

Middlesex County Wetlands Board Minutes

October 11, 2005

Call to Order

The October 11, 2005 meeting of the Middlesex County Wetlands Board was called to order by Chairman Miller Smither at 9:00 a.m. in the Circuit Courtroom of the Middlesex County Courthouse, Saluda, Virginia.

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

Absent: Mr. B. Ulman Miller – Vice Chairman
Mr. M. Dale Taylor

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

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

Minutes

The Board considered the minutes of the September 13, 2005 meeting. On a motion by Mr. Armstead, and a second by Mr. Brooks, 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. James Morrison LLC – Wetlands Application #2005-2181.

Chairman Smither read the applicant's proposal requesting to install 24' of riprap along an existing groin on one side, install 95' of riprap along the existing bulkhead, and install 55' of marsh toe revetment channelward of vegetation. The property for which the application is being made is located on the Piankatank River, Tax Map #44A-1-B-1. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, was in attendance to represent 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. Brooks, seconded by Mr. Armstead, and carried by unanimous vote, Application #2005-2181 was approved as submitted. This approval is valid for a term of 18 months.

B. Tom Williamson - Wetlands Application #2005-1427.

Chairman Smither read the applicant's proposal requesting to install a 190' timber bulkhead and 690' of riprap revetment. The property for which the application is being made is located on the Rappahannock River, Tax Map #20-12. Staff then read the VIMS report for the project.

Mr. Don Caskie and Mr. Brandon Harris, Bay Design Group, agent, and Mr. Tom Williamson, applicant, were in attendance to represent the project.

Mr. Harris explained that the concrete rubble would be removed and the project would conform to VIMS' recommendations.

Mr. Caskie stated that since the property received more damage from easterly winds, he felt a bulkhead was the best solution for protecting the shoreline.

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

Mr. Armstead asked if the applicant objected to staff recommendations.

Mr. Williamson expressed his opinion that bulkhead would be best suited for the property, as a riprap revetment slope would extend much further from the shoreline towards the channel.

Mrs. Easterbrook commented that while she was not opposed to the bulkhead, VIMS was recommending riprap revetment for nearly all proposed projects.

On a motion by Mr. Armstead, seconded by Mr. Brooks, and carried by a unanimous vote, Application #2005-1427 was approved with staff recommendation with the following conditions: 1) existing concrete rubble must conform to VMRC standards (remove exposed rebar, break up large flat sections, remove asphalt, etc.) and 2) backfill material must be either sand or oyster shell, revised drawings showing depth and type of fill will be required. This approval is valid for a term of 18 months.

C. Miller Marine, Inc. - Wetlands Application #2005-1493.

Chairman Smither read the applicant's proposal requesting to upgrade the existing commercial facility by constructing a 23' x 85' travel slip and an adjoining 298' x 6' pier. The property for which the application is being made is located on Broad Creek, Tax Map #41-116. Staff then read the VIMS report for the project.

Mr. Don Caskie, agent, and Mrs. Deborah Miller, applicant, were in attendance to represent the project.

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

Chairman Smither explained that the Board hears commercial applications even though the wetland impacts were limited.

Mrs. Miller noted the launchways were in a location permitted under a previous permit.

On a motion by Mr. Brooks, seconded by Mr. Armstead, and carried by a unanimous vote, Application #2005-1493 was approved as submitted. This approval is valid for a term of 3 years and run concurrent with the VMRC permit upon issuance.

D. Eveleen Harrison – Wetlands Application #2005-1810.

Chairman Smither read the applicant's proposal requesting to install a 79' vinyl bulkhead 6' off the well. The property for which the application is being made is located on the Rappahannock River, Tax Map #41-18-1.

Staff then read the VIMS report for the project.

Ms. Harrison, applicant, was in attendance to represent the project.

Chairman Smither opened the public hearing.

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

Mrs. Harrison stated her preference of a bulkhead, as requested, rather than riprap revetment. Mrs. Harrison showed the Wetlands Board a letter from the ACOE stating that they wanted the bulkhead to be located 2' from the well.

Chairman Smither stressed that the bulkhead should be designed to withstand the expected wave energy at this location.

On a motion by Mr. Armstead, seconded by Mr. Brooks, and carried by a unanimous vote, Application #2005-1810 was approved in accordance with staff recommendations that a plan view and a revised cross-section showing the depth of fill and filter cloth will be required. This approval is valid for a term of 18 months.

E. Urbanna Yachting Center – Wetlands Application #2005-1820.

Chairman Smither read the applicant's proposal requesting to upgrade the marina facility with floating piers, the southern pier to be 150' x 8' with an 83' x 8' T-head and 7 finger piers to create 16 slips, the middle pier to be 170' x 8' with a 149' x 8' T-head and 8 finger piers to create 17 slips, the north pier to be 176' x 8' with a 106' x 8' L-head and 4 finger piers to create 8 slips (total of 41 new slips). The property for which the application is being made is located on Urbanna Creek, Tax Map #20A-1-88, 89, 91. Staff then read the VIMS report for the project.

Mr. Don Caskie, Bay Design Group, and Mr. James Scott, applicant, was in attendance to represent the project. Mr. Caskie stated that new drawings had been submitted depicting the correct finger pier lengths.

Mrs. Easterbrook stated that the location of the gas and pump-out stations were not shown on the drawings.

Chairman Smither opened the public hearing.

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

Mr. Caskie stated he would provide revised drawings as requested.

On a motion by Mr. Armstead, seconded by Mr. Brooks, and carried by a unanimous vote, Application #2005-1820 was approved conditioned upon the submission of revised drawings showing pump-out and gas facilities. The permit will be valid for 3 years and run concurrent with the VMRC permit upon issuance.

OLD BUSINESS

A. Deltaville Marina – Wetlands Application #2005-1523 (continued).

Chairman Smither introduced the application and apologized for continuing the application at September's hearing, particularly since the Board had such limited jurisdiction. He stated that in the future the Board would not continue an application based on public opposition, as VMRC would be the most appropriate venue for public concerns to be considered.

Mr. Steele, applicant, stated the continuation allowed for a good opportunity to meet with neighboring property owners and develop more acceptable project plans.

On a motion by Mr. Brooks, seconded by Mr. Armstead, and carried by unanimous vote, Application #2005-1523 was approved as submitted. This permit will be valid for 3 years and run concurrent with the VMRC permit upon issuance.

New Business

Adjournment

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

Respectfully submitted,

Wetlands Board Chair

Date