

## Middlesex County Wetlands Board Minutes

July 11, 2006

### Call to Order

The July 11, 2006 meeting of the Middlesex County Wetlands Board was called to order by Chairman Miller Smither at 9:00 A.M. in the Boardroom of the Woodward Building, Saluda, Virginia.

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

Absent: Mr. B. Ulman Miller – Vice Chairman

Staff present: Amy Easterbrook, Planner  
Matthew Higgins, Planning Director  
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 June 13, 2006 meeting. On a motion by Mr. Taylor, 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. Grayson Murphy - Application #2006-0689.

Chairman Smither read the applicant's proposal requesting to repair an existing bulkhead with a 100' vinyl bulkhead with two 10' return walls. This project is located on Sturgeon Creek, at Tax Map # 40-74-3. Staff then read the VIMS report for the project.

Mr. Grayson Murphy, applicant, was in attendance to represent the project.

Chairman Smither asked if Mr. Murphy was in agreement with staff recommendations.

Mr. Murphy suggested asking his contractor, Mr. James Meredith, if staff recommendation would be acceptable.

Mr. Meredith stated that although there would be no problem placing the south return wall and riprap stone in the exact same footprint, replacing the entire wall in the same footprint would be nearly impossible.

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. Brooks, and carried by unanimous vote, Application #2006-0689 was approved in accordance with staff recommendation that the south return wall and riprap stone be placed in the exact same footprint as the existing structures to prevent impacts and fill to the vegetated

wetlands. A revised drawing showing benchmarks will be required. This approval is valid for a term of 18 months.

B. Tyndall Baucom – Application #2006-1024.

Chairman Smither read the applicant's proposal requesting to maintenance dredge a maximum of 103 cubic yards from an existing boatslip and groin. The property for which the application is being made is located on the Broad Creek, Tax Map # 41-52-74. Staff then read the VIMS report for the project.

Mr. Tyndall Baucom, applicant, was in attendance to represent the project. Mr. Baucom expressed agreement with staff recommendations.

Chairman Smither opened the public hearing.

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

Chairman Smither questioned where the spoils would be placed.

Mr. Baucom stated the spoils would be hauled away, rather than placed on site.

Mr. Taylor questioned whether sand would shift and fill in the boat slip again.

Mr. Baucom stated he did not know why the sand filled the boat slip in, as there is no tidal action in the area.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2006-1024 was approved as a maintenance dredge for a 5-year period to run concurrent with the VMRC permit.

C. Tommy Johnson – Application #2006-1244.

Chairman Smither read the applicant's proposal to replace 2 existing block groins with new 32' vinyl groins, construct a new 32' vinyl groin and a new 31' vinyl bulkhead to close an existing gap. The property for which the application is being made is located on the Rappahannock River, Tax Map # 41-18-3. Staff then read the VIMS report for the project.

Mr. Tommy Johnson, applicant, was in attendance to represent the project. Mr. Johnson expressed agreement with staff recommendations.

Chairman Smither opened the public hearing.

Mr. Robert Mannell, adjoining property owner, spoke in favor of the project.

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

Chairman Smither questioned whether there would be fill behind the proposed bulkhead.

Mrs. Easterbrook stated that fill was not indicated on the submitted drawings.

Mr. Brooks expressed concern that the proposed bulkhead would not hold in a storm without backfill.

Mr. Johnson stated his primary concern was groin construction at this time, and stated his intent to fill behind the bulkhead at a later time.

Mrs. Easterbrook noted that the area was fairly stable with a nice beach.

On a motion by Mr. Brooks, seconded by Mrs. Willis, and carried by unanimous vote, Application #2006-1244 was approved with staff recommendation that the west return wall shall be extended and the groins shall be constructed low-profile. This approval is valid for a term of 18 months.

D. Gary Faison – Application #2006-1257

Chairman Smither read the applicant's proposal to install 40' of vinyl bulkhead in front of an existing timber bulkhead. The property for which the application is being made is located on Mill Creek, Tax Map # 30B-1-4. Staff then read the VIMS report for the project.

Mr. Larry Shores, contractor, was in attendance to represent the project. Mr. Shores stated agreement with staff recommendations.

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

Chairman Smither noted that this would be the third bulkhead on the property, and perhaps vinyl would last longer than the previous bulkheads.

On a motion by Mr. Taylor, seconded by Mr. Brooks, and carried by unanimous vote, Application #2006-1257 was approved as submitted based on revised drawings received via e-mail on July 6, 2006. An RPA permit will be required.

E. Dr. Lawrence Miller – Application #2006-1388.

Chairman Smither read the applicant's proposal requesting to construct a new 103' timber bulkhead in front of an existing, failing bulkhead. The property for which the application is being made is located on the Piankatank River, Tax Map #44A-1-B-6. Staff then read the VIMS report for the project.

Mr. Jim Jessie, agent, was in attendance to represent the project. Mr. Jessie explained that the applicant did not want riprap due to safety concerns for children. Mr. Jessie stated that the applicant was in favor of backfill and plantings to cover the old bulkhead.

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

Chairman Smither noted that both adjoining property owners have riprap along the shoreline.

Mr. Taylor expressed that he was not opposed to the applicant's proposal for a bulkhead, with fill behind the structure.

On a motion by Mr. Armstead, seconded by Mr. Taylor, and carried by unanimous vote, Application #2006-1388 was approved with conditioned upon staff recommendation that the bulkhead be backfilled appropriately during construction. This approval is valid for a term of 18 months.

**Old Business**

**New Business**

A. Extension Request for Heron Cove Villas – Wetlands Application #2004-0689.

Chairman Smither read the applicant's request for an extension to install 1,385' of riprap revetment. The property is located on Wilton Creek, Tax Map #43C-1-B-F. Staff explained that the Homeowners Association of the Heron Cove Villas had requested the extension.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2004-0689 was approved. The new expiration date will be 1/11/08. The application will need to be resubmitted if the project has not begun by the expiration date.

**Adjournment**

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

Respectfully submitted,

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Wetlands Board Chair

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Date