

Middlesex County Wetlands Board Minutes

March 14, 2006

Call to Order

The March 14, 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. B. Ulman Miller – Vice Chairman
 Mr. M. Dale Taylor
 Mr. Woodson Armstead
 Mr. Archie Brooks

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 February 14, 2006 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. TriCounty Farms c/o Glenn Bunch - Application #2005-2246.

Chairman Smither read the applicant's proposal requesting to extend an existing jetty an additional 75' for a total length of 150' and construct a marina facility. This project is located on the Rappahannock, at Tax Map # 27-174. Staff recommended continuation of the project, as VIMS had not completed a report at this time.

Mr. Glenn Bunch, applicant, was in attendance to represent the project. Mr. Bunch stated he would provide updated information as requested.

Chairman Smither stated that the Board had visited the site and did not have any problem with the request, however, the Board was obligated to follow VIMS guidelines and would have to wait until VIMS issued a report.

On a motion by Mr. Armstead, seconded by Mr. Miller, and carried by unanimous vote, Application #2005-2246 was continued until the April 14, 2006 meeting.

B. George Coussoulos – Wetlands Application #2005-2842.

Chairman Smither read the applicant's proposal requesting to install a 50' riprap revetment for shoreline erosion control. The property for which the application is being made is located on Robinson Creek, Tax Map #19C-5-11. Staff then read the VIMS report for the project.

Mr. George Coussoulos, 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.

On a motion by Mr. Brooks, seconded by Mr. Taylor, and carried by a unanimous vote, Application #2005-2842 was approved with staff recommendation that filter cloth be placed under the stone. This approval is valid for a term of 18 months.

C. F. Murphy Sprinkel, Jr. - Wetlands Application #2005-3060.

Chairman Smither read the applicant's proposal requesting to repair 102' of an existing 169' timber bulkhead/groin, repairs will be in front of the existing structures. The property for which the application is being made is located on the Rappahannock River, Tax Map #41-53-65. Staff then read the VIMS report for the project.

Mr. F. Murphy Sprinkel, Jr., applicant, was in attendance to represent the project. Mr. Sprinkel stated he would comply with staff recommendation.

Chairman Smither opened the public hearing.

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

On a motion by Mr. Miller, seconded by Mr. Armstead, and carried by unanimous vote, Application #2005-3060 was approved as with staff recommendation to put filter cloth under the stone if it is to be used as scour protection. This approval is valid for a term of 18 months.

D. Douglas Sowers - Wetlands Application #2005-0063.

Chairman Smither read the applicant's proposal requesting to install 246' of vinyl bulkhead immediately channelward of the existing bulkhead with a 6' return wall and remove 5 existing 24' groins and replace with 4 - 36' low - profile groins. The property for which the application is being made is located on the Piankatank River, Tax Map #43-5-7A. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, was in attendance to represent the project. Mr. Scott commented that the groins were in bad shape and the owner intended to increase non-vegetated wetlands in front of the proposed bulkhead replacement.

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 #2005-0063 was approved as submitted. This approval is valid for a term of 18 months.

E. Point Anne Civic Association c/o Robert Tyler - Wetlands Application #2006-0141.

Chairman Smither read the applicant's proposal requesting to install 154' of timber bulkhead with a 6' and a 10' return wall to replace an existing, failing bulkhead. The property for which the application is being made is located on the Piankatank River, Tax Map #36B-1-B-A. Staff then read the VIMS report for the project.

Mr. Robert Tyler, representing the Point Anne Civic Association, 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. Armstead, seconded by Mr. Miller, and carried by unanimous vote, Application #2005-0141 was approved as submitted. This approval is valid for a term of 18 months.

F. Mill Creek Harbor c/o Robert Bode - Wetlands Application #2006-0199.

Chairman Smither read the applicant's proposal to dredge 863' cubic yards of sand from the entrance to the Mill Creek Harbor Canal and two adjacent groin cells and then place the sand as beach nourishment on nearby properties. Additionally, the height of the groins will be raised to 2'. The property for which the application is being made is located on Mill Creek, Tax Map #41-A-133, 41-64-1, 41-64-2, 41-64-A. Staff then read the VIMS report for the project.

Mr. Kevin Curling, 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.

Mr. Taylor questioned whether this project had any effect on the Jackson Creek channel, with sand consistently moving channelward.

Mr. Neikirk commented that this project probably did not contribute to the narrowing of the Jackson Creek channel, as sand from this property typically goes into Mill Creek Harbor.

Mr. Taylor commented that the channel appeared to be filling in and suggested that the Army Corps of Engineers (ACOE) make a written report with their opinion of what would happen in the future and what can be done to protect the channel.

Mr. Neikirk noted that the ACOE was very protective of navigable channels and would not authorize anything that would negatively impact the Jackson Creek channel. He further commented that Jackson Creek was due for dredging.

Mrs. Easterbrook stated that the proposed project was considered a maintenance dredge and if any changes were occurred, the applicant must notify staff of site conditions.

On a motion by Mr. Miller, seconded by Mr. Armstead, and carried by unanimous vote, Application #2005-0199 was approved with the condition that staff shall be notified before each project begins to review the site conditions and scope of work. This approval is valid for a term of 10 years.

G. Richard Dougherty - Wetlands Application #2005-0232.

Chairman Smither read the applicant's proposal requesting to replace an existing 40' timber groin with a vinyl groin in the same footprint as the original structure. The property for which the application is being made is located on the Piankatank River, Tax Map #42A-3-1. Staff then read the VIMS report for the project.

Mr. Richard Dougherty, 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.

On a motion by Mr. Brooks, seconded by Mr. Miller, and carried by unanimous vote, Application #2005-0232 was approved as submitted. This approval is valid for a term of 18 months.

H. Marvin Saunders – Wetlands Application #2006-0285

Chairman Smither read the applicant's proposal requesting to replace 155' of existing, failing bulkhead. The property for which the application is being made is located on Robinson Creek, Tax Map # 19C-1B-5. Staff

explained that the applicant was unable to attend the hearing due to medical reasons, and had requested that the application be continued until the following month.

On a motion by Mr. Miller, seconded by Mr. Armstead, and carried by unanimous vote, Application #2006-0285 was continued until the April 11, 2006 meeting.

New Business

Chairman Smither stated that the Board of Supervisors would hold a public hearing on March 21st to consider No Net Loss In-Lieu Fees. He encouraged the Board members, as well as Mr. Neikirk, to attend if possible. Chairman Smither commented that there would be speakers at the hearing to discuss the possibility of developing a wetlands bank which could provide wetlands mitigation coverage for the Rappahannock River side of the County.

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