

**NORTHAMPTON COUNTY  
WETLANDS BOARD**  
Minutes  
October 16, 2013

This was the regular meeting of the Northampton County Wetlands Board held on Wednesday, October 16, 2013, 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, Will Brown, , Jr., and Dot Field. Vice-Chair Bowdoin Lusk and John Chubb, Jr., were absent.

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

The meeting was called to order at 11:08 a.m., and a quorum established.

**Public Hearings**

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

The first hearing was a continuance from the July 17, 2013 meeting; therefore, no field inspections were conducted this day by the Board.

- A. VMRC 2013-1387:** Wardell Nottingham has applied to rebuild an existing riprap revetment as well as add 10 feet to and rebuild an existing 50-foot groin. Both the existing revetment and groin were built with rock smaller and lighter than should be specs for the bay front wave climate. The existing height of the revetment will increased by 18 inches +/- and the toe may encroach no more than 18-inches farther channelward than currently in order to install a proper toe. A 2-foot splash apron will be installed at the revetment's upland edge. Groins on either side of the subject groin are longer in length (60 and 125 feet respectively). Also, a 28 foot by 4 foot access way will be installed over the riprap. The property is located in the Va.'s Chesapeake Shores Subdivision with frontage on the Chesapeake Bay. The lot is described as Tax Map 97A, double circle 1, parcel 34.

Ms. Ellen Grimes, agent for the applicant, stated that William Baines, the contractor, was also present if the Board had any questions. She noted that the shoreline was already defended and they did not choose to remove the existing structure that was installed in the 1990s. She noted that concrete rubble had been replaced by quarry stone. Much of the original rock was too small and only the largest pieces were being retained. A new toe will need to be installed and larger stone used. The revetment would be increased 1.5 feet in height with a 2-foot splash apron. Fifty feet of the existing revetment would be extended an additional 10 feet. The intent is to rebuild both structures. She also clarified that the existing groin would be built up an additional 3 feet.

Mr. Baines stated that access to the project area would be over the existing rip rap stone. The groin will be rebuilt as equipment is pulled back to shore, but would not be accessing the beach. However, he noted that the toe should be installed parallel to the beach which will cause equipment to encroach about 4 feet onto the sand.

Ms. Field noted that tiger beetle habitat could be compromised if the sand is disturbed and compacted by equipment. She stressed that the U.S. Fish & Wildlife Service (USF&WS) must address the tiger beetle situation before any work is done on the beach.

When asked, Mr. Baines was of the opinion that the toe could be installed from the top of the bank without encroachment onto the sand. However, it would be more difficult to do it that way. The toe would need to be 4 feet deep and 4 feet wide and should be installed parallel to the beach if at all possible. However, Ms. Field noted that a 4 foot by 4 foot toe would change the permit application and review process. Ms. Grimes added that she was unaware of the proposed toe changes. Ms. Kellam stated that if the toe is being changed then the project drawings would need to be revised and the application should explain how the toe would be installed. Mr. Baines noted that he could install from the shore using different equipment. However, 2 feet of upland may need to be affected taking part of inter-tidal zone to achieve a good toe. Afterwards the inter-tidal area will re-sand itself.

Ms. Kellam noted that the Board has only the original application to consider and if changes are being proposed then the application should be revised to reflect those changes.

Ms. Grimes noted that 20 years ago the toe was not installed properly and Mr. Baines added that other projects in the immediate area were not installed properly as well.

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

Ms. Field noted that the whole stretch of beach in the immediate area has been hardened. Removing this small portion of revetments would do nothing to change the habitat due to other existing structures. The best way to fix the beach is to have all structures removed and the shoreline restored. She stated that she did not have an issue with fixing the revetment and groin. However, approval and guidelines from the USF&WS must be obtained. Equipment on the beach will impact natural habitat so it would be best if the stone could be installed from the bank. If installation will occur on the beach, then the project drawings must be revised.

Ms. Baines then stated that installation would be from the top of the bank with no encroachment onto the beach as the application originally stated.

Action:

Motion was made by Ms. Drury to approve the project as originally submitted which was seconded by Mr. Brown. The Board voted unanimously 4 to 0 to approve the motion.

**Old business:** none.

**Statements from the Public**

Ms. Grimes thanked the Board for aptly negotiating through the public hearing information today.

**Agent to the Board Chair Report**

Ms. Kellam noted that the Board will meet in November to consider one new application.

## **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 August 21, 2013 meeting were unanimously approved as submitted upon motion by Ms. Field and second by Ms. Drury.

**Statements from the public:** none.

## **Consideration of Minutes**

The minutes of the July 17, 2013 meeting were unanimously approved as submitted upon motion by Ms. Drury and second Ms. Field.

A five minute break was taken.

## **New Business**

A power point presentation was conducted by Karen Duhring, CCRM Education & Training Coordinator with the Virginia Institute of Marine Science (VIMS). She reviewed adopted legislation in Senate Bill 964 Tidal Shoreline Policy. She also presented information about new tools, data and guidance developed specifically for Northampton County, including recent shoreline and tidal marsh inventories. She noted that a portal has been developed for staff and Board members to utilize.

## **Adjournment**

At the conclusion of the power point presentation the meeting was adjourned at 12:52 p.m.

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Chair

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Secretary