396 **Mr. George (Hank) Badger**  
397 Well, just one comment on the area. There in Pungoteague Creek and that branch of,  
398 it itself, it's all condemned at this point. All the way back to the mouth of Taylor  
399 Creek. So, development here, or any enlargement probably wouldn't extend the  
400 condemnation line for shellfish at this point.

401  
402 **Mr. T. Lee Byrd**  
403 Thank you, Mr. Badger. We appreciate that.

404  
405  
406  
407

408 **Mr. Devin Smith**  
409 Just to add to that, I don't grow oysters or shellfish on Pungoteague Creek. My entire  
410 operation is located on Nandua Creek and Metompkin Bay. So, my company, my  
411 business would have no impact from this project.  
412

413 **Mr. T. Lee Byrd**  
414 Thank you, sir. Anyone else? Please come forward. Can I Swear you in sir?  
415

416 **Mr. Thomas Haynes, Jr.**  
417 Sure.  
418

419 **Mr. T. Lee Byrd**  
420 Do you agree that you confirm that you'll tell the truth, the whole truth and nothing  
421 but the truth in all matters before this board?  
422

423 **Mr. Thomas Haynes, Jr.**  
424 I do.  
425

426 **Mr. T. Lee Byrd**  
427 Would you state your name, please?  
428

429 **Mr. Thomas Haynes, Jr.**  
430 Thomas Haynes Jr.  
431

432 **Mr. T. Lee Byrd**  
433 Go ahead, sir.  
434

435 **Mr. Thomas Haynes, Jr.**  
436 I live on Redbank Lane, which is on the pond side of Vaux Hall. The pond separates  
437 right there.  
438

439 **Mr. T. Lee Byrd**  
440 Is there anybody that does not understand where this is? Does everybody understand?  
441

442 **Mr. Thomas Haynes, Jr.**  
443 Right in there somewhere. I just like to say, since I've never met the gentleman who's  
444 bought Vaux Hall, he's made improvements to the farm that have been very nice.  
445

446 I don't know what its future projects are. So far, he's taking good care of the farm and  
447 the property from what we can tell. I'm familiar with the corner there as I have been  
448 boating there for about 20 years. That little corner, right there, really has been eroding  
449 over the years. Not only from wind but from boat action in waves and weeks. That's  
450 probably the one piece of this property that suffers erosion. All the rest is marsh and  
451 pretty well maintains itself.  
452

453 As soon as you get around that point, it becomes a wooded, banked area, and it's  
454 really not affected. Just right there on that point. That's all I can tell you.

455  
456 **Mr. T. Lee Byrd**  
457 Thank you very much.

458  
459 Anyone else? Does that young man have anything to say back there?

460  
461 All right. I'd like to close the floor public comment and open the floor to the board.

462  
463 **CHAIRMAN BYRD CLOSED THE FLOOR TO PUBLIC COMMENT**

464  
465 **Mr. T. Lee Byrd**  
466 Any questions, or comments?

467  
468 **Mr. Getek**  
469 I'm just curious on how they go from 300 to 25, and I really need to have more detail  
470 on that.

471  
472 **Mr. T. Lee Byrd**  
473 Yes, sir. As we all do, before we call Ms. Gorman to try to settle this out, any other  
474 questions for the moment?

475  
476 **Mr. George (Hank) Badger**  
477 I think that's the first one

478  
479 **Mr. Gene Wayne Taylor**  
480 What did the staff have to say? What do they think about the numbers?

481  
482 **Ms. Beth Nunnally**  
483 Well, I know we had a discussion before she revised the permit, and what she was  
484 trying to do was pull up the toe above the wetlands.

485  
486 I know that because some of the trees are falling in and they have to remove those,  
487 which removes part of the bank right here. In these areas where the root ball is still  
488 intact, they have to take that out, which will move the revetment further inland in  
489 those locations.

490  
491 There are several trees, not just this one, but there are some root balls that are on the  
492 shoreline. To be honest with you, yesterday when I went out, I was wishing that we  
493 had placed flags because it's not a straight line, it's a curve. I was wishing we had put  
494 flags at the base where the toe would be. We put three.

495  
496 **Mr. T. Lee Byrd**  
497 That's a major issue, in my opinion. When I went down there and looked at it  
498 everyone was in agreement with the 300 and 300.

499 Now we're going to talk to Ms. Gorman after Ms. Parks says something. I'm a little  
500 bit confused. I saw the trees that needed to come out and I saw the trees that they  
501 were going to save. To go from 3 and 3 to the handful of feet we're talking about  
502 now, I'm a little bit confused.

503  
504 If you allow me, Ms. Parks, do you have something else to say right now?

505  
506 **Ms. Kelley Parks**

507 Yes sir.

508  
509 **Mr. T. Lee Byrd**

510 Please approach, you've been sworn in.

511  
512 **Ms. Kelley Parks**

513 Okay, to explain the difference we had a fully revised application come before you.  
514 So, in that application, we pulled it back a little bit. I also had to refer to the  
515 jurisdictional boundaries and the definitions of vegetated and non-vegetated spaces on  
516 Dunes and or beaches to get better square footage.

517  
518 When you go to that, and you've probably all seen it, it's the jurisdictional lines. It  
519 really was only 25 square feet of vegetated wetlands. It took a couple of site visits to  
520 narrow that down. Initially, I had included the entire toe impact in it, but if you  
521 actually refer to it, and I didn't include it, we can probably pull it up. I don't know if  
522 you can, can you pull up the jurisdiction?

523  
524 **Ms. Kelley Parks**

525 Do you know what I'm talking about Claire? The jurisdictional?

526  
527 **Mr. George (Hank) Badger**

528 The cross-section?

529  
530 **Ms. Kelley Parks**

531 Yes, the cross-section, the jurisdictional cross-section.

532  
533 **Ms. Beth Nunnally**

534 Let's see. I can go to the permit. It's on your permit, right?

535  
536 **Ms. Kelley Parks**

537 No, it's like the state. It's just a widely used cross-section that shows the jurisdictions.  
538 Anyway, if we can't bring it up, it's fine. I did have to consult that sectional and we're  
539 so far inland that it actually gets out of non-vegetated wetlands, and we're really only  
540 impacted by those vegetated wetlands. The non-vegetated wetlands were seaward of  
541 the vegetated wetland.

542  
543 **Mr. T. Lee Byrd**

544 Now?

545 **Ms. Kelley Parks**  
546 Yes, we still did pull it back a little bit, and now we're really only impacting the  
547 vegetated wetlands which is 25 square feet.  
548  
549 **Mr. T. Lee Byrd**  
550 So, we're actually talking about a whole new JPA are we not?  
551  
552 **Ms. Kelley Parks**  
553 No, we sent a revision in based off some comments so what you have is the revised  
554 JPA that was submitted back in February. So hopefully you guys have it.  
555  
556 **Mr. George (Hank) Badger**  
557 April 3<sup>rd</sup> is the revision. That's when it was received.  
558  
559 **Ms. Kelley Parks**  
560 February was the original.  
561  
562 **Mr. George (Hank) Badger**  
563 That's what we got today.  
564  
565 **Mr. T. Lee Byrd**  
566 That's what we got today. That is correct, five minutes before?  
567  
568 **Ms. Kelley Parks**  
569 Yes, I sent it a long time ago.  
570  
571 **Mr. T. Lee Byrd**  
572 Anything else?  
573  
574 **Ms. Kelley Parks**  
575 That's it, I really would like to find a jurisdictional chart. I can bring it up.  
576  
577 **Ms. Beth Nunnally**  
578 I can get it.  
579  
580 **Ms. Kelley Parks**  
581 It's on the blank JPA  
582  
583 **Mr. George (Hank) Badger**  
584 Kelly, what was staked in the field was the original JPA? Is that correct or was it the  
585 revised?  
586  
587 **Ms. Kelley Parks**  
588 It was the revised.  
589  
590

591 **Mr. George (Hank) Badger**  
592 So, the stakes, the little flags, and everything was the revised?  
593

594 **Ms. Kelley Parks**  
595 Yes, and there should be three sets. There was one that was the toe, one that was  
596 upland, and we did high water and low water. and we did high order and low water.  
597 It's lost probably about a foot since I went out there originally, maybe even more.  
598

599 **Mr. George (Hank) Badger**  
600 Well, what I saw with the stakes, and maybe I was looking at the wrong ones, it  
601 looked like there was a lot more than 25 square feet of vegetated wetlands.  
602

603 **Mr. T. Lee Byrd**  
604 I don't think that there are any stakes. You didn't put any stakes out since yesterday?  
605

606 **Ms. Kelley Parks**  
607 No, I have no right.  
608

609 **Mr. T. Lee Byrd**  
610 I looked at everything, and I'm a little bit confused. Maybe Ms. Gorman can  
611 straighten me out, but from the flags, if you will.  
612

613 **Ms. Kelley Parks**  
614 There are only about three patches, and I put it up there, of marsh grass and we're  
615 only talking about a foot back. That's the toe  
616

617 **Mr. T. Lee Byrd**  
618 And non-veg?  
619

620 **Ms. Kelley Parks**  
621 Correct? Non-veg, and I'm trying to find this jurisdiction cross-section, if I'm wrong,  
622 we could certainly make an edit to that.  
623

624 **Mr. T. Lee Byrd**  
625 We're going to get to that.  
626

627 **Mr. Getek**  
628 If I may add, I want to clarify something you said. You sent a revision back in  
629 February?  
630

631 **Ms. Kelley Parks**  
632 In April, I believe it was.  
633

634 **Mr. Getek**  
635 Okay, excuse me. The original was February, corrections were just recently April 3<sup>rd</sup>.  
636 Got it, okay, so it is more recent. Thank you.

637 **Ms. Kelley Parks**  
638 She's trying to bring it up.

639  
640 **Mr. George (Hank) Badger**  
641 This is just the standard jurisdictional?

642  
643 **Mr. T. Lee Byrd**  
644 While she's still looking to be very candid, if they were new flags, after your  
645 revisions, I still couldn't see where there were not vegetated and non-veg when I went  
646 down there and looked with that gentleman, I thought, well, maybe they're a little  
647 over but 3 and 3, if they agree to that, well, more than covered,

648  
649 **Mr. George (Hank) Badger**  
650 300

651  
652 **Mr. T. Lee Byrd**  
653 I mean, 300 veg. 300 non-veg., but I couldn't see with flags, how we go from 300  
654 veg. to just a handful of feet.

655  
656 **Ms. Kelley Parks**  
657 I'm trying to explain it, but if we have to use that original, and maybe my original  
658 thought process was correct, but Beth, you know, brought it up to me. She said, you  
659 know, that seems like a large amount. I was like, yeah, well, let me look at it again.  
660 So, I did look at it again. That's when I consulted this chart to really get the good  
661 calculations. So, the chart is why I changed the measurements.

662  
663 **Ms. Beth Nunnally**  
664 Yeah, I was concerned.

665  
666 **Ms. Kelley Parks**  
667 Moving it back and forward you might get a little bit less vegetated wetlands, but I  
668 mean, the numbers are not going to be that much bigger. Hopefully, this will explain  
669 it.

670  
671 So non-vegetated wetlands flat is seaward. None of that would be vegetated wetlands.  
672 The vegetative wetland serves only in that one swath. If you're, you know, looking at  
673 the definition of vegetated wetlands are vegetated wetlands. It's not the areas that  
674 aren't vegetated so you're only looking at the marsh humps.  
675 I went out again and I calculated the marsh humps, the square footage of them that is  
676 in that one swath of vegetated wetlands, and that's where the 25 square feet came  
677 from. The non-vegetated flats were not even in that area. We're not at all in that.

678  
679 **Mr. George (Hank) Badger**  
680 Okay. I guess the question I have then is from the Wetlands Board's jurisdiction,  
681 which is 1 ½ times the tide range channelward. How many feet are you into that?

682

683 **Ms. Kelley Parks**  
684 Only a few, it's only a couple.

685  
686 **Mr. George (Hank) Badger**  
687 The reason I'm asking is, if it's not vegetated, it's non-vegetated, and that would be  
688 included in the square footage.

689  
690 **Ms. Kelley Parks**  
691 That was my original. That's why I originally put it at 300, but then when I went back  
692 to that jurisdictional chart. That's not what it says. It says there's a difference. It says  
693 there are non-vegetated and vegetated wetlands. The definition of vegetated is  
694 vegetated. It's marsh grasses, but maybe not.

695  
696 **Mr. George (Hank) Badger**  
697 If it's vegetated, and then you have swamps that are non-vegetated that are in that  
698 same elevation, they're still non-vegetated wetlands impacts.

699  
700 **Ms. Kelley Parks**  
701 Okay. If that's the way I don't want to argue because that was my original thought  
702 process. That why it's was 300 square feet.

703  
704 **Ms. Beth Nunnally**  
705 I thought that you had brought it up a bit.

706  
707 **Ms. Kelley Parks**  
708 That really doesn't matter. You're not going to take it out of that vegetated wetlands.

709  
710 **Mr. Gene Wayne Taylor**  
711 What Mr. Badger is saying, is that anything in that same square where it says  
712 vegetated wetlands, anything that's vegetated, it doesn't have to be in front of that area  
713 to be non-vegetated. It can be the same line.

714  
715 **Ms. Kelley Parks**  
716 It would be non-vegetated.

717  
718 **Mr. Gene Wayne Taylor**  
719 That's right. Do you understand what I'm saying? That was my question too. In that  
720 same area where it says vegetated, there are clumps, you're right. In that same whole  
721 line, the non-vegetated is, even though that boundary is saying it's in front of the  
722 vegetated, any anything in that line that is not vegetated it still be in the non-  
723 vegetated.

724  
725 **Ms. Kelley Parks**  
726 So, the whole area right here should be both non and vegetated.

727  
728

729 **Mr. Gene Wayne Taylor**

730 Right. Yes, that is correct.

731

732 **Ms. Kelley Parks**

733 When you're looking at it that's not what it says.

734

735 **Mr. Gene Wayne Taylor**

736 I know, and I get that. That's why I wanted to sit down and bring it up. The area has  
737 vegetation, just because they don't have vegetation in their whole area, it counts too.

738

739 **Ms. Beth Nunnally**

740 It should be either or.

741

742 **Ms. Kelley Parks**

743 I see that.

744

745 **Mr. Gene Wayne Taylor**

746 That does need to be clarified just because it doesn't have vegetation in that whole  
747 block. The rest of it is going to be non-vegetated.

748

749 **Ms. Kelley Parks**

750 I totally could see that, but then if you go to please calculate the square footage  
751 encroachment over, it actually has vegetated and non-vegetated in a separate  
752 category. That's why, you know, it's confusing.

753

754 After doing this for 11 years it's still confusing. Beth had questioned it, so I  
755 questioned it, and we went to the drawing board. That's what we got when I really sat  
756 down and looked at that jurisdictional chart.

757

758 **Mr. T. Lee Byrd**

759 Been there and tried to figure it out. The bottom line is, if you have, let's call it 600 of  
760 veg and non-veg, then we're not going to fight too much over what is veg and what is  
761 non, it's the same money.

762

763 We've tried and tried and tried. There are jobs on Chincoteague that nobody, you'd  
764 have to go down there and get on your hands and knees, but we know it's 60 or 160.  
765 So, call it 60 and 100 or whatever. That's what we're getting at I think right now.

766

767 **Ms. Kelley Parks**

768 Right? That's why we're, I guess, it was important to note that there weren't any non-  
769 vegetated wetlands impacts according to that chart. If you guys need me to do  
770 anything additional let me know.

771

772 **Mr. Getek**

773 My first thought is, in terms of numbers, I think that might cover it if you think of it  
774 as just 600 square feet thinking about what might be non-vegetated. My first initial

775 calculation might be a lot more than 300. I think maybe that's a reasonable caucus.  
776 Consider it 600 and just make note that maybe 25 square feet was vegetables just for  
777 inventory purposes.

778  
779 **Ms. Kelley Parks**  
780 Where is the number 600?

781  
782 **Mr. George (Hank) Badger**  
783 On your original.

784  
785 **Ms. Beth Nunnally**  
786 I'm not sure it's that much.

787  
788 **Ms. Kelley Parks**  
789 Yeah, I would love to get back and measure.

790  
791 **Ms. Beth Nunnally**  
792 What I would like her to do is to, flag the bottom toe all the way around maybe every  
793 five feet or something. So we can really pin it down.

794  
795 **Mr. George (Hank) Badger**  
796 I think that's appropriate because all of us are confused on the square footage of  
797 vegetated and non-vegetated, and we can't make a determination or an approval of the  
798 project without that. We've done that before and we've gotten spanked by VMRC.

799  
800 **Mr. T. Lee Byrd**  
801 We can't do that anymore.

802  
803 **Mr. George (Hank) Badger**  
804 We tried to help the applicants.

805  
806 **Ms. Kelley Parks**  
807 I guess the original thought of including that entire area is correct.

808  
809 **Ms. Beth Nunnally**  
810 It's not a straight line so we'll have to figure out exactly where the toe of that structure  
811 will be, and then calculate it from.

812  
813 **Mr. George Ward**  
814 The law has change to the point where a while back, non-vegetated wasn't billed.

815  
816 **Mr. George (Hank) Badger**  
817 Accomack County changed.

818  
819 **Mr. George Ward**  
820 So now it's a lot more difficult.

821 **Mr. George (Hank) Badger**

822 It is.

823

824 **Mr. Getek**

825 Well, in some ways, yes, it's more difficult. In some ways, it's more consistent. We've  
826 had issues where every storm came in and vegetated wetlands would be lost, and I  
827 remember going back and forth the morning of the meeting doing a calculation. This  
828 makes it, in some ways easier, because, let's say, we know that this together is this  
829 much today. This is vegetated.

830

831 In regards to what Mr. Badger said, it's essential, we need to inventory the whole  
832 thing.

833

834 **Mr. Getek**

835 Even before we get there, with this project, part of the new law, and that's what we're  
836 going to be addressing later, which has been in effect since January, states that you  
837 basically have to start with a living shoreline and convince the powers that be that  
838 living shoreline isn't appropriate in this site. VIMS is saying a living shoreline would  
839 be appropriate.

840

841 We've got to back off, you know, understand that and then figure out if a revetment is  
842 appropriate in this situation. We have to address that. Also, we can do that with the  
843 new information next month. That's what I'm thinking here. I'm thinking a  
844 continuance here.

845

846 **Mr. T. Lee Byrd**

847 That's right. I agree with both of you, and I'm as confused as anyone. If you don't  
848 mind, I'd like to get Ms. Gorman's view on this.

849

850 Ma'am, if you're ready. Raise your right hand. Do you affirm or swear that you'll tell  
851 the truth, the whole truth, and nothing but the truth in all matters before this board.

852

853 **Ms. Claire Gorman**

854 Yes sir.

855

856 **Mr. T. Lee Byrd**

857 Please state your name and title for the record.

858

859 **Ms. Claire Gorman**

860 Claire Gorman, I'm the Environmental Regulator for Accomack County.

861

862 **Mr. T. Lee Byrd**

863 Maybe you can make us feel a little bit better. I have in front of me your review,  
864 would you consider going through that?

865

866

867 **Ms. Claire Gorman**  
868 Sure, I do want to make a couple of clarifications. We are not calling this a beach  
869 since there are dense vegetated wetlands on the site. This is considered a wetland. If  
870 this was a beach, it would be under VMRC's purview since Accomack County has  
871 not adopted the dune and beach coordinates, and that was confirmed on-site with Ben.  
872

873 I think part of the confusion with this site is that although the toe was pulled up  
874 channel or landward of mean high water, it was not pulled out of the 1 ½ times  
875 jurisdiction. The vegetation on-site is pretty contiguous along the shoreline and I  
876 think that's where this confusion with the impacts is coming from.  
877

878 As you know, the board's jurisdiction extends to 1 ½ times when there are vegetated  
879 wetlands on site, but it does drop back down to mean high where there is no  
880 vegetation. It depends on where you are along the bank.  
881

882 **Mr. George (Hank) Badger**  
883 What I've seen with VIMS when we've been in a situation where non-vegetated and  
884 vegetated are intermixed, VIMS is considering it going to 1 ½ times the tide range. If  
885 there's just a 40-foot gap in this vegetation on both sides, it's 1 ½ times. It's not that  
886 little piece in the middle, it only goes to the high-water mark.  
887

888 **Mr. T. Lee Byrd**  
889 Do you understand what he just said and do you agree?  
890

891 **Ms. Kelley Parks**  
892 I do agree, yes. Especially given that this site has so much vegetation.  
893

894 **Mr. T. Lee Byrd**  
895 Thank you. We have other we have questions. So don't leave us, please.  
896

897 We have a quandary here that I'm not sure I understand. Without being able to see it  
898 again, with the flags or PVC or whatever you choose to use, I know less than I knew  
899 yesterday. I'd like to hear from you guys. What do we want to see? What do you  
900 suggest we do about it?  
901

902 **Mr. Getek**  
903 I mentioned earlier that maybe a continuance for one month might be a good idea. I  
904 would ask if that be sufficient for the people involved to go out and remark to make it  
905 clear to us what's going on. Is that fair?  
906

907 **Ms. Kelley Parks**  
908 Yes, and I guess I would ask procedurally if we decided to pull it back outside of the  
909 Wetlands Board's jurisdiction how does that affect it?  
910  
911  
912

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**Mr. T. Lee Byrd**

We're no longer in the picture so it didn't affect us. There's your issue right there if you pull it back. The answer to your question is, if you pull it all back, out of our jurisdiction, you don't need us.

She will certainly have to review that and say it is out of our jurisdiction, but if that occurs, we kiss and say goodbye today. Then your deal is with Ms. Gorman.

**Ms. Kelley Parks**

I would rather request a continuance. I want to look at it again and make sure that pulling it back is the best thing to do.

**Mr. T. Lee Byrd**

Very wise.

**Mr. Gene Wayne Taylor**

They absolutely can pull it back out of our jurisdiction, but let us just say they put quarry stone on the highlands. The erosion is going to come and shoot to the area that is out of our jurisdiction. They are still going to have that and there's not going to be any filter cloth or anything.

**Mr. T. Lee Byrd**

I understand perfectly, except that is their decision.

**Mr. Gene Wayne Taylor**

It definitely is. You know how much action this project gets. Say you're going to put quarry stone on top, the quarry stone is going to fall down.

In the real world that is what's going to happen with that much erosion. Is it 3-4 feet a year or two, 3 feet a year or something? If you put quarry stone on top like that, and there's no filter cloth, it is going to erode.

**Mr. George Ward**

Waiting to fall.

**Mr. Gene Wayne Taylor**

It's waiting to fall. Can they, yes, they can make absolutely, there are no ifs, ands, or buts about it. It's your job to say don't mess with what, but in the real world it's going to erode.

**Mr. T. Lee Byrd**

You're going to lose more trees. We all know the beautiful trees you're trying to save. It's a catch-22.

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1003

**Mr. George (Hank) Badger**

It really is. That's the biggest issue. What we've got to address is, first of all, we start off with a living shoreline and what does that do if we do a living shoreline with the grading back? How many trees are we going to lose in comparison to the vegetative wetlands that would be lost? That's the balancing act that we have to do.

There are no buildings on the site, which is part of what we have to look at for protection purposes with a revetment, but you know, it's a tree versus vegetated wetlands. It's a call that we have to do occasionally, and it's not necessarily what everybody likes.

**Mr. T. Lee Byrd**

It is not our decision to vote on this right now, as you've already asked for a continuance, and you are within your jurisdiction to do that. The longer you wait, the more you're going to lose. You get some westerly winds; I don't have to tell anybody in this room what that looks like.

Options are this, continue to figure it out or pull it back and lose whatever you have to lose out of our jurisdiction. It's not our problem, but we live here, we are no net loss oriented, and we live to protect the shoreline.

The options are 30 days or go back to the original 300 and 3000, and we decide if we want a continuance based on that with what you've offered in your original JPA. If you carry on now, if you're not sure, and you agree to the 300 veg and 300 non-veg and still don't want to do it and pull it back then we've defeated the purpose of our mission here.

I would like to know if Ms. Gorman has anything to add beyond what you just told us as far as protection. What do you have to say about them voting on what originally was put before some 10 minutes before this meeting?

**Ms. Claire Gorman**

I think that if the applicant has or the agent has requested a continuance then that may be the best way to proceed.

**Mr. T. Lee Byrd**

Yes ma'am. That may be the best way to proceed. Agreed. Thank you.

We are still in board members' comments.

**Mr. Getek**

It's a little bit of a timing issue. If we give continuance in one month, and he decides he wants to go ahead with the original plan, I would feel more comfortable going out and doing a reinspection personally to see.

1004 It's a timing of four weeks. When will we know, approximately, what the big overall  
1005 plan is? I guess that's the only thing I would, sort of, like to ask. I know you want to  
1006 figure it out, but is there a way to maybe do a two-month continuance? I don't know if  
1007 we can do that.

1008  
1009 **Mr. T. Lee Byrd**  
1010 Is this new JPA territory?

1011  
1012 **Ms. Beth Nunnally**  
1013 No, but what I was thinking was as soon as she gets us that revision, we'll make sure  
1014 you get it.

1015  
1016 **Mr. T. Lee Byrd**  
1017 Got it.

1018  
1019 **Mr. George (Hank) Badger**  
1020 We'd like to see it staked in the field. That's most important.

1021  
1022 **Mr. T. Lee Byrd**  
1023 As soon as she has restated she'll tell you and you're going to tell us so we have X  
1024 number of days to get down there and determine what they're going to do. Frankly,  
1025 that's out of our control. As much as I thought it looked great, just the dead trees  
1026 gone, and keeping the living trees you got that there. They will be gone in a short  
1027 time, but can't help. You're asking for a 30-day continuance?

1028  
1029 **Mr. George (Hank) Badger**  
1030 Why don't we make it until the May meeting whatever that is because it may be just  
1031 beyond 30 days.

1032  
1033 **Mr. T. Lee Byrd**  
1034 The May meeting is on the 23<sup>rd</sup>. Thursday, 23<sup>rd</sup>, 10 o'clock right here. Is that what  
1035 you're asking for ma'am?

1036  
1037 **Ms. Kelley Parks**  
1038 Yes. I mean, I could probably figure it out. I don't want to wait that amount of time.

1039  
1040 **Mr. T. Lee Byrd**  
1041 I don't think it's possible. That would mean almost an emergency. I think if you did it  
1042 in a week? I don't think that'll work.

1043  
1044 **Mr. George (Hank) Badger**  
1045 What would work, is if they pulled it outside the Wetlands Board's jurisdiction.

1046  
1047 **Ms. Kelley Parks**  
1048 I like to do things right. I like to design things, but I think it is an option. It's not the  
1049 best option, but it is an option. I would request a continuance.

1050 **Mr. T. Lee Byrd**  
1051 I think you can request your 30 days; we will vote on that. You can decide it's out of  
1052 our hands and talk to VMRC and do what you have to do. We're still going to come  
1053 and look to make sure it's out of our hands, understand? You can ask for 30 days and  
1054 do it tomorrow.

1055  
1056 **Mr. George Ward**  
1057 It's until the May meeting.

1058  
1059 **Mr. T. Lee Byrd**  
1060 Exactly right. Anyone else on the board wish to speak before we call for a vote on  
1061 this continuance until the May meeting?

1062  
1063 **Mr. George Ward**  
1064 I'm not sure how many days it is from now, but I just say, it has to be done by the  
1065 next meeting, whether that's 28 days or 32 days.

1066  
1067 **Ms. Kelley Parks**  
1068 Yes, sir.

1069  
1070 **Mr. T. Lee Byrd**  
1071 For the record, when we get these revisions, we don't have time to look at anything as  
1072 long as I'm sitting here running this thing, that's not going to work. I need to look at it  
1073 again because I want to do what's best for the shoreline, the Eastern Shore, Bayside,  
1074 and the Chesapeake Bay. End of story.

1075  
1076 All right. Anything else, sir?

1077  
1078 **Mr. Getek**  
1079 Well, I just want to say, that's a reasonable plan to pull back, but I would also  
1080 consider other things that might protect the shoreline. Maybe look at the VIMS  
1081 suggestions, and I don't know, maybe you might want to include some of those in  
1082 there. I don't know what might be best. It's something I would recommend taking a  
1083 look at.

1084  
1085 **Ms. Kelley Parks**  
1086 I have and that's why we included the core log.

1087  
1088 **Mr. T. Lee Byrd**  
1089 I'm guessing if you pull it back, I'm guessing six trees? If you pull it back out of our  
1090 jurisdiction, you're going lose more trees, and they're extremely valuable to all of us  
1091 including that gentleman.

1092  
1093 All right, anything else? The motion is for a continuance on this project, JPA 2024 -  
1094 0511 Vaux Hall Farm LLC, to have a continuance until our May 23<sup>rd</sup> meeting. With  
1095 no other comments, may I ask for a motion?

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**Mr. George (Hank) Badger**  
I recommend we continue this hearing until the May 23<sup>rd</sup> meeting.

**On a motion made by Mr. Badger and seconded by Mr. Getek, the Wetlands Board voted on a continuance until the May 23<sup>rd</sup> meeting for Vaux Hall Farm, LLC - VMRC# 2024- 0511 for the proposed installation of a 100' x 5' dock and the installation of a 120' rip-rap revetment with 2' deep x 3' wide toe with the following conditions:**

*1. The toe of the revetment flagged within two weeks of the meeting, no later.*  
**The property is located in Melfa, VA 23410, tax map#(s) 101-A-3.**

**Mr. T. Lee Byrd**  
Thank you, sir. Continuance approved. We'd like the information a couple of weeks before the May 23<sup>rd</sup> meeting, ma'am. You get the information. You'll get it to us.

**Ms. Beth Nunnally**  
Yes sir.

**Mr. T. Lee Byrd**  
All right. Thank you, everyone. I think that's the way out the best way out.

That concludes new business.

**5. OTHER BUSINESS**  
**A. Wetlands Ordinance Amendments Discussion**

An amendment to Accomack's Wetlands Ordinances is needed prior to January 1, 2024, in order to comply with a recent General Assembly mandate pertaining to Wetlands Board public hearing notice requirements and changes in state law regarding shoreline projects.

**Mr. T. Lee Byrd**  
I believe that this may call for one of you to approach and get us started on this. Beth? Chontese?

Do you agree or swear that you will tell the truth, the whole truth, and nothing but the truth in all matters before this board?

**Ms. Chontese Ridley**  
I do.

**Mr. T. Lee Byrd**  
Thank you, Chontese, would you carry on?

**Ms. Chontese Ridley**  
This is more for your information. I wasn't sure if you all wanted to have a discussion on it or not. When I sent it to you all that was the first time I had seen it too. Some of the key points that were given to the Board of Supervisors is what's up on the screen.

1142 An amendment to Accomack County’s wetlands ordinances is needed prior to  
1143 January 1, 2024. In order to comply with a recent General Assembly mandate  
1144 pertaining to wetlands for public hearing notice requirements and changes in state law  
1145 regarding shoreline projects.

1146  
1147 I did give you all the signed, I believe, ordinance amendment from the Board of  
1148 Supervisors. These are the same bullet points given to the Board of Supervisors. The  
1149 General Assembly adopted Senate Bill 1160, which requires localities to amend their  
1150 wetlands ordinance prior to January 12, 2024, and the Board of Supervisors has done  
1151 now.

1152  
1153 It eliminates the need for a wetlands permit to be notarized. I had been notarizing all  
1154 the wetlands permits before they go out. They'll still be signed, just not notarized.

1155  
1156 **Mr. George (Hank) Badger**  
1157 Board chair has to still sign?

1158  
1159 **Chontese Ridley**  
1160 Yes.

1161  
1162 **Ms. Chontese Ridley**  
1163 It requires that notice of public hearings held by the wetlands board be published in a  
1164 newspaper, of general circulation, at least once in the seven-day period to the  
1165 meeting.

1166  
1167 I was not at this Board of Supervisors meeting when this was discussed, but I'm  
1168 assuming this means that it does not have to be advertised two times anymore. It's  
1169 saying one time within a seven-day period before the meeting. So, instead of seeing it  
1170 the two Fridays before the meeting in the short post, it would only need to be in there  
1171 one Friday before the meeting. I'm not sure what you all think, but I'm thinking the  
1172 Friday before the week of the meeting would probably be better than doing it two  
1173 weeks before.

1174  
1175 **Mr. George (Hank) Badger**  
1176 What I’m reading there, says it really needs to be within that seven-day period prior  
1177 to. So, it has to be that way.

1178  
1179 **Mr. Getek**  
1180 I don't know if that's a good thing. Publicize on Wednesday, we're having the meeting  
1181 on Thursday. That doesn't sound right.

1182  
1183 **Chontese Ridley**  
1184 It would have to be a Friday because the Post only does Fridays.

1185  
1186 **Mr. George (Hank) Badger**  
1187 It works fine for us, but others may not.

1188 **Chontese Ridley**  
1189 Instead of doing it two Fridays before it'll be the Friday before. If you're looking for it  
1190 and you don't see it both Fridays this is why.

1191  
1192 Number two: The meeting has to be posted on the website at least 14 days prior to the  
1193 hearing.

1194  
1195 Number three: provide to the Virginia Marine Resources Commission. That number  
1196 used to be more than 14 days, and they have decreased that number.

1197  
1198 **Ms. Beth Nunnally**  
1199 Chontese so when you do that, is that we put it on Board Docs

1200  
1201 **Chontese Ridley**  
1202 Notifications go out, BoardDocs notification goes to the VMRC, VIMS, and all the  
1203 other government agencies. It also goes out to our board members, APOs, agent for  
1204 the project, and the applicant. There's a whole lot of people involved in there, but they  
1205 decreased it to 14 days.

1206  
1207 **\*Correction, the 14 days does not apply to APO or Government Agency**  
1208 **notifications. \***

1209  
1210 **Mr. (Hank) Badger**  
1211 The 14 days is for notification of the APOs. Everything? All the public notices have  
1212 been dropped from 20 or 21 to 14 now.

1213  
1214 **Ms. Claire Gorman**  
1215 Yeah. And they want to be uploaded to the town hall.

1216  
1217 **Mr. George (Hank) Badger**  
1218 VMRC?

1219  
1220 **Mr. T. Lee Byrd**  
1221 Gotcha, yeah. Okay, anything else?

1222  
1223 **Chontese Ridley**  
1224 That's it.

1225  
1226 **Mr. T. Lee Byrd**  
1227 I think we pretty well understand that. Like to thank both of you for the checklist  
1228 from last month or so that helps going through that. More importantly, for the record,  
1229 I know both of you ladies are wearing about six hats. I didn't mean to come off as not  
1230 getting the new applications on time was at your negligence, I hope you understand  
1231 that.

1232

1233 You do the best you can do and we're going to do what we have to do based on that  
1234 with continuance, etcetera, etcetera.

1235  
1236 **Chontese Ridley**  
1237 One more thing I'd like to mention the minutes do look different. Now we have a  
1238 system that is helping us with those. They will look a little different, but if you have  
1239 any suggestions or anything you would like to see differently, just let us know.

1240  
1241 **Mr. T. Lee Byrd**  
1242 Mr. Getek will be in charge.

1243  
1244 **Mr. George Ward**  
1245 He is the proofreader?

1246  
1247 **Mr. George (Hank) Badger**  
1248 He is.

1249  
1250 **Chontese Ridley**  
1251 Hopefully, we'll have some help coming soon.

1252  
1253 **Mr. T. Lee Byrd**  
1254 Well, we hope so. I've been told that before, but we think about you and we  
1255 appreciate you more than you know. Thank you. Is that it?

1256  
1257 **Mr. George (Hank) Badger**  
1258 Just for informational purposes, I know that we're talking about getting overwhelmed  
1259 and so forth. I just checked on VMRC's permit site and Accomack County has had 33  
1260 applications this year. Now, some of that's peers and doesn't have to be part of what  
1261 we hear, but they've had 33 applications that they have to address each one even if it's  
1262 not coming in front of us. VMRC is pushing 1000 in the first four months of this year.

1263  
1264 **Ms. Beth Nunnally**  
1265 We have 17 right now that we have not reviewed yet.

1266  
1267 **Mr. George Ward**  
1268 17 applications?

1269  
1270 **Mr. T. Lee Byrd**  
1271 There's a lot going on and it's on a few shoulders. I hope the county realizes that; I  
1272 think they do.

1273  
1274 **Ms. Beth Nunnally**  
1275 Hopefully, we've found some people.

1276  
1277  
1278

1279 **Mr. T. Lee Byrd**  
1280 Glad to hear it. We had a gentleman, I knew from the past and had a tomato business,  
1281 that was here for a short time now he's gone.

1282  
1283 **Ms. Beth Nunnally**  
1284 It's not easy.

1285  
1286 **Mr. George (Hank) Badger**  
1287 VMRC is the same way. They're down to two engineers right now so it's throughout  
1288 the state.

1289  
1290 **Mr. T. Lee Byrd**  
1291 We thank you for coming every month and we appreciate your comments and  
1292 keeping us on track and it's important. Anything else?

1293  
1294 **Mr. Getek**  
1295 A quick question. When you talk to future applicants are they pretty much aware that  
1296 we now do vegetated and non-vegetated wetlands?

1297  
1298 **Ms. Beth Nunnally**  
1299 They are. Kelly came from Northampton County and I don't think they're doing it.

1300  
1301 **Mr. George (Hank) Badger**  
1302 They're not. They're showing the impact so they're just not charging for it.

1303  
1304 **6. NEXT MEETING**  
1305 The next Wetlands Board meeting is scheduled for Thursday, May 30, 2024, at 10:00  
1306 a.m. in the Accomack County Board Chambers, Room 104, in Accomac, VA.

1307  
1308 **Mr. T. Lee Byrd**  
1309 Okay, anything else? If not, ask for a motion to adjourn

1310  
1311 **7. ADJOURNMENT**  
1312 **On a motion made by Mr. Taylor and seconded by Mr. Ward, the Wetlands Board**  
1313 **voted to adjourn the meeting.**

1314  
1315 The meeting was adjourned at 11:04 a.m.

1316

1317

1318  
1319 \_\_\_\_\_  
1320 T. Lee Byrd, Chairman

1321  
1322

1323  
1324

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Chontese Ridley, County Planner I