

## **Middlesex County Wetlands Board Minutes**

**November 14, 2006**

### **Call to Order**

The November 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. Woodson Armstead  
Mr. Archie Brooks  
Mrs. Mary Ann Willis

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 October 10, 2006 meeting. On a motion by Mr. Brooks, and a second by Mr. Armstead, 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. Keaton Garber - #2006-2135.

Chairman Smither read the applicant's proposal requesting to repair a 150' jetty. This project is located on the Chesapeake Bay, at Tax Map # 41-37-8. Staff then read the VIMS report for the project.

Ms. Keaton Garber, applicant, was in attendance to represent the project. She expressed agreement with staff recommendation and noted that revised drawings would be submitted.

On a motion by Mr. Armstead, seconded by Mrs. Willis, and carried by unanimous vote, Application #2006-2135 was approved in accordance with staff recommendation for a low-profile design with a height at the channelward end no greater than the mean low water elevation. Revised drawings will be required. This approval is valid for a term of 18 months.

B. Scott Bennett – Application #2006-2137.

Chairman Smither read the applicant's proposal requesting to construct a 92' bulkhead in front of an existing bulkhead and construct a new bulkhead in front of an existing bulkhead inside the boathouse. The property for which the application is being made is located on Broad Creek, Tax Map # 41-35-13. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, representing Delta Marine Contractors, was in attendance to represent the project. Mr. Scott explained that revised drawings had been submitted and the bulkhead would be replaced as close as possible to the existing bulkhead.

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 #2006-2137 was approved based on revised drawings dated 10/9/06 and 10/23/06. An RPA Modification Permit will be required. This approval is valid for a term of 18 months.

C. Wynston Holbrook - Application #2006-2225.

Chairman Smither read the applicant's proposal requesting to replace 158' of timber bulkhead with a vinyl bulkhead. The property for which the application is being made is located on Broad Creek, Tax Map # 41-52-97. Staff then read the VIMS report for the project.

Mrs. Paula Meredith, agent, was in attendance to represent the project. She explained that the failing timber wall would be replaced partly with vinyl and she would provide drawings showing the new wall construction plan.

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 #2006-2225 was approved as submitted with revised drawings as provided by the agent. This approval is valid for a term of 18 months.

D. Philip Crowder - #2006-2398.

Chairman Smither read the applicant's proposal requesting to install a 66' vinyl bulkhead with backfill. The property for which the application is being made is located on Urbanna Creek, Tax Map # 19-12-10. Staff then read the VIMS report for the project.

Mr. Mo Bloxom, agent, was in attendance to represent the project. Mr. Bloxom stated that steps were being taken above the RPA to control runoff into the Creek.

Chairman Smither opened the public hearing.

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

Mrs. Willis expressed appreciation for staff clarification of the project, and commented that the Board would have an easier job if projects were flagged prior to their arrival for site visits.

On a motion by Mrs. Willis, seconded by Mr. Armstead, , and carried by unanimous vote, Application #2006-2398 was approved with Staff recommendation following the VIMS recommendation to place the bulkhead directly against the bank and to avoid the wetland vegetation. A RPA Modification Permit will be required. This approval is valid for a term of 18 months.

### **Old Business**

A. James Fitzgerald – Application #2006-2096

Chairman Smither read the applicant's proposal to install 50' of vinyl bulkhead immediately channelward of the failing timber bulkhead. The property for which the application is being made is located on Jackson Creek, Tax Map #40-238. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, was in attendance to represent Delta Marine Contractors for the project. He explained that to avoid wetland issues, the project would be pulled out of the Board's jurisdiction.

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 #2006-2096 was approved with staff recommendation that the bulkhead shall be removed and replaced in the same footprint to avoid any impacts to vegetated wetlands. This approval is valid for a term of 18 months.

**New Business**

A. Mr. Ulman Miller - Resignation

Chairman Smither stated that regretfully, Vice Chairman Ulman Miller will be resigning from the Board after more than 20 years of dedicated service, due to health reasons, and a letter would be forthcoming. Chairman Smither suggested that Mrs. Mary Ann Willis fill in as alternate for the remainder of 2006, and he would submit a request to the Board of Supervisors for a replacement board member in 2007.

**Adjournment**

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

Respectfully submitted,

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Wetlands Board Chair

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Date