

**NORTHAMPTON COUNTY
WETLANDS BOARD**

Minutes
May 21, 2014

This was the regular meeting of the Northampton County Wetlands Board held on Wednesday, May 21, 2014, in the Board Chambers located at 16404 Courthouse Road in Eastville, Virginia for the purpose of conducting regular business.

Those members present were Chair, Marshall Cox, Nancy Wells Drury, John Chubb, Jr and William Brown, II., Vice-Chair Bowdoin Lusk and Dot Field.

Also attending were Hank Badger with the Virginia Marine Resources Commission (VMRC); Melissa Kellam, Zoning Administrator and Agent to the Board Chair; Nyoka Hall, Board Secretary; and Kelley Lewis, County Development Inspector.

The meeting was called to order at 10:30 a.m., and a quorum established.

Public Hearings

All those wishing to speak at today's meeting were sworn in by the Chair.

Ms. Kellam read the public notice and decision tree details into the record.

- A. VMRC 2014-0035:** John Sidway has applied to install 255 linear feet of stone rip rap channelward of an existing bulkhead. The property is located at 5489 Killmons Point Road and is described as Tax Map 1A, double circle 4, parcel 3, located along Killmons Cove in the Concord Wharf area.

Re: Project Summary – VMRC #2014-0035 John Sidway

The "Decision Tree for Undefended Shorelines" will be used to provide recommendations for this project along with maps from the Northampton County CCRMP Map Viewer. The shoreline on this property is currently defended with a bulkhead. The applicant proposes to place rip rap in front of the existing bulkhead as scour protection and on the eastern portion of the bulkhead place two feet of rip rap behind the bulkhead for storm protection. The decision tree is attached and the analysis shows the pathway highlighted in blue. The decision tree pathway makes the following recommendations: (1) consider removing the bulkhead and (2) maintain the bulkhead while considering alternatives for eventual replacement. The CCRMP Map Viewer recommends to plant the marsh with a sill and manage the adjacent forest. The proposed project is not consistent with the decision tree recommendations and CCRMP Map Viewer.

The chair called for public comments.

Ms. Katrina Hickman assistant to the agent for the applicant, Stephen Bunce was present and made mention that there was a 15 foot return wall added at the end of the project beyond the 255 linear feet of bulkhead that was not mentioned in the staff report. Ms. Hickman noted that this information was presented in the application when submitted.

There were no further comments from the public, the hearing was then closed.

Ms. Field stated she did not see evidence of erosion, but did see evidence of a stormtide that was higher at one time. The location of the mean high water mark was evident on the bulkhead. The vegetation did not show any impact or distress. The vegetation was very lush and was trying to expand its reach. Ms. Field agreed with the decision tree report, that a sill and marsh plantings would be much more effective and economical way to address the property needs. The revetment would prevent the vegetation from continuing to come in, as it tries to naturally heal the damaged area.

Mr. Lusk stated the bulkhead was causing scouring and has now taken the area down to a clay base. He did not see any harm being done with the installation of the revetment. The structure will probably help to lessen the scouring and sand drift. He found no fault with the project as presented.

Chairman, Cox stated that the proposed project will not adversely impact the area. During the site visit the tide was down and there was only a foot difference from high tide. The applicant is seeking to protect his home and the proposed project will not damage the area in any way.

Mr. Chubb stated the house is clearly too low and too close to the water and there is nothing the Board can do about that. He added that this is a perfect example of what happens when a bulkhead is installed, as you will lose everything in front of it, including the wetlands. Mr. Chubb stated there were two solutions (1) do what has been proposed, install the rip rap and mitigate the reflected energy that eats away at the sand and vegetation or (2) construct an off shore sill, which would create an opportunity to build a wetlands behind it. Mr. Chubb added that both of those two solutions are acceptable to him.

Both Mrs. Drury & Mr. Brown preferred the sill, but would construct the revetment for the sake of protecting the home.

The agent to the applicant, Mr. Bunce noted that the stone would not prevent water from going into the yard, but would prevent any further erosion behind the bulkhead.

Mr. Badger stated that the impacts of the vegetated wetlands of nearly 20 feet long by 4 feet wide would need to be addressed with mitigation. Ms. Kellam noted there was a mitigation plan on file for the uplands portion, but not the wetlands.

The applicant was notified that there would be a mitigation fee of approximately one thousand dollars.

Action:

Motion was made by Mr. Lusk to approve the project as drawn; predicated on the acceptance of the mitigation plan being submitted, Mr. Brown seconded the motion. The motion carried 5 to 1, Ms. Field opposed.

Old business: none.

New Business: Board Chair read a notice of appreciation for Kay Downing, prior Recording Secretary to the Board for her many years of service to the Board.

The Board Chair recognized a new appointment to the Board, Mr. David Boyd. His term will begin July 1, 2014.

Agent to the Board Chair Report: none

Enforcement Agent Report: Ms. Lewis presented a status report on Wetlands projects to those members present for their information. She noted that there were no pending violations.

Consideration of minutes

The minutes of the March 19th, 2014 meeting were approved as submitted upon motion by Ms. Drury and seconded by Mr. Brown.

Adjournment

The meeting was adjourned at 11:30 a.m.

Chair

Secretary