

**SUFFOLK WETLANDS BOARD
AGENDA FOR
June 16, 2022**



PREPARED BY THE CITY OF SUFFOLK
DEPARTMENT OF PLANNING

A MEETING WILL BE HELD AT 6:00 P.M.
IN THE SUFFOLK CITY COUNCIL CHAMBERS IN
SUFFOLK CITY HALL

PLEASE CALL OR EMAIL TO CONFIRM YOUR ATTENDANCE
THE PLANNING DEPARTMENT AT 514-4060
PRIOR TO
12:00 NOON ON WEDNESDAY, June 15, 2022

GEOFFREY HINSHELWOOD
CHAIRMAN

Suffolk
VIRGINIA
It's a good time to be in Suffolk



AGENDA

SUFFOLK WETLANDS BOARD

June 16, 2022
6:00 P.M.

- I. Call to Order
- II. Roll Call
- III. Election of Officers for the upcoming July 2022 - June 2023 term.
- IV. Approval of Minutes from the May 19, 2022, meeting.
- V. Public Hearings

None – VMRC22-0507, which was tabled at the May 19, 2022, meeting, was withdrawn by the applicant.
- VI. Restoration Hearings - None
- VII. Permit Extensions - None
- VIII. Old Business - None
- IX. New Business –

Discussion regarding components of applications.
- X. Compliance and Inspections – None
- XI. Adjournment

From: [Robert Simon](#)
To: [Amy L. Bocchicchio](#); [Nathan Diehl](#); [Brian Mullins](#); [Lauren Chartrand](#)
Subject: Re: [EXTERNAL] Re: Cedar Point Reserve JPA
Date: Monday, June 06, 2022 2:30:10 PM

To all,

We will **withdraw** the current Joint Permit Application for Cedar Point Reserve and refile a new proposal.

Thank you.

On Mon, Jun 6, 2022 at 10:15 AM Amy L. Bocchicchio <abocchicchio@suffolkva.us> wrote:

Hi Bob,

As a reminder, please send me any additional application materials for this VMRC application by noon today.

Thank you,

Amy Bocchicchio

City of Suffolk - Current Planning Manager

Direct: (757) 514 - 4066

From: Amy L. Bocchicchio
Sent: Thursday, June 02, 2022 11:37 AM
To: 'Robert Simon' <bob@waterfrontconsulting.net>
Subject: RE: [EXTERNAL] Re: Cedar Point Reserve JPA

Hi Bob,

Just for confirmation, please provide your revised JPA application materials to me no later than this coming Monday, June 6th at noon in order for me to write the upcoming meeting packet.



MINUTES

SUFFOLK WETLANDS BOARD

May 19, 2022

6:00 P.M.

The meeting of the Suffolk Wetlands Board was held on Thursday, May 19, 2022, at 6:00 p.m., in the City Council Chambers of the City Hall Building, 442 West Washington Street, Suffolk, Virginia.

MEMBERS:

Geoffrey Hinshelwood, Chairman
Sidney Hazelwood
Stella Payne
Richard Vroman
James Winters

STAFF:

Amy Bocchicchio, Current Planning
Manager
Sean Dolan, Assistant City Attorney III
Grace Braziel, Planner II
Kevin Wyne, Interim Director of Planning
and Community Development

ROLL CALL:

The meeting was called to order by Chairman Hinshelwood. The roll was then called by Ms. Bocchicchio and Chairman Hinshelwood was informed that a quorum was present.

APPOINTMENT OF SECRETARY:

The Chairman called for the appointment of a new Wetlands Board Secretary as Mr. Wyne, the current Secretary, was promoted to Interim Director of Planning and Community Development. Board Member Winters moved to appoint Amy

Bocchicchio, Current Planning Manager, as the Secretary and Board Member Vroman seconded the motion. The Chairman called for a voice vote and the Chairman announced that Ms. Bocchicchio was appointed as Secretary.

APPROVAL OF THE MINUTES:

The Chairman called for the approval of the minutes from the November 18, 2021, meeting. Board Member Winters moved to approve the minutes and Chairman Hinshelwood seconded the motion. The minutes of the November 18, 2021, meeting were approved.

PUBLIC HEARINGS:

- **VMRC22-0507**, submitted by Robert Simon of Waterfront Consulting, Inc., agent, on behalf of Cepco, Inc., property owners and applicants, for a permit to grade, fill, and excavate to install roughly 1,423 linear feet of riprap. Additionally, the proposal includes construction of a 6' x 559' pier and octagonal platform for kayak and canoe launching. This property is under construction for The Reserve at Cedar Point subdivision and is located along the Nansemond River; further identified as Zoning Parcel 5*16A*2, zoned RL, Residential Low Density Zoning District.

INTRODUCTION OF APPLICATION:

Chairman Hinshelwood called on City Staff, Ms. Bocchicchio, Secretary, to provide an overview of the project to grade, fill, and excavate to install roughly 1,423 linear feet of riprap at the Reserve at Cedar Point, T.M. 5*16A*2. Ms. Bocchicchio notified the Board that the proposal originally included the construction of a 6' x 559' pier and

octagonal platform for kayak and canoe launching that was since removed from the application by the applicant and would not be considered as part of the request. Ms. Bocchicchio outlined the components of the project and provided a detailed overview of the applicant's request, as well as the applicant's justification for not proposing a living shoreline.

PUBLIC HEARING:

Chairman Hinshelwood opened the public hearing. Ms. Elizabeth Teraski, 1512 Sleepy Lake Parkway, spoke in opposition and asked the Board a question regarding Bleakhorn Creek and an update in regards to the Comprehensive Plan Update as it relates to the Chesapeake Bay Preservation Act legislative change. Ms. Teraski also mentioned concerns in reference to stormwater outfalls into the river. Ms. Kelly Hangler spoke in opposition and stated that she visited the site from the water and raised concern regarding the impacts that the silt sand may have on the oyster beds and the impacts that vegetation removal may have on the uplands and eagle's nests that are near the area. Ms. Hangler discussed the 2020 law requirement to implement a living shoreline.

Ms. Claudia Holland spoke in opposition and stated her concerns that silt may also have on oyster grounds. Mr. Robert Johnson spoke in opposition and raised concern

that the request will not stabilize the bank, he also mentioned high winds in the area. Mr. Johnson compared the current request to similar projects within the Governor's Pointe Subdivision and in Harbourview and stated that mitigation was not followed through, thus the riprap that was installed is failing. Mr. Johnson stated that a buffer restoration plan was reviewed and approved for past projects and requested it be done for the current request. Lastly, Mr. Johnson raised concern regarding the silt and potential impacts to the surrounding oyster beds in the area. Ms. Andy Perody, resident of River Bluff Subdivision, spoke in opposition and raised concern with climate change, high density development, erosion, upland impacts, and impacts to docks from storm surges to the River Bluff subdivision shoreline and the potential impacts to the subject shoreline.

Mr. Brian Martin, 9164 Wigneil Street, spoke in opposition and stated that he implemented a similar project which failed until he installed breakwaters. During the time allotted for the proponent to speak, Mr. John Simon, representative of Waterfront Consulting and present on behalf of the applicant, provided an overview of the project and the materials that will be utilized for the riprap. Chairman Hinshelwood closed the Public Hearing.

DISCUSSION BY THE BOARD:

At the conclusion of the Public Hearing, Mr. Simon responded to a question from Ms. Payne explaining the source of data that was used for water marks. Mr. Simon responded to a question asked by Ms. Payne if consideration was given to the weather that is received in the area by explaining the type of riprap that will be used. Ms. Payne stated that the Corp of Engineers recommends breakwaters for the site and asked why breakwaters are not being done. Mr. Simon responded to Ms. Payne's questions that breakwaters are not a part of the request due to the cost of the installation and that logistically breakwaters would be difficult to install and that that they would be huge in size. Ms. Payne stated that Barrel Point has been successful with a living shoreline and that she has concern that replenishment and consideration of ecology is not part of the current request. Ms. Payne continued discussing concern with vegetation removal and environmental impacts.

Chairman Hinshelwood stated concern with impacts to the community's river. Ms. Payne asked how the buffer line has changed with erosion over the years, how often the property was surveyed, and if data required from the Corp of Engineers is out of date. Mr. Simon responded by giving an overview of the data collected for the project. Chairman Hinshelwood asked the applicant if a Coastal Engineer was a part of the

project and Mr. Simon confirmed that a Structural Engineer is a part of the project and plans. Chairman Hinshelwood asked the applicant if he was familiar with a Shoreline Management Plan, which recommends breakwaters with beach nourishment and revegetation for the subject shoreline and if a feasibility plan was done. Mr. Simon responded stating that the recommendation for breakwaters was looked into but did not have information in regards to a feasibility plan. Mr. Simon responded “no” to Mr. Winters’ question on whether or not the stability of Bleakhorn Creek shoreline was evaluated at as part of the project. Mr. Winters stated that he has concern with Bleakhorn Creeks erosion and the projects impact to the Nansemond River and the hydrology change. Mr. Simon restated the need for riprap.

Chairman Hinshelwood requested to see a Water Quality Impact Assessment for the subject shoreline and project. Mr. Hazelwood asked the applicant the reason for using crushed concrete and how the size of the stone is determined. Mr. Simon responded that any existing concrete onsite is used as a base layer and that the size of stone is determined by wave action. Mr. Hazelwood asked the applicant why the project would use class A1 rock when the Department of Transportation uses class A3 rock, Mr. Simon responded that the class A1 mix is functioning as intended for projects similar to the one requested. Mr. Hazelwood disagreed. Ms. Payne continued concern in

regards to Bleakhorn Creek and silting impacts with straight edge riprap and asked about the BMP's on-site. Ms. Bocchicchio discussed the two BMP's associated with the development and dialogue continued. Chairman Hinshelwood asked for additional information from Ms. Perody about the River Bluff shoreline project and the current conditions. Ms. Perody provided the conditions of the shoreline and impacts from weather events. Chairman Hinshelwood answered Ms. Hangler's earlier question in regards to when a living shoreline is required and recommended. Chairman Hinshelwood asked Ms. Bocchicchio about the potential of the subdivision plan changing for the subject property which she responded that the engineering plan for the subdivision has been approved and that the development cannot impact the 100-foot RPA buffer.

Ms. Payne expressed concern for the location of the buffer as it relates to the erosion on-site, Ms. Bocchicchio provided an explanation of the location of the 100-foot RPA buffer. Chairman Hinshelwood stated that in the past the Board had created a list of the items that constituted a complete application for the Wetlands Board, of those items, he believed that a Buffer Restoration Plan and a Water Quality Impact Assessment could be required by the Board prior to voting on an application. Ms. Bocchicchio responded to the Chairman's statement by providing an explanation of when a Joint

Permit/VMRC application is deemed complete from her experience and Ms. Bocchicchio was unaware of the list that Mr. Hinshelwood mentioned and indicated that she would research this for the Board. Assistant City Attorney Sean Dolan stated that he and staff would look into the previous document mentioned by the Board. Mr. Wyne provided clarification that a Buffer Restoration Plan is required for impacts to the buffer area and this is reviewed by staff administratively. Ms. Braziel and Ms. Bocchicchio mentioned that the need for a Buffer Restoration Plan was incorporated as a recommended condition of approval should the Board decide to approve the application. After additional dialogue, the applicant, Mr. Simon, asked the Board to consider tabling the request for 30 days.

MOTION:

A motion was made by Mr. Winters and seconded by Ms. Payne to table the item for 30 days. The motion was approved by a vote of 5-0.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:00 pm.

SUFFOLK WETLANDS BOARD



May 19, 2022

MT: Winters

2ND: Payne

TO: Table for 30 days

BOARD MEMBERS	ATTENDANCE		VMRC22-0507	
			VOTE: 5-0	
	PRESENT	ABSENT	YES	NO
Davenport, Darius		X		
Hazelwood, Sidney	X		X	
Hinshelwood, Geoffrey	X		X	
Hotchkiss, Carter		X		
Payne, Stella	X		X	
Vroman, Richard	X		X	
Winters, James	X		X	
Barnum, Steven - Alternate		X		
Joyner, David - Alternate		X		



City of Suffolk, Virginia

Department of Planning & Community Development
Division of Planning

City of Suffolk Wetlands Board Joint Permit Application Submittal

The following information is required to be submitted along with a completed Joint Permit Application for any project that requires action by the City of Suffolk's Wetlands Board

General Information

1. Once staff has received a joint permit application that proposes waterfront construction within the Wetlands Board's jurisdiction the applicant will be contacted and informed that this application will require action by the Board and the applicant will be required to submit the **\$250.00** review fee or **\$300.00** after the fact review fee.
2. Answer all applicable questions and fill in all the blanks required on the joint permit application.
3. All submitted drawings must be legible and contained on the fewest number of sheets necessary to adequately illustrate the project.
4. The proposed alignment of all projects shall have been staked in the field at the time the application is submitted. The seaward extent of the proposed structure shall be staked at each angle and also stake the landward end of the project. For bulkheads stake the seaward face of the sheeting. For rip rap revetments stake the seaward toe. Clearly label all stakes in the field.

Project Drawings

5. The following information must be included on ALL project drawings: (plan and section, as appropriate)
 - a) North arrow;
 - b) Waterway name;
 - c) Existing and proposed structures, labeled as such. Specify if existing structures will remain or be removed;
 - d) Dimensions of proposed structures;
 - e) Limits of vegetated wetlands (if applicable);
 - f) Ebb/flow direction;
 - g) Adjacent property lines and owner's name;
 - h) Distances from proposed structures to fixed points of reference (benchmarks) and adjacent property lines.
6. All plan and section views must be drawn to scale. Specify the scale and provide a written scale on each drawing.
7. Clearly note the jurisdictional limits of the Wetlands Board on all drawings. (Vegetated wetlands – mean low water to one and half times the mean tide range. Nonvegetated wetlands – mean low water

to mean high water).

8. Show and label the location of the Mean High Water (MHW) and the Mean Low Water (MLW).
9. Specify the distance from MLW to the most channelward point of a proposed structure.
10. Provide the adjacent property owners information and also provide written documentation that all adjacent property owners were notified of the proposed shoreline construction.
11. Show and label the location of all easements.
12. Provide tie down distances to the seaward face of any proposed bulkhead or the toe of any proposed rip rap revetment.
13. Address how you plan on mitigating or compensating for impacts to tidal wetlands resulting from the construction of the proposed project ie. direct wetlands replacement, purchase of credits in an established mitigation bank or payment of in-lieu fees to Wetlands Board.

Construction sequence and Erosion & Sediment Control requirements

14. Indicate on the drawings the construction access way(s) to the project area. Access to the project will be provided with the minimum disturbance necessary.
15. Indicate the limits of construction and all land disturbing activities along the entire limit of the construction footprint.
16. Provide accurate cross sections, drawn to scale, with appropriate grade elevations showing existing and proposed bank and bottom profiles as well as the proposed slope of the bank for all proposed shoreline erosion control projects.
17. Specify the size and type of all construction materials.
18. Provide a complete timeline for construction to include methods and phasing of construction, availability of materials, and seasonal growth calendar.
19. Specify that all erosion and sediment control measures including silt fence will be properly installed for all disturbed areas in accordance with the Virginia Erosion and Sediment Control Handbook. Erosion control measures will be installed at the conclusion of each work day and maintained until a permanent vegetative cover has been established and as required by City inspectors.
20. If the shoreline project proposes to disturb 2,500 square feet or more landward of the Wetlands Board's jurisdiction then a land disturbance permit will be required by the Department of Public Works. This will also require the preparation and submittal of an Erosion and Sediment Control Plan prepared in accordance with the Virginia Erosion and Sediment Control Handbook.

Chesapeake Bay Preservation Act Information

21. All proposed land disturbance, clearing and grading related to this JPA must comply with the Chesapeake Bay Preservation Area Overlay District.
22. All drawings must note the location 100-foot Resource Protection Area buffer.

23. Provide the total square footage of land disturbance landward of the Wetlands Board's jurisdiction.
24. Show existing vegetation which will be impacted within the 100-foot RPA buffer. Re-establishment of woody vegetation in the buffer will be required to mitigate for the removal or disturbance of buffer vegetation associated with your proposed project.
25. A buffer restoration plan will be required to be prepared and submitted to the Department of Planning to be reviewed and approved by staff for impacts to vegetation within the 100-foot RPA buffer. This plan shall clearly illustrate the existing vegetation within the buffer, all vegetation proposed to be impacted, and the installation of new vegetation for compensation.
26. Provide a Water Quality Impact Assessment for all projects in accordance with Appendix B-13 of the UDO.

All of the above items must be completed prior to any application for shoreline construction being placed on an agenda for action by the Wetlands Board. If any of the above information is not provided then the application will be considered incomplete.

Deviation from an approved permit and conditions of approved permits by the Wetlands Board may result in noncompliance and appropriate corrective actions taken.