

ACCOMACK COUNTY WETLANDS MINUTES OF APRIL 27, 2017

At a meeting of the Accomack County Wetlands Board held on the 27TH day of April 2017, in the Accomack County Administration Building Board Chambers, Room #104, in Accomac, Virginia.

1. **CALL TO ORDER**

MEMBERS PRESENT AND ABSENT

Planning Commission Members Present:

Mr. Earl Frederick, Chairman
Mr. George Ward, Jr., Vice-Chairman
Mr. T. Lee Byrd
Mr. Timothy Getek
Mr. Gene Wayne Taylor

Others Present:

Mr. G. Christian Guvernator IV, PE, Director Environmental Programs
Mr. Tyrone Upshur, Environmental Programs Inspector
Ms. Chontese Ridley, Environmental Programs Permit Specialist
Mr. Karl Mertig, Consultant Kimley Horn
Mr. Justin Apfel, Consultant Kimley Horn
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. **MINUTES**

A. March 23, 2017

On a motion made by Mr. Taylor and seconded by Mr. Byrd, the Wetlands Board voted to approve the minutes of the March 23, 2017 meeting.

3. **OLD BUSINESS**

A. Kevin Oliner – VMRC# 2016-1777

Mr. Oliner submitted a Joint Permit Application for the construction of 152 feet new bulkhead. The project is located in the Silver Sails subdivision in Chincoteague, Virginia. Tax Map #30A3-22-9B

Luke Britton, Luke Britton Marine and General Construction Inc., appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. After reviewing the application and plans Mr. Earl Frederick asked if anyone had any comments to make regarding this project.

Mr. Britton discussed his meeting with Mr. Karl Mertig and Mr. Britton, revised his drawings to show 73 square feet of vegetative wetlands. Mr. Frederick stated that the notation on the drawing, (page 16), does not match.

Mr. Justin Apfel was sworn in by Chairman Frederick and spoke on the drawing in question. Mr. Merig also spoke until they concluded that there was 65 square feet of vegetative wetlands, 65 square feet of subaqueous bottom, and 110 square feet of non-vegetative wetlands.

On a motion made by Mr. Taylor and second by Mr. Getek, the Wetlands Board voted to approve the drawing on page 16 with the following changes: 65 square feet of vegetative wetlands, 65 square feet of subaqueous bottom, and 110 square feet of non-vegetative wetlands, and to issue a permit (valid for (1) year) to Mr. Kevin Oliner, VMRC# 2016-1777, for the construction of 152 feet new bulkhead. The property is located in the Silver Sails subdivision in Chincoteague, Virginia. Tax Map #30A2-22-9B

4. NEW BUSINESS – PUBLIC HEARING

A. Allen Quillen – VMRC# 2016-1803

Mr. Quillen submitted a Joint Permit Application for the construction of a 95 linear feet long bulkhead to prevent further erosion. This project is located in Captain's Cove on Sail Court – Greenbackville, Virginia. Tax Map # 5A3-1-1398.

Raymond Britton II appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. After reviewing the application and plans Mr. Earl Frederick asked if anyone had any comments to make regarding this project.

Mr. Getek, who gave the disclaimer that he is a member of the Captain's Cove Golf & Yacht Club Incorporated, but that he has no authority or responsibility at Captain's Cove, stated that the area in question is heavily eroded, and that he finds the construction of the 95 linear feet long bulkhead appropriate.

Mr. Fredrick and Mr. Byrd discussed the presence of phragmites in the slump down of the shore line. Mr. Britton stated that they recently started growing resulting from him pulling up cedar and pines trees left in a pile on the site.

Mr. Karl Mertig said that these phragmites are not in the tide range or board jurisdiction. He also stated that with active eroding at the shore line sprigs could have fallen on the beach and with the warm weather conditions, they may not have been there before.

On a motion made by Mr. Getek and seconded by Mr. Byrd, the Wetlands Board

voted to issue a permit (valid for (1) year) to Mr. Allen Quillen, VMRC#2016-1803, for the construction of a 95 linear feet long bulkhead to prevent further erosion. This project is located in Captain's Cover on Sail Court – Greenbackville, Virginia. Tax Map # 5A3-a-1398.

B. Cedarview Beach Association – VMRC# 2017-0212

Cedarview Beach Association submitted a Joint Permit Application for the construction of a 185-foot long bulkhead. This property is located at 31421 Laughing Gull Curt, Painter Virginia 23420. Tax Map # 109D-2-B-44B

Raymond Britton II appeared before the Wetlands Board on behalf of the applicant and was sworn in by Chairman Frederick. After reviewing the application and plans Mr. Gene Taylor pointed out that the 2 feet dimension from the landward side of the bulkhead to the channel ward side of the bulk head. Mr. Taylor told Mr. Britton he could adjust the drawing during the meeting and that there was no need to submit new drawings.

Mr. Getek expressed his concern about past history of the bulk head and previous damage. Mr. Britton explained that storm damage and the sheeting being rotten on the bottom played part in the damage.

Mr. Earl Frederick asked if anyone had any comments to make regarding this project.

On a motion made by Mr. Byrd and seconded by Mr. Tylor, the Wetlands Board voted approve the drawings with the 2 feet dimension being moved from the landward side of the bulkhead to the channel ward side of the bulkhead, and to issue a permit (valid for (1) year) to Cedarview Beach Association, VMRC#2017-0212, for the construction of a 185-foot long bulkhead. This property is located at 31421 Laughing Gull Curt, Painter Virginia 23420. Tax Map # 109D-2-B-44B

5. OTHER MATTERS

A. Staff Report

Mr. Guvernator introduced new hire, Chontese Ridley, as the Environmental Permit Specialist. He described her position and informed the board that she would be performing the duties that Jessica Taylor was once doing for the board. Mr. Guvernator also mentioned that Ms. Ridley transferred from the Public Works Department.

B. Mr. Getek mentioned that VMRC approved a permit for Virginia Aqua Farms to have a brine water outflow into the Chincoteague Bay. He wanted the general public to be aware and let them know who to contact if they had any questions. Mr. Taylor stated that if DEQ approved it then it should be no problem. Mr. Badger was asked what he may know

and he stated that DEQ notified the adjacent property holders, but did not hear back from any of them. He also added that it was published in the newspaper.

6. NEXT MEETING

The next Wetlands Board meeting is scheduled for Thursday, May 25, 2017 at 10:00 a.m. in the Accomack County Board Chambers, Room 104, in Accomac.

7. ADJOURNMENT

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

The meeting was adjourned at 10:35 a.m.

Earl Frederick, Chairman

Chontese, Administrative Assistant