

YORK COUNTY WETLANDS BOARD

Minutes of January 12, 2023

6:00 PM

At a meeting of the York County Wetlands Board held on Thursday, January 12, 2023 at 6:00 p.m. in the Multi-Purpose Room of the Public Works Administration Building located at 105 Service Drive, Yorktown, Virginia, those present were:

Board Members: Eric Ancarrow, Chair
 Jan Allen
 Jeff Frye
 Rebecca Yasky
 Timothy Smith

Staff: Kent Henkel, Engineering Specialist III
 Brenda Farmer, Administrative Technician
 Lauren Chartrand, VMRC

The meeting was called to order at 6:00 p.m. by Eric Ancarrow, Chair.

APPROVAL OF THE MINUTES

The November 10, 2022 and December 8, 2022 Wetlands Board minutes were approved by consensus.

WETLANDS APPLICATIONS

- **Application 22-73, VMRC 22-2722 Devon King (Applicant), Randolph Carnell, Living Shorelines, LLC (Agent):** Request to install a living shoreline with approximately 60 linear feet of riprap sill, sand fill and plantings at 111 Sandbox Lane.

Kent Henkel presented the application, property maps, photographs, and gave a brief history of the project. Kent explains that this property was never built on and the adjacent shorelines have been hardened decades ago. Kent described where the riprap structure will be located and stated there will be a lot of sand brought in because of the erosion over many years, and that there will be plantings installed. Kent stated that the impacts are 1,360 sq. ft. of non-vegetated wetlands, 3,230 sq. ft. of subaqueous bottom, and 450 sq. ft. of plantings to be installed. Kent read into the record a letter sent to the Wetlands Board from Maria Tiller, the property owner at 115 Sandbox Lane, dated January 10, 2023. The letter outlines her concerns regarding the proposed living shoreline and possible future development. Ms. Tiller is concerned with drainage issues and flooding.

The Chair opened the public hearing.

Mr. Randolph Carnell of 513 Dandy Loop Rd., agent for the property, came forward and commented that the elevation of an adjacent property has nothing to do with how flood waters effect other properties. Mr. Carnell shows a satellite imagine from 1994, stating the beach used to be almost in-line with the riprap on the adjacent properties and in twenty-nine years there has been about 4,500 sq. ft. of beach erosion. Mr. Carnell states that he thinks it's at an equilibrium now, he doesn't think it's going to get worse because it's offset so much that it's actually being protected now. Mr. Carnell, states that they are really just trying to do beach nourishment, install the living shoreline, put the riprap sill up to protect the property for the future, and to restore it to how it used to be. Mr. Carnell addresses Kent's question about any vegetation being covered up by the clean sand; the revised drawings address that issue.

Tracy Johnson-Hall of 107 Sandbox Lane, came forward at stated she was all for protecting and preserving the property, but is concerned that this is going to expand the boundaries of the property, or change the status of the property relative to the Chesapeake Bay Act, also, are there any provision for maintaining it?

Kent addressed the Chesapeake Bay Act issues with somebody eventually trying to build on this lot. Kent explains they would be required to push the house as far away from the water as possible and still meet the required front set back from zoning. Kent al explains that it is up to the property owner to maintain the property and living shoreline that will be installed.

The Chair closed the public hearing.

Mr. Frye motioned to approve Application 22-73, VMRC 22-2722 with revised drawings submitted January 6, 2023: **The revised drawings and information will supersede any conflicting previously dated information.**

The motion was approved on the following roll call:

Jan Allen	Yes
Rebecca Yasky	Yes
Timothy Smith	Yes
Jeff Frye	Yes
Eric Ancarrow	Yes

Mr. Ancarrow stated the application is approved and the approval letter will be emailed within 10 days.

EXTENSIONS AND FINALS

- **Application 18-47, VMRC 18-1546, for Willalfredo and Dana Torres (Applicant) and Min Kyung and Nak Won Lee (Property Owners):** Request to construct a 60-foot by 10-foot breakwater along the shoreline of the Chesapeake Bay at 501 York Point Road.

Kent Henkel presented before and after photos of the current status. Applicant is requesting a third one year extension. The Board agreed by consensus to approve the extension.

- **Application 19-69, VMRC 19-1992 for Jeff Watkins, (Agent/Contractor) and Sudershan Gupta, (Property Owner):** Request to construct approximately 200-feet of rip rap revetment and marsh toe sill along the shoreline of the Poquoson River at 1817 A Calthrop Neck.

Kent Henkel presented before and after photos and a brief description of the current status. Applicant is requesting a second one year extension to plant the required vegetation. The Board agreed by consensus to approve the extension.

OLD BUSINESS

Group 2 General Permits: After some discussion, the Board decided to adopt the principles of the Group 2 General Permit procedure. Timothy Smith made a motion that was approved by consensus. In the future any JPA's that meet the criteria for a Group 2 General Permit will be processed by VMRC and will not come before the Wetlands Board. County staff and VMRC will verify that the JPA meets the criteria for a Group 2 General Permit. County staff will inform the Board of any JPA's that are processed as a Group 2 General Permit.

NEW BUSINESS

Extensions for approved permits: After some discussion, the Board decided to extend the length of a permit from two years to three years, with two, one year extensions, for a total of five years, before requiring a new JPA be submitted. There may be exceptions for extending a permit for more than five years.

There will be a February meeting.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:58 pm

Eric Ancarrow, Chair



2-9-2023

Date

For Eric Ancarrow