

Wetlands and Coastal Dune Board

Public Hearing and Regular Meeting

Cape Charles Civic Center - 500 Tazewell Avenue
June 21, 2023
5:30 p.m.

At 5:30 p.m., Member John Schoeneck, having established a quorum, called to order the Regular Session of the Wetlands/Coastal Dune Board (WCDB). In addition to Member Schoeneck, board members present were Patricia James, Elizabeth "Liz" Pruitt, and William "Bill" Robertson. Bob Roche was not in attendance. Also, in attendance were Planning Director/Zoning Administrator Katie Nunez, Planning Technician Tracy Outten, and Virginia Marine Resource Commission (VMRC) Habitat Management Engineer Claire Gorman, the applicants, and their representative. There were three members of the public in attendance.

Member Schoeneck welcomed the Board and all others in attendance, which was followed by the Pledge of Allegiance.

REORGANIZATION OF BOARD AND ELECTION OF OFFICERS: CHAIRMAN AND VICE CHAIRMAN:

Motion made by Member Pruitt, seconded by Member James, to elect John Schoeneck as Chairman of the Wetlands and Coastal Dune Board. The motion was approved by unanimous vote.

Motion made by Chairman Schoeneck, seconded by Member James, to elect William Robertson as Vice - Chairman of the Wetlands and Coastal Dune Board. The motion was approved by unanimous vote.

CONSENT AGENDA:

Chairman Schoeneck rearranged the adoption of the WCDB Bylaws from Other Matters and placed the item under Consent Agenda.

Chairman Schoeneck approved the Agenda Format, the May 26, 2022, Public Hearing, and Meeting Minutes, and the Adoption of the Wetlands and Coastal Sand Dune Board Bylaws by unanimous consent.

HEARINGS ON THE MATTERS OF:

- A. 101 Sunset Boulevard to 187 Sunset Boulevard – Application from Bay Creek at Cape Charles Community Association Inc. for sand nourishment on the beach and in the inter-tidal area behind the existing breakwaters located at the Marina Bay Subdivision and for a 50-foot sill extension to an existing back-bay sill landward of lots 83A1-11-1, 2, & 3 – VMRC #2023-0904. The portion of the project that is within the Wetlands and Coastal Dune Board's jurisdiction, pursuant to Cape Charles Zoning Ordinance Appendix C, Section 3.5, is the proposed placement of approximately 12, 336 cubic yards of sand nourishment material from Tax Map #83A1-11-73 to #83A3-11-30 (101 Sunset Blvd to 187 Sunset Blvd, approximately 2,100 feet) on the beach and in the inter-tidal area behind the existing breakwaters. The applicants are proposing a 50-foot sill extension for an existing back-bay sill landward of Tax Map #83A1-11-1, 83A1-11-2, and 83A1-11-3. All impacted areas will be restored to original contours and planted with vegetation and/or sand fence installation.*

Chairman Schoeneck read the public hear notice and opened the public hearing.

Ms. Nunez summarized the staff report explaining the application and criteria. She reminded the board that an expiration date needed to be included in the motion.

Ellen Grimes, Coastal Resource Manager and applicant representative, stated that the existing breakwaters were installed in 2004 and 2005 and the past nourishment had left and never came back. In an effort to rebuild behind the sand bolo they would like to place sandy beach behind breakwaters, two point three acres would be placed on the bottom which was not included in the calculation of this application. Ms. Grimes said the planting behind the breakwaters would be done after a year to better access where they would survive.

Discussion was as follows: (i) Chairman Schoeneck asked what an appropriate expiration date would be; three years was the staff recommendation, but the contours of the project need to be provided. (ii) Member Pruitt wanted to know if an extension of a breakwater was the same as a replacement of a breakwater, yes. (iii) Chairman Schoeneck thought a bond would be required for projects this big. Ms. Nunez explained yes normally bigger projects do require bonds but not for this application because she was pretty sure it would get completed. (iv) Chairman Schoeneck asked the applicants consider barging in the sand instead of using dump trucks. Ms. Grimes answered that the water was too low for barges. (v) Chairman Schoeneck thought a baseline needed to be established and asked for topographic shots. Ms. Grimes said those were supplied but were small and offered to supply larger sheets for the records and added that they were filling to an elevation of five feet. (vi) Vice-Chairman Robertson wanted to know if the sill was in mean low water. Ms. Grimes said the survey did not specify that. He thought that would mean it was out of the WCDB jurisdiction. and (vii) Chairman Schoeneck would like a topographic map to be provided after completion.

PUBLIC HEARING COMMENTS:

Mark Tillotson, 216 Blue Heaven Road, Cape Charles

Mr. Tillotson was on the Board of Directors and said that they were supportive of this application.

Glenn Graves, 157 Sunset Boulevard, Cape Charles

Ms. Graves was on the Homeowners Association and said everyone was in favor.

Chairman Schoeneck closed the June 21, 2023, Wetlands and Coastal Dune Board Public Hearing at 5:53 p.m. by unanimous consent.

Motion made by Chairman Schoeneck, seconded by Vice-Chairman Robertson, to approve the Wetlands and Coastal Dune Permit located at the Marina Bay Subdivision on an application filed by Bay Creek at Cape Charles Community Association Inc., (1) to place approximately 12,336 cubic yards of sand nourishment material on the beach from 101 to 107 Sunset Boulevard (Tax Map #83A1-11-73 to #83A3-11-30) and in the inter-tidal area behind the existing breakwaters; and (2) for an extension to an existing back-bay sill landward of lots Tax Map #83A1-11-1, #83A1-11-2, & #83A1-11-3 as stated in the Joint Permit Application #2023-0904 with the added conditions that the applicant provide the following: (1) As Soon As Possible: larger current Topographic Maps; (2) Upon Completion: a Topographic Contour Map of the sand nourishment on the beach and in the inter-tidal area behind the existing breakwaters located at the Marina Bay Subdivision and the 50-foot sill extension to an existing back-bay sill landward of lots Tax Map #83A1-11-1, #83A1-11-2, & #83A1-11-3; and (3) the permit expires in three years. The motion was approved by unanimous vote.

OTHER MATTERS:

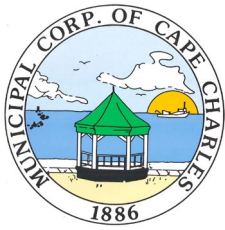
There were no other matters to discuss.

NEXT MEETING: Wednesday, July 19, 2023

Motion made by Vice-Chairman Robertson, seconded by Chairman Schoeneck, to adjourn the June 21, 2023 Wetlands and Coastal Dune Board Public Hearing and Regular Meeting at 5:55 p.m. The motion was approved by unanimous vote.

Chairman John Schoeneck

Planning Technician



Wetlands and Coastal Dune Board

Work Session

Cape Charles Civic Center – 500 Tazewell Avenue
June 21, 2023
5:00 p.m.

At 5:00 p.m., Member John Schoeneck, having established a quorum, called to order the Work Session of the Wetlands/Coastal Dune Board (WCDB). In addition to Member Schoeneck, board members present were Patricia James, Elizabeth “Liz” Pruitt, and William “Bill” Robertson. Bob Roche was not in attendance. Also, in attendance were Planning Director/Zoning Administrator Katie Nunez, Planning Technician Tracy Outten, and Virginia Marine Resource Commission (VMRC) Habitat Management Engineer Claire Gorman. There were two members of the public in attendance.

WORK SESSION:

A. Discussion on Board bylaws, procedures, organization of officers, and future meeting dates.

Discussion and questions on the by-laws were as follows: (i) Member Schoneck asked if putting advisory wording in the document would be helpful when talking about the beach replenishment. Ms. Nunez answered no, the Town Council oversees the beach replenishment. (ii) Member Schoneck thought a lot of work had been put into the Cape Charles Public Beach and Dune Management Plan by the former board members and asked what input the new WCDB had. The Town Council adopted it and would request them to do the updates. (iii) Member Schoneck asked about the Sand Management Plan. Ms. Nunez responded that the Public Works Department was working on it and a consultant would be hired. and (iv) Ms. Nunez read each article in the by-laws and asked if the board had any questions, additions, or changes.

Member Schoeneck adjourned the June 21, 2023 Wetlands and Coastal Dune Board Work Session at 5:22 p.m. by unanimous consent.

Chairman John Schoeneck

Planning Technician