

RICHMOND COUNTY WETLANDS BOARD MEETING MINUTES

May 28, 2015

The Richmond County Wetlands Board had a meeting on May 28, 2015 in the Public Meeting Room, Warsaw, Virginia.

Wetlands Board Members Present: David Gallagher (Chairman), Greg Gruner (Vice Chairman), Bobby Yeatman, Michael Sisson.

Wetlands Board Members Absent: Nancy Finnegan

Others attending the meeting were: Richard English (Code Compliance Officer), Denise Dunaway (Development Services Manager), Randy Owen (VMRC), Vanelia Gallagher, Craig Palubinski (Bay Shore Design), Tommy & Laura Burke, Rick Farmer, J. R. Fidler, Robert L. Hohman, Anne Warner, Billy & Kathy Herbert, and Richard Moncure.

Chairman Gallagher called the meeting to order at 7:00 p.m., read the opening statement, and welcomed members and guests.

MINUTES

“On a motion made by Michael A. Sisson, seconded by Greg Gruner, the Board unanimously approved the March 11, 2015 meeting minutes as written.”

PUBLIC HEARINGS

- Thomas L. & Laura K. Burke, 14500 Standing Oak Court, Midlothian, VA 23112, has applied for permission to install an off-shore biogenic breakwater reef structures with associated beach nourishment and wetlands vegetation plantings along their Lancaster Creek shoreline, located at 3043 Simonson Road and further identified as Tax Map 43A1 Parcel 18. VMRC #14-0431.

Richard Moncure, agent, Friends of the Rappahannock, provided the Board with pictures of the property to the Board and stated that the owners request permission to remove a deteriorating bulkhead and replace it with biogenic oyster reef breakwaters, which will reduce wave energy at the project's toe.

Chairman Gallagher asked if this type of project has been done before. Mr. Moncure said that there is a pending project in Urbanna and one has been completed in Horn Harbor.

Chairman Gallagher opened the floor for public comment.

Chairman Gallagher closed the public comment period.

Richard English read the staff report which recommended the project be approved with the following recommendations/conditions: Supplement the upland area landward of the proposed project with vegetation by planting native woody shrubs in the riparian buffer area adjacent to the shoreline; and the applicant will provide copies of any and all monitoring reports to the local staff for review of permit compliance and the evaluation of project success.

Mr. Sisson asked Mr. Moncure about the time period for the project. Mr. Moncure asked for a 3-year permit.

“On a motion made by Greg Gruner, seconded by Michael Sisson, the Board unanimously voted to approve VMRC application #14-0431, with an expiration date of May 28, 2018.”

- Richard A. Farmar, et. al., P. O. Box 1181, Warsaw, VA 22572, has applied for permission to install multiple low-profile timber groins with “T”-spurs along their Rappahannock River shoreline, located at 2240 Suggetts Point Road and is further identified as Tax Map 35-38A, 35-38C & 35-38D. VMRC#15-0459.

J. R. Fidler, contractor for Mr. Farmar, explained that the owner is asking permission to construct (2) 65 ft. groins with spurs on his property in order to protect the beach and yard area that is currently eroding.

Mr. Sisson asked Mr. Fidler about sand nourishment. Mr. Fidler said the sand shifts a lot in this area and he doesn't think it will be necessary.

Chairman Gallagher opened the floor for public comment.

Mr. Farmar, applicant/owner, said that his existing groin has failed and will be replaced.

Chairman Gallagher closed the public comment period.

Chairman Gallagher commented that VIMS no longer provides a recommendation to the Board.

Richard English read the staff report, which recommended the project be approved with the following recommendations/conditions: If the proposed groins are considered justified, it is recommended that the groins be artificially nourished initially and maintained as necessary to lessen the interruption of sand transported along the shoreline and the potential erosion of neighboring properties. The material used for artificial nourishment should be clean sand of a particle size and composition similar to that currently existing on the beach.

“On a motion made by Michael Sisson, seconded by Greg Gruner, the Board unanimously voted to approve VMRC application #15-0459, with an expiration date of May 28, 2017.”

- Anne H. Warner, P. O. Box 1162, Warsaw, VA 22572, has applied for permission to construct a nearshore rip-rap sill with associated beach nourishment and wetland vegetation plantings and a new low-profile rip-rap groin along her Rappahannock River

shoreline, located at Accakeek Road, and further identified as Tax Map 29 Parcel 16. VMRC #15-0600.

Craig Palubinski, agent for the owner, explained that Ms. Warner requests permission to construct a 362' rip-rap sill with 400 cubic yards of beach nourishment and 5,600 square foot of wetlands vegetation plantings.

Chairman Gallagher opened the floor for public comment.

Billy Herbert, adjacent property owner, told the Board that he approves of the proposed project.

Chairman Gallagher closed the public comment period.

Richard English read the staff report, which recommended the project be approved as proposed.

“On a motion made by Bobby Yeatman, seconded by Greg Gruner, the Board unanimously voted to approve VMRC application #15-0600, with an expiration date of May 28, 2018.”

OTHER BUSINESS

Mr. Sisson asked if there was any discussion about a wetlands mitigation bank in this area. Mr. English responded that there has not been any further discussion that he is aware of. Chairman Gallagher said that Westmoreland County has started collecting money, but he is unsure what it will be used for.

Randy Owen, VMRC, explained that this program is used for filling wetlands. Mr. Owen stated that he met with the Commonwealth Attorney several years ago about an in-lieu fee, but that door was shut. Mr. Owen offered his help and said he is happy to make another attempt.

Chairman Gallagher said he prefers to have something in place to use the money for.

Mr. Owens stated that if an ordinance is adopted, the money should be set aside for wetlands creation. Mr. Owen said that property owners have two choices right now, avoid or mitigate on their own property.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:25 p.m.

Submitted as observed,

Richard English
Acting as Secretary