

1 **ACCOMACK COUNTY WETLANDS BOARD MINUTES OF September 26, 2024**

2 At a meeting of the Accomack County Wetlands Board held on the 26th day of September 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. George Ward, Vice Chairman

8 Mr. Gene Wayne Taylor

9 Mr. George H. Badger

10 Mr. Timothy Getek

11 Mr. David Elebash, Alternate

12 **Wetland Board Members Absent**

13 Mr. T. Lee Byrd

14 **Others Present:**

15 Ms. Beth Nunnally, Environmental Planner II

16 Ms. Julie Crockett Floyd, Environmental Permit Specialist

17 Ms. Chontese Ridley, Planner I

18 Ms. Claire Gorman, Virginia Marine Resources Commission (VMRC)

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20 **2. DETERMINATION OF A QUORUM**

21 There being a quorum, Vice Chairman Ward called the meeting to order at 10:00
22 a.m.

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24 **3. ADOPTION OF AGENDA**

25 **On a motion made by Mr. Getek and seconded by Mr. Elebash,**
26 **the Wetlands Board voted to approve the agenda.**

27 **4. MINUTES**

28 **A. August 22, 2024**

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30 **On a motion made by Mr. Badger and seconded by Mr. Taylor,**
31 **the Wetlands Board voted to approve the August 22, 2024 minutes.**

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33 **5. OLD BUSINESS**

34 **There was no old business**

36 *It was decided that because the applicant and owners were not present for the new*
37 *business, that the Board would skip to Other Business to allow time for them to arrive.*
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39 **5. OTHER BUSINESS**

40 **A. Remote Participation Policy**

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42 Chontese Ridley was sworn in by the Vice-Chairman. She explained that each Board
43 member received a draft of the policies and procedures manual that had been given
44 to them last month on which to comment. The draft would have all of the comments
45 offered by the staff and/or board members and it also included the remote
46 participation policy. Ms. Ridley explained that the county attorney would be
47 reviewing the manual and that a completed manual would be available at the next
48 meeting.
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50 **B. Captain's Cove Lawsuit Information**

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52 Mr. Getek explained that during the hearing on Tuesday September 24, 2024 there
53 was a lawsuit brought before the county in regards to the Captain's Cove
54 development. Mr. Getek stated the board of directors of Captain's Cove has the
55 right to use HOA dues for anything that will allow for the enhancement and
56 increased amount of the real estate in terms of encouraging people to maintain their
57 property. Mr. Getek explained that this gave some justification for the board of
58 directors to use funds to build roads. Another aspect of the verdict was came down
59 to the definition of the word "improved". It was found that in regards to the word
60 improved, it means anything you do to the roads, either put in ditches, putting tar and
61 chip on dirt roads, whatever.

62 Mr. Getek concluded stating that essentially it would be okay for the board of
63 directors of Captain's Cove to vote and spend money on putting in roads in
64 Captain's Cove.
65

66 Some discussion ensued about possibilities which might occur as a result of the
67 verdict.
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70 **6. NEW BUSINESS**

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72 **A. Pamela Fontello - VMRC 2024-1628**

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74 Ms. Nunnally gave a synopsis of the project stating that the owner is Pamela Fontello,
75 the applicant is David Higgins from Shore Lifts and the project is located on Canvas
76 Back Lane in the Schooner Bay subdivision in Onancock, VA. The tax number is
77 75D3-3-19. It is on a man-made canal in Schooner Bay. The structure is a 120-foot
78 new bulkhead with a 12-foot return wall to the east, and connecting with an existing
79 bulkhead to the west. The construction material and method are vinyl sheeting
80 installed, 18 pilings that are 10 inches by 16-feet, galvanized tie rods, 18 eight inches
81 by 12-foot timber dead men set with a vibratory hammer. The work will be done from

land and barge, and there will be 26 yards of clean fill added to the back side of the bulkhead. The current use is residential, and it is currently under construction, the non-vegetative wetlands located behind the bulkhead after it's after it's constructed, added up to 72 square feet. At \$18 per square foot, the environmental fee comes to \$1,296.

VICE CHAIRMAN WARD DID NOT OPEN THE FLOOR TO PUBLIC COMMENT BECAUSE THERE WAS NO ONE PRESENT TO SPEAK.

Discussion ensued about whether both adjacent property owners were notified and where the property corners were located. It was confirmed that the APOs were notified and no comment was received from either.

On a motion made by Mr. Badger and seconded by Mr. Taylor, the Wetlands Board voted to issue a permit, valid for (2) years, for Pamela Fontello - VMRC# 2024-1628 for the construction of a 120-foot vinyl bulkhead with the following conditions:

- 1. Pay \$1,296.00 into the mitigation fund for 72 square feet of impacts to non-vegetated wetlands.*
- 2. Confirm the distance of the property corner to the string line.*

The property is located in the Schooner Bay subdivision in Onancock, VA 23417, tax map#(s) 75D-3-3-19.

All parties are advised that the foregoing determination grants no authority to encroach on the property rights of others.

7. NEXT MEETING

The next Wetlands Board meeting is scheduled for Thursday, November 21, 2024 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac, VA.

8. ADJOURNMENT

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

The meeting was adjourned at 10:39 a.m.

George H. Ward, Vice Chair

Date

Julie Crockett Floyd, Environmental Permit Specialist

Date