

# YORK COUNTY WETLANDS BOARD

Minutes of March 12, 2020

6:00 PM

At a meeting of the York County Wetlands Board held on Thursday, March 12, 2020 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  
                              Noel West  
                              Timothy Smith  
                              Rebecca Yasky

Staff:                    Anna Drake, Stormwater Engineer II  
                              Kent Henkel, Engineering Specialist II  
                              Barrett Nicks, Engineer Specialist I  
                              Jennifer Wilson, Administrative Assistant II  
                              Allison Norris-Lay, VMRC

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

## APPROVAL OF THE MINUTES

The January 2020 Wetlands Board minutes were approved by consensus

## WETLANDS APPLICATIONS

- **Application 20-03, VMRC 20-00075 for Mo Bloxum, (Agent/Contractor) and James Bohannon, (Property Owner):** Request to construct 90-linear feet of riprap revetment along the shoreline of the Boathouse Creek at 109 Ship Point Road

Anna Drake presented the application, property maps, photographs, and drawings. She explained this project originally requested 280-feet of revetment. The project was shortened to only address the portion of shoreline where erosion was evident and ongoing. The Board inquired about trees in the riprap footprint and the shoreline management plan.

The Chair opened the public hearing.

Mo Bloxum with Southern Landscaping came forward to answer any questions. He explained that the riprap is channelward of the tree line. The shoreline management will only remove dead trees and trees and bushes overhanging the revetment, and the shoreline will be cut and pruned as necessary.

The Chair closed the public hearing.

The Board deliberated and decided the shoreline management plan adhered to standards.

Mr. West motioned to approve application 20-03, VMRC 20-0075 per revised drawings submitted March 3<sup>rd</sup>, 2020 on the following roll call:

|               |     |
|---------------|-----|
| Rebecca Yasky | Yes |
| Timothy Smith | Yes |
| Noel West     | Yes |
| Eric Ancarrow | Yes |

The Chair stated the application could be picked up after the required 10-day appeal period.

- **Application 20-06, VMRC 19-1076 for Jordan Clifford, (Agent/ Contractor) and Chan S. Park, (Property Owner):** Request to construct 80-linear feet of marsh toe sill with beach nourishment and plantings along the shoreline of Boathouse Creek at 132 Wynne Road

Anna Drake presented the application, property maps, photographs, and drawings. Mrs. Drake explained that the Board had approved a permit in August of 2019 for 420-feet of marsh toe sill and 50-feet of riprap for this property. The VMRC would not approve that permit because it resulted in a net loss of 100-feet of vegetated wetlands. This permit now includes onsite compensatory mitigation and has reduced the length of sill to 80-feet and entirely eliminated the revetment.

The Chair opened the public hearing.

Jordan Clifford with Riverworks, Inc. came forward to answer any questions. The Board inquired if the marsh toe sill was a revetment in the previous application. Jordan Clifford responded in the affirmative and explained the issues with the previous permit.

The Chair closed the public hearing.

The Board deliberated and said the living shoreline was self-mitigating and the filling of vegetated wetlands in the yard would be mitigated by the excavation of uplands to create additional wetlands on-site.

Ms. Yasky motioned to approve application 20-06, VMRC 19-1076 with revised drawings submitted February 5, 2020 on the following roll call:

|               |     |
|---------------|-----|
| Noel West     | Yes |
| Timothy Smith | Yes |
| Rebecca Yasky | Yes |
| Eric Ancarrow | Yes |

The Chair stated the application could be picked up after the required 10-day appeal period.

**Application 20-09, VMRC 20-0206 for Karla Havens, (Agent) and William McCann, (Property Owner):** Request to construct 67-linear feet of marsh toe sill with beach nourishment and plantings along the shoreline of Wormley Creek at 600 Old Landing Road

Anna Drake presented the application, property maps, photographs, and drawings

The Chair opened the public hearing.

Kade Havens of Mid-Atlantic Resource Consulting came forward. There was discussion about whether the bricks currently in the wetlands would be used in the project or discarded. Mo Bloxum, who will also be doing work on this project, stated they would be used for core stone.

The Chair closed the public hearing.

The Board deliberated stated this was a self-mitigating living shoreline and that it would create vegetated wetlands behind the sill. The Board asked if the extent of fill was clear on drawings. Anna Drake confirmed it was.

Mr. Smith motioned to approve application 20-09, VMRC 20-0206 as submitted on February 6, 2020 on the following roll call:

|               |     |
|---------------|-----|
| Noel West     | Yes |
| Rebecca Yasky | Yes |
| Timothy Smith | Yes |
| Eric Ancarrow | Yes |

The Chair stated the application could be picked up after the required 10-day appeal period.

- **Application 20-10, VMRC 20-0215 for C&R Commercial, LLC, (Agent) and MKH2, LLC, (Property Owner):** Request to remove and reconstruct 130-linear feet of riprap revetment along the shoreline of Chisman Creek at 110 Anchor Drive

Anna Drake presented the application, property maps, photographs, and drawings

The Chair opened the public hearing.

No one came forward to address the Board.

The Chair closed the public hearing.

Staff and the Agent requested that this application be tabled until the April 9, 2020 Wetlands public hearing. The application is incomplete because drawings were not submitted. The public hearing for this application will take place in the Multi-Purpose Room of the Public Works Administration Building at 105 Service Drive at 6:00 pm.

The Board approved tabling and continuation by consensus.

- **Application 20-11, VMRC 20-0225 for Jordan Clifford, (Agent/Contractor) and Kathy Shields, (Property Owner):** Request to construct 107-linear feet of marsh toe sill with beach nourishment and plantings along the shoreline of Back Creek at 314 Dandy Loop Road.

Anna Drake presented the application, property maps, photographs, and drawings

The Chair opened the public hearing.

Jordan Clifford with Riverworks, Inc. came forward. Staff reviewed the photos to show the extent of erosion. Downstream of the pier there is limited fill; however, upstream of the pier, the fill will extend from the sill up to the elevation of the yard. The fill area will be planted with wetlands vegetation.

The Chair closed the public hearing.

The Board deliberated stating the application was a fairly straight forward example of a self-mitigating living shoreline.

Mr. West motioned to approve application 20-11, VMRC 20-0225 as submitted February 10, 2020 on the following roll call:

|               |     |
|---------------|-----|
| Rebecca Yasky | Yes |
| Timothy Smith | Yes |
| Noel West     | Yes |
| Eric Ancarrow | Yes |

The Chair stated the application could be picked up after the required 10-day appeal period.

### **EXTENSIONS AND FINALS**

- **Permit 18-49, VMRC 18-1722, for Paul Morris, (Agent) and Richard Jobson (Property Owner):** Permit to remove 60-feet of bulkhead and replace it with 80-feet of riprap revetment along the shoreline of Chisman Creek at 102 Cheadle Point Road

Anna Drake presented before and after photos of the completed project. The Board agreed by consensus to approve the final inspection and close the permit.

- **Permit 18-10, VMRC 18-0433, for Paul Morris (Agent) and Dan Shipley (Property Owner):** Permit to construct 245-feet of replacement bulkhead along the shoreline of Hodges Cove at 315 Hodges Cove Road

Anna Drake presented before and after photos of the completed project. The Board agreed by consensus to approve the final inspection and close the permit.

**OLD BUSINESS**

None

**NEW BUSINESS**

- **Violation- 20-13 100 Harbor Crescent**

Anna Drake presented the violation, photographs, and drawings. Staff stated the fill was discovered during an on-site pre-application meeting. The property owner removed the fill as requested. This violation is resolved and an abatement letter has been mailed.

- **Violation – 20-08 823 Calthrop Neck Road**

Anna Drake presented the violation, photographs, and drawings. Staff stated that a citizen called in a complaint that gravel and riprap were laid on top of vegetated wetlands. The property owners were not in attendance because of worries about the Corona virus. Anna Drake did speak with them at the site visit and over the phone and told them she would inform them of the Board's decision. They stated they were trying to improve the area and were unaware of any required permits.

The Board deliberated and decided to issue a restoration order to remove gravel and riprap without causing any further disruption or damage to wetlands. The restoration must be performed within 120 days, at which time a site visit will be occur and photos will be taken. The Board will review the photos and decide if any further restoration or plantings will be needed.

- **There will be a meeting in April.**

**ADJOURNMENT**

There being no further business to come before the Board, the meeting adjourned at 7:18 p.m.



Eric Ancarrow, Chair

4-9-20

Date