



Wetlands/Coastal Dune Board
Public Hearing & Meeting
Town Hall
November 2, 2012
6:00 p.m.

At 6:05 p.m. in the Town Hall, having established a quorum, Board member Russ Dunton called to order the Wetlands/Coastal Dune Board Public Hearing and Meeting. In attendance were Board members Wayne Creed and Jim Weiner. Chairwoman Ann Hayward Walker and Board member Bruce Lindeman were not in attendance. Also present were Town Planner Tom Bonadeo, Town Clerk Libby Hume, Don MacLennan from Engineering Resources Group, LLC and Eyre Baldwin from South Port Investors. There were also three members of the public in attendance.

CONSENT AGENDA

Motion made by Wayne Creed, seconded by Jim Weiner, to accept the agenda format as presented. The motion was unanimously approved.

The Board reviewed the minutes from the February 29, 2012 Public Hearing and Meeting.

Motion made by Jim Weiner, seconded by Wayne Creed to accept the minutes of the February 29, 2012 Public Hearing and Meeting as presented. The motion was unanimously approved.

BUSINESS

A. Modification of Permit 08-0104

Tom Bonadeo stated that the original permit application was approved in 2008 and the purpose of this meeting was to review a modification to the permit due to a change in the location for the wetlands mitigation and a revised plan for the travel lift. Since Wayne Creed was not a member of the Wetlands Board at the time and Russ Dunton was not in attendance at the meeting in 2008, Tom Bonadeo gave a brief overview of the original permit and explained the changes for the modified permit pointing out the affected areas on the map.

Tom Bonadeo went on to explain that the proposed project did not fall within the jurisdiction of the Virginia Marine Resources Commission (VMRC) and the Virginia Institute of Marine Science (VIMS) no longer provided staff reports as a regular process. Tom Bonadeo added that he spoke to a VIMS representative and the initial VIMS report was still valid and the proposed mitigation site was a better location. The application had been reviewed with adjacent property owners and no objections had been received.

Tom Bonadeo introduced Don MacLennan who gave an overview of the proposed modifications and added that more wetlands mitigation would be done than the amount of area being disturbed. The wetlands mitigation site was being changed from Eyre Hall to a location in Cape Charles on land leased by South Port Investors. Mr. MacLennan pointed out the areas on the map and there was some discussion regarding the applicant's plans. The proposed plan was to construct the project in phases. The first phase included a 75-ton

travel lift to be constructed at the east end of the harbor. Future plans would increase this lift to a 100-ton capacity. The floating dock would be installed in the first phase.

Tom Bonadeo stated that the major maintenance would be conducted at the old wastewater plant site and the applicant was working with Planning and Zoning regarding the required conditional use permit applications. The financial impact of the project and the development of new businesses with planned future growth were important to the area. The investment of millions of dollars in this site was crucial to the continued life of the Harbor, Town and lower Northampton County. Future phases would be developed on the south side of the harbor known as parcels 19 and 20.

Tom Bonadeo added that the Corps of Engineers required the project to be bonded and the applicant to provide annual reports to the Corps. The upland mitigation site met the technical requirement for the replacement of wetlands and offered mitigation in the same watershed area and most likely would be approved by the Corps of Engineers. Tom Bonadeo concluded by stating that staff recommended approval of the modified permit with a one-year expiration date per Section 74.37 of the Zoning Ordinance.

Wayne Creed stated that he felt this project would be an improvement to the area. Both Russ Dunton and Jim Weiner expressed their agreement.

Russ Dunton asked the board if there were any other questions or concerns. There were none.

Motion made by Wayne Creed, seconded by Jim Weiner, to approve the modified permit as presented and per Section 74.37 of the Zoning Ordinance. The motion was unanimously approved.

Motion made by Jim Weiner, seconded by Wayne Creed, and unanimously approved to adjourn the Wetlands/Coastal Dune Board Meeting.

Board Member Russ Dunton

Town Clerk