

YORK COUNTY WETLANDS BOARD

Minutes of September 14, 2023

6:00 PM

At a meeting of the York County Wetlands Board held on Thursday, September 14, 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: Timothy Smith, Acting Chair
Jan Allen
Noel West
Jeff Frye (Present for Application 23-34)

Staff: Robert Walters, Engineer I, E.I.T
Charles White, Engineering Specialist I
Brenda Farmer, Administrative Technician
Tiffany Birge, Environmental Engineer, VMRC

The meeting was called to order at 6:00 p.m. by Timothy Smith, Acting Chair.

APPROVAL OF THE MINUTES

The August 10, 2023 Wetlands Board minutes were approved by consensus.

WETLANDS APPLICATIONS

- **Application 23-27, VMRC 23-1389 Seaford Breeze, LLC (Applicant), Randolph Carnell, Living Shorelines, LLC (Agent):** Request to install a living shoreline with a 145 linear foot sill, sand fill and plantings along Back Creek at 111 Shirley Road.

Robert Walters presented the application, property maps, photographs, and gave a brief history of the project, he explained that the applicant has requested to continue the application until the next meeting due in part to a protest by an adjacent property owner. The applicant is requesting additional time to provide more information and to try and resolve the protest.

The Chair opened the public hearing.

Richard Moore of 111 Blanton Drive came forward and stated he is not opposed to a living shoreline, he is opposed to the length of it and how it may affect his property.

The Chair closed the public hearing.

Ms. Allen motioned to continue Application 23-27, VMRC 23-1389 until the October 12, 2023 meeting.

The motion was approved on the following roll call:

Noel West	Yes
Jan Allen	Yes
Timothy Smith	Yes

Mr. Smith stated the application is continued until October 12, 2023.

- **Application 23-28, VMRC 23-1364 Charles Forbes, III (Applicant):** Request to install a living shoreline with a 25 linear foot marsh sill, sand fill and plantings along Back Creek at 110 Buckingham Drive.

Robert Walters presented the application, property maps, photographs, and gave a brief history of the project. He explained that revised drawings have been requested but have not been received. The applicant or the agent has not responded to the request for revised drawings. Staff recommends to continue the application until the October 12, 2023 meeting because the application is incomplete.

The Chair opened the public hearing.

No one came forward to speak.

The Chair closed the public hearing.

Ms. Allen motioned to continue Application 23-28, VMRC 23-1364 until the application is complete and revised drawings are received.

The motion was approved on the following roll call:

Noel West	Yes
Jan Allen	Yes
Timothy Smith	Yes

Mr. Smith stated the application is continued until the application is complete and revised drawings are received.

- **Application 23-31, VMRC 23-1488 Vicki Messick (Applicant):** Continued from August 10, 2023: Request to remove the existing bulkhead and install a vinyl bulkhead along the shoreline of Chisman Creek at 312 Crockett Road.

Robert Walters presented the application, property maps, photographs, and gave a brief history of the project, he explained this application had been continued from the August 10, 2023 meeting, due to mitigation credits that are required for the tidal wetland vegetation impacts. The applicant has received a letter of credit availability from The Nature Conservancy, and the applicant has also submitted all of the proper fee payments, and application information. Robert explains, at this time they have not heard back from The Nature Conservancy about approval for receiving those

credits. Robert states that the staff recommendation is to approve the application with the condition that the permit won't be issued until The Nature Conservancy processes the nutrient credit purchase.

The Chair opened the public hearing.

Vicki Messick of 312 Crockett Road came forward and stated the bulkhead really needs to be repaired and it is dangerous.

The Chair closed the public hearing.

Mr. West motioned to approve Application 23-28, VMRC 23-1364 with the following conditions:

Approve with revised drawings dated July 26, 2023 and September 4, 2023 and the condition that the mitigation credits be obtained before the Wetlands Board permit is issued.

The motion was approved on the following roll call:

Jan Allen	Yes
Noel West	Yes
Timothy Smith	Yes

- **Application 23-34, VMRC 23-1665 Thomas Fenn (Applicant):** Request to extend the existing riprap revetment further up the bank along a man-made canal of off Chisman Creek at 404 Albacore Drive.

Robert Walters presented the application, property maps, photographs, and gave a brief history of the project. He stated that the property is surrounded on both sides by canals and explained that the existing riprap had been approved by the Board. The applicant is requesting to extend the riprap to further up the slope to protect his house which is only about 11 feet from where the water and current riprap is located. Robert explained that the applicant is requesting to install a new section of riprap to further protect his property.

The Chair opened the public hearing.

Thomas Fenn of 404 Albacore Drive came forward and stated he got a permit in 2000 for 300 feet of riprap all the way around. He states at the time he went above high tide with the riprap and it has stayed in place but now it has settled and maybe gone down about a foot.

The Chair closed the public hearing.

Mr. Smith motioned to approve Application 23-34, VMRC 23-1665 with revised drawings received August 21, 2023 and September 12, 2023.

The motion was approved on the following roll call:

Jan Allen	Yes
Noel West	Yes
Timothy Smith	Yes
Jeff Frye	Yes

EXTENSIONS AND FINALS

OLD BUSINESS

NEW BUSINESS

There will be an October meeting.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 6:37 pm

Eric Ancarrow, Chair


_____ Date