

Middlesex County Wetlands Board Minutes

May 10, 2005

Call to Order

Mr. Matthew Higgins opened the May 10, 2005 meeting of the Middlesex County Wetlands Board. On a motion by Mr. Taylor, and seconded by Mr. Armstead, the meeting was moved to the Circuit Courtroom of the Middlesex County Courthouse, Saluda, Virginia. Chairman Smither called the meeting to order at 9:05 a.m.

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

Absent: Mr. B. Ulman Miller – Vice Chairman

Staff present: Amy Easterbrook, Planner
Cathy Shiflett, Planning Department Secretary
Matthew Higgins, Planning Director

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

Minutes

The Board considered the minutes of the April 11, 2005 meeting. On a motion by Mr. Taylor, and a second by Mr. Woodson, 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. Thomas Whittle - Wetlands Application #2005-0617

Chairman Smither read the applicant's proposal requesting to install a 93' vinyl bulkhead with a 6' and a 12' return wall. The property for which the application is being made is located on Jackson Creek, Tax Map #41-29-2. Staff then read the VIMS report for the project.

Joey Scott, agent, was in attendance to represent the project. He noted agreement with staff recommendations and the VIMS report.

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 Brooks, and carried by unanimous vote, Application #2005-0617 was approved with VIMS recommendations to align the structure landward of vegetated wetlands and as close to the eroded bank as possible. This approval is valid for a term of 18 months.

B. James Cavin - Wetlands Application #2005-0618.

Chairman Smither read the applicant's proposal requesting to install 600' of riprap revetment for erosion control. The property for which the application is being made is located on LaGrange Creek, at Tax Map #14-8-1. Staff then read the VIMS report for the project.

Mr. James Cavin, applicant, was in attendance to represent the project. He noted agreement with staff recommendations and the VIMS report.

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. Taylor, and carried by unanimous vote, Application #2005-0618 was approved following the VIMS recommendations that the structure be build on a 1.5:1 slope and filter cloth be installed under the entire structure. This approval is valid for a term of 18 months.

C. Peter Quinn - Wetlands Application #2005-0659.

Chairman Smither read the applicant's proposal requesting to install 285' of timber bulkhead in front of existing timber and concrete bulkheads, the 8' concrete return wall is to be removed and replaced with a 12' timber return wall. Staff then read the VIMS report for the project. The property for which the application is being made is located on Jackson Creek, Tax Map #40-382.

Mr. Joey Scott, agent, was in attendance to represent the project. Mr. Scott stated agreement with VIMS recommendation.

Chairman Smither opened the public hearing.

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

On a motion by Mr. Brooks, seconded by Armstead, and carried by unanimous vote, Application #2005-0659 was approved as submitted. This approval is valid for a term of 18 months.

Old Business

A. Ron Hall, II - Application #2005-0573- continued.

Chairman Smither read the applicant's proposal requesting to install 320' of riprap revetment, a 100' checkdam, a 76' checkdam, and outlet protection for the outfall pipe. This project is located on Fishing Bay, at Tax Map # 41-121-C, 41-385, 41-381. Staff then read the VIMS report for the project.

Ms. Carissa Lee, agent, was in attendance to represent the project. Ms. Lee commented that the marina expansion would result in increasing large boat activity and create additional wave action. She expressed agreement with VIMS recommendation to construct the marsh sills on a 1:1 without the VDOT #1 course aggregate. Ms. Lee stated that she had measured MHW at 2'. Ms. Lee further commented that the marsh sill would protect the wetlands and aid in keeping sediment out of the channel. Ms. Lee noted that plantings would be placed after the structures were installed.

Chairman Smither opened the public hearing.

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

Mr. Armstead asked if staff recommendation would be acceptable.

Ms. Lee stated that the riprap revetment could be reduced and she noted that a stipulation could be placed on the permit that if the marsh sill caused any damage to the environment it would be removed and restored.

Mr. Taylor noted that the project had problems since it was started, and although improving, Mr. Taylor spoke in agreement with VIMS and staff recommendations. Mr. Taylor additionally recommended that the Board

visit the site every four (4) years and if a problem is observed, the structures should be removed in an effort to protect the wetlands.

Ms. Lee stated agreement and further commended that the area would be maintained by hand.

Chairman Smither expressed agreement with the VIMS and staff recommendation that the marsh sill be constructed on a 1:1 without course aggregate.

Ms. Lee requested that the marsh sill be permitted at 2' wide x 2' high to allow for more stability, as well as with the aggregate stone to allow for the flow of water.

Mrs. Easterbrook noted that there was a discrepancy in the tidal range between VIMS and VMRC (1.2') and the application drawings (2').

Ms. Lee stated she measured the water depth in the channel at 2' approximately one month prior to the meeting.

Chairman Smither stated riprap revetment was not to exceed mean high water.

Ms. Lee agreed to a reduction of the marsh silt to a height of 1-1/2' and 2' wide in order to have a strong base.

On a motion by Mr. Taylor, seconded by Mr. Brooks, and carried by unanimous vote, the Board voted to approve Application #2005-0573 in accordance with staff recommendations to 1) reduce the height of the riprap revetment to 3' with a base width of 4.5', 2) the outfall apron should be minimal disturbing the wetlands as little as possible, 3) the marsh sills should be constructed 1.5' high with a 2' base, without the VDOT #1 course aggregate, 4) a site visit every four (4) years to assure protection of the wetlands, and removal of the structures if the wetlands are negatively impacted, 5) revised drawings. This approval is valid for a term of 3 years.

F. Judith Mallory – Application #2005-0579 (continued).

Chairman Smither read the applicant's proposal requesting to install 120' of wooden bulkhead, existing failed riprap revetment is to be reused as a riprap scour. The property for which the application is being made is located on the Rappahannock River, at Tax Map #28-12-1.

Mr. Mo Bloxom, agent, was in attendance to represent the project. Mr. Bloxom explained the project.

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. Armstead, and carried by unanimous vote, Application #2005-0579 was approved as submitted. This approval is valid for a term of 18 months.

New Business

A. Time Limit for Information

Mrs. Easterbrook asked the Board to consider adding a time limit for information to be submitted for permits. All information must be submitted and processed the week before site visits so that all necessary information is included in the packets before they are handed out.

On a motion by Mr. Armstead, seconded by Mr. Taylor, and carried by unanimous vote, the Wetlands Board voted to require all information to be submitted and processed the week before site visits.

B. June 14, 2005 meeting.

Chairman Smither stated that the June 14, 2005 meeting would be held in the Court Room.

Adjournment

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

Respectfully submitted,

Wetlands Board Chair

Date