

**NORTHAMPTON COUNTY
WETLANDS BOARD**
Minutes
February 16, 2011

This was the regular meeting of the Northampton County Wetlands Board held on Wednesday, February 16, 2011 in conference room #2 at the former Northampton Middle School located at 7247 Young Street in Machipongo, Va., for the purpose of conducting regular business.

Those members present were Chair Marshall Cox, Mark Gates,, Nancy Wells Drury, John Chubb and Robert Meyers. Members absent were Vice-Chair Bowdoin Lusk and Dot Field.

Also attending were Hank Badger with the Virginia Marine Resources Commission (VMRC), Melissa Kellam, Zoning Administrator; Katrina Hickman, Zoning Inspector; and Kay Downing, Secretary to the Board.

The Chair called the meeting to order at 10:30 a.m., established a quorum, and swore in all those wishing to speak at today's meeting.

It is noted for the record that Ms. Hickman, Zoning Inspector, had left the county office today at 9:00 a.m. with those Board members present to conduct scheduled field visits.

The first public hearing was called to order.

Public hearings:

- A. VMRC 2010-2021: Broadwater Seafood, LC, has applied to construct an aquaculture platform 24 feet by 50 feet and approximately 40 inches over existing deck. Where needed existing poles will be replaced and an existing shed will be restored to house equipment for pumps and tanks placed on the platform. The property, located at 4483 Willis Wharf Road, is described as being Tax Map 11A, double circle A, parcel 102 on Parting Creek.

Ms. Kellam reviewed Decision Tree information noting its irrelvance in this case and then read recommendations from the VIMS report.

VIMS RECOMMENDATIONS SUMMARY:

**Construct open-pile pier with minimized area*

The Chair called for public comments.

Mr. James Kelly, IV, acting as agent, was present to answer any questions posed by the Board. He explained that the dock would house pumps and tanks only and no loading or off-loading would occur.

There being no public comments the hearing was closed.

Action:

Motion to approve the application as submitted was made by Mr. Gates and seconded by Mr. Meyers. The motion carried unanimously with a 5 to 0 vote.

The second hearing was called to order.

B. VMRC 2010-1932: Revelle & Barbara Young have applied to construct a 140-foot vinyl bulkhead 4 feet high two feet in front of an existing bulkhead. Backfill will be placed between the new and old structures and graded. The property, located at 2299 Morleys Wharf Road, is described as being Tax Map 3, double circle A, parcel 6.

Ms. Kellam reviewed Decision Tree information and then read recommendations from the VIMS report as follows.

VIMS RECOMMENDATIONS SUMMARY:

- *Consider non-structural vegetative stabilization or bulkhead replacement in same alignment*
- *Construct bulkhead replacement as proposed only as last resort*

Mr. Steve Bunce, contractor and agent for the applicants, informed the Board that no excavation of the property is allowed as it has been deemed an Indian burial site. He also explained that the applicants would like to change the alignment of the bulkhead by the boat house from a 90° angle to a 45° angle. He then answered various questions posed by the Board and noted that the old existing structure will not be removed; that the new bulkhead is designed to permit “weeping” and that weep holes are designed to allow cleaning.

Mr. Gates stated his concern that the project may act as a dam during major downpours and water should be prevented from being “hung up” behind the bulkhead given the large upland drainage area. Mr. Bunce stated that after construction the backfill area will be flat and compacted.

Mr. Bunce also clarified that mean low water would still be 4 feet out from the new angle of the bulkhead.

Mr. Bunce then submitted a revised drawing of the original for the Board’s review.

The Chair called for public comments. There being none the hearing was closed.

Action:

Motion to approve the project as depicted on the revised project drawing was made by Mr. Chubb and seconded by Mr. Meyers. The motion carried unanimously with a 5 to 0 vote.

Staff was asked to send Mr. Bunce a copy of the revised drawing for his information and to VMRC as well.

Old Business

Mr. Hickman then gave a status report on the Raccoon Island/Holly Bluff violation noting that an after-the-fact joint permit application must be filed by the landowner in order for the Board to consider the existing project as installed at this location. The Board then decided to conduct another field inspection of the property once the after-the-fact application is received and prior to the official public hearing.

New Business

Ms. Kellam stated that no new applications have been received to date.

Statements from the Public

Mr. Badger informed the Board that Kiptopeke State Park wishes to restore the beach access walkway as it has been greatly impacted by the wetlands projects on adjoining property known as Butlers Bluff Subdivision. Photos of the walkway were viewed by the Board as submitted by Mr. Sam Sweeney, park employee. Also, Ms. Hickman noted that county photos had been taken of the Butlers Bluff project as part of the Certificate of Occupancy issuance and official record.

Mr. Meyers stated his opinion that the new off-shore breakwater system now installed along the Butlers Bluff shoreline should help ease the migration of sand onto park property.

By consensus the Board requested that staff continue to photograph each completed project for the Board's information.

Consideration of Minutes

The minutes of January 19, 2011 were approved with the following corrections: (1) page 5, third paragraph, second sentence should be, "He also stated his opinion that caution be used when operating excavating equipment whether a bobcat or regular excavator since they both have the potential to greatly damage the project area."; and (2) page 12, fourth paragraph, change "Ms. Gates" to "Mr. Gates". Motion to approve as corrected was made by Ms. Drury and seconded by Mr. Meyers. The motion carried 5 to 0.

At the suggestion of Mr. Gates the Board agreed that staff should only include the VIMS summary as part of the minutes and that all decision tree information be omitted from now on.

Prior to adjourning the Board briefly viewed photos of the former Cassidy property.

Adjournment

There being no other business the meeting was adjourned at 11:10 a.m.

Chair

Secretary