



Wetlands/Coastal Dune Board

Public Hearing / Regular Session

Town Hall

February 17, 2009

6:00 p.m.

At approximately 6:00 p.m. in the Town Hall, Town Planner Tom Bonadeo called to order the Wetlands/Coastal Dune Board Public Hearing and Regular Meeting. In attendance were board members Wayne Creed, Russ Dunton and Jim Weiner. Also present were Tom Langley of Langley & McDonald representing Bay Creek Marina and Resort LLC, Hank Badger representing VMRC, Town Clerk Libby Hume and two (2) members of the public. Vice Chairwoman Ann Hayward Walker arrived at approximately 6:02 p.m. and took over the proceedings of the meeting.

CONSENT AGENDA

Motion made by Russ Dunton, seconded by Wayne Creed and unanimously approved to accept the agenda as presented.

The Board members reviewed the minutes of the April 23, 2008 meeting.

Motion made by Jim Weiner, seconded by Russ Dunton and unanimously approved to accept the minutes as presented.

JURISDICTION AND PROCEDURES

Tom Bonadeo stated that the Wetlands and Dune Board meets on an as-needed basis and had not met since last year since there have not been any new permit applications received. He went on to review the Board's jurisdiction and the criteria for making decisions.

BAY CREEK MARINA & RESORT LLC APPLICATIONS

Mike Pierson, Cherrystone Aqua Farms

Mr. Pierson expressed his concern regarding the timeframe for the work along the shoreline and beach by the Aqua Restaurant stating that from January 1st through the end of June is the most sensitive time for his aqua farm. Mr. Pierson also asked about the source of the sand to be used for beach replenishment stating that clay in the sand can adversely affect the clams.

There was much discussion regarding the timeframe and the grain and clay content of the sand. Russ Dunton brought up the moratorium for the tiger beetles which occurs between June 1st and September 15th.

Tom Bonadeo explained that originally one application was submitted, #09-0008, but the Army Corps of Engineers could not permit these two activities (stone revetment & beach nourishment) under the same authority and for their purposes the applicant reapplied separating the beach nourishment into another application, #09-0133.

Mr. Tom Langley, Langley & McDonald, reviewed the application and plans from Bay Creek Marina & Resort stating that the owner had decided to install a stone revetment to protect the Aqua Restaurant utilizing his employees and equipment vs. extending the breakwaters that were previously built to the south of this area. The Virginia Institute of Marine Science (“VIMS”) has reviewed the application and visited the site and their conclusion was that this application is not the preferred method but is appropriate for the circumstances. Tom Bonadeo presented various photos of the site pointing out the areas where the beach had eroded.

The Board asked numerous questions of Messrs. Langley and Pierson and there was much discussion regarding the grain size and quality of the sand. Mr. Pierson stated that he would prefer the owner using the sand that was recently dredged from the harbor for the beach nourishment. Mr. Langley responded that the owner was intending to do so and he went on to state that the owner would be willing to work with Hank Badger and VIMS regarding the grain size and quality of the sand for the beach.

Motion made by Russ Dunton, seconded by Ann Walker and unanimously approved to grant the permit for the stone revetment, to be completed by June 1, 2009, and the beach nourishment, to be completed September 16, 2009 – December 15, 2009.

Ann Walker adjourned the meeting of the Wetlands and Dune Board at approximately 6:55 PM.

Vice-Chairwoman Ann Hayward Walker

Town Clerk