

Middlesex County Wetlands Board Minutes

March 12, 2002

Call to Order

Present: Mr. J. Miller Smither – Chairman
Mr. B. Ulman Miller – Vice Chairman
Mr. M. Dale Taylor
Mr. Archie Brooks
Mr. Woodson Armstead

Staff present: Thomas Jordan, Planner
Cathy Shiflett, Planning Secretary

Also present was Mr. Robert Neikirk from the Virginia Marine Resources Commission (VMRC).

Minutes

The Board considered the minutes of the February 12, 2002 meeting. On a motion by Mr. Taylor, and a second by Mr. Miller, the minutes were approved unanimously.

Public Hearing

Chairman Smither opened the public hearing, and the Middlesex County Wetlands Board took action on the following applications:

A. John Strang - Application #2001-2203.

Chairman Smither read the applicant's proposal to install a 50' low-profile timber groin. This project is located on the Rappahannock River, at Tax Map #39-5. Staff then read the VIMS report for the project.

Ms. Alor Grantham Traywick, agent, was in attendance to represent the project and answer any questions the Board may have.

Chairman Smither opened the public hearing.
With there being no comment from the public, the hearing was closed.

On a motion by Mr. Taylor, seconded by Mr. Brooks, and carried by unanimous vote, Application #2001-2203 was approved. This approval is valid for a term of 18 months.

B. Urbanna Yachting Center c/o James Scott – Application #2001-2230.

Chairman Smither read the applicant's proposal to construct 562' of bulkhead (275' – new and 287' – replacement. This proposed project is located on Urbanna Creek, at Tax Map #20A-1-88, 89, 91, 93; 20A-24-1B. Staff then read the VIMS report for the project.

Mr. Don Caskie, agent, Bay Design Group, was in attendance to represent the proposed project and answer any questions the Board may have. Mr. Caskie stated that Mr. James Scott, applicant, was also in attendance.

Mr. Taylor asked for clarification regarding placement of the bulkhead in relation to the boathouse. Mr. Scott responded that the bulkhead was to be placed landward, not channelward of the bulkhead which would place it inside the boathouse. He further stated that the proposed bulkhead would follow the

alignment of the existing structure. Mr. Scott commented that the bulkhead would be backfilled in with dirt, and that the project involves no dredging in Urbanna Creek.

Chairman Smither opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Taylor, seconded by Mr. Miller, and carried by unanimous vote, Application #2001-2230 was approved. This approval is valid for a term of 18 months.

C. Carlton Dunford – Application # 2002-0087.

Chairman Smither read the applicant's proposal to place 210' of riprap revetment. This proposed project is located on LaGrange Creek, at Tax Map #14-7-2. Staff then read the VIMS report for the project.

Mr. Carlton Dunford, property owner, was in attendance to represent the proposed project.

Chairman Smither opened the public hearing.

Mr. Dunford discussed the revised drawings he had recently submitted.

Mr. Taylor stated that the drawing appeared to accurately reflect the location of the revetment on the west side to be placed behind vegetation, along the bottom of the bank, thereby saving 20 ft. of wetlands.

With there being no comment from the public, the hearing was closed.

Chairman Smither agreed that the revised drawing satisfied his concerns that the toe of the riprap revetment would be placed behind vegetation, protecting the wetlands.

On a motion by Mr. Armstead, seconded by Mr. Brooks, and carried by unanimous vote, Application #2002-0087 was approved as shown in the revised drawings dated March 5, 2002 in accordance with staff recommendation that Class A1 (25-75 lb.) riprap be installed. This approval is valid for a term of 18 months.

D. John Strang – Application # 2001-2203.

Chairman Smither read the applicant's proposal to install a 50' low-profile timber groin. This project is located on the Rappahannock River, at Tax Map #39-5.

Mr. Jay Foster, agent, was in attendance to represent the project. He explained that the project site is a habitat for endangered tiger beetles, and that the proposed groin would protect the sand beach.

Chairman Smither opened the public hearing.

With there being no comment from the public, the hearing was closed.

On a motion by Mr. Armstead, seconded by Mr. Miller, and carried by unanimous vote, Application # 2001-2203 was approved. This approval is valid for a term of 18 months.

Old Business

A. Pending Enforcement Actions

Chairman Smither advised the Board that the County Attorney had filed a Bill of Complaint on behalf of the Middlesex County Wetlands Board against Mr. Norborne N. Reams, Jr., wherein the location of the bulkhead channelward of its authorized benchmark location was in violation of the wetlands permit issued in June, 2001. Chairman Smither noted that this was a step closer to resolving the issue that Mr. Reams was

to remove the bulkhead and fill material, and to restore the property to its preexisting condition. He stated that the County Administrator, Mr. Charles Culley, would keep him apprised of further developments.

New Business

A. Extension Request – Dominion Virginia Power – Application #2001-0089.

Chairman Smither stated that Dominion Virginia Power had sent a letter requesting an extension to Application #2001-0089, to construct an 115kV transmission line (45 feet west and parallel to the existing lines) to upgrade and replace the existing transmission line. The project was approved with conditions on June 12, 2001, and would expire on December 12, 2002. Chairman Smither asked how many extensions might be granted, to which Mr. Jordan responded that one extension could be granted, for a total of three years.

On a motion by Mr. Miller, seconded by Mr. Armstead, and carried by unanimous vote, the Board voted to grant an extension to Application # 2001-0089. This approval is valid for a term of 18 additional months.

B. Board Member Meeting Stipends

Chairman Smither stated that Mr. Armstead was not paid for services due to his absence at the February 12, 2002 public hearing meeting, although he had been visited the sites on February 5, 2002 with the Board. Chairman Smither explained that Mr. Armstead had undergone surgery, preventing his meeting attendance, and asked Mr. Jordan to explain the pay policy.

Mr. Jordan explained that the Board of Supervisors had determined that pay was based on monthly attendance at both the site visits and the public hearing meeting. Mr. Taylor asked if Mr. Armstead had received half of the amount due, since he had attended the site visits, but Mr. Armstead responded that he had received no check for the month of February.

On a motion by Mr. Taylor, seconded by Mr. Miller, and carried by unanimous vote, the Board voted to authorize Chairman Smither to investigate and request a written clarification regarding the pay policy regarding meeting absences due to members' sickness.

Adjournment

With no further business to discuss Mr. Armstead moved to adjourn the meeting, seconded by Mr. Brooks, the meeting was adjourned unanimously.

Respectfully submitted.

Wetlands Board Chair

Date