

## **Middlesex County Wetlands Board Minutes October 10, 2006**

### **Call to Order**

The October 10, 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. Woodson Armstead  
                  Mr. Archie Brooks  
                  Mrs. Mary Ann Willis

Absent:            Mr. M. Dale Taylor

Staff present:    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 September 12, 2006 meeting. On a motion by Mr. Miller, 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.   McKim Beale - #2006-1611.

Chairman Smither read the applicant's proposal requesting to install 134' of riprap revetment and a 6' timber return wall at the end of an existing bulkhead. This project is located on Urbanna Creek, at Tax Map # 20B-10-1. Staff then read the VIMS report for the project.

Mrs. Lucille Morelli-Redmond, agent, was in attendance to represent the project. She expressed agreement with staff recommendation and noted that revised drawings had been submitted.

Chairman Smither noted that the revised drawings were in accordance with the "No Net Loss" policy.

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 #2006-1611 was approved in accordance with the revised drawing (including benchmarks to permanent reference points) submitted to reflect the changes to the project as discussed with staff.

B.   Craig Revere – Application #2006-2085.

Chairman Smither read the applicant's proposal requesting to replace 300' x 4' wooden bulkhead. The property for which the application is being made is located on Broad Creek, Tax Map # 41-35-8. Staff then read the VIMS report for the project.

Mr. Craig Revere, applicant, was in attendance to represent the project. Mr. Revere stated agreement with staff recommendations.

Chairman Smither opened the public hearing.

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

On a motion by Mrs. Willis, seconded by Mr. Armstead, and carried by unanimous vote, Application #2006-2085 was approved conditioned on 1) the landward 15 feet of the east return wall shall be removed and replaced in the same alignment, 2) the 5 deteriorated groins shall be removed prior to the completion of the project, and 3) as no construction drawings were submitted with the application, the applicant or his contractor shall submit required drawing regarding the design of the project prior to the issuance of a Building and Zoning Permit or the project. The construction drawings should include benchmarks to permanent reference points. This approval is valid for a term of 18 months.

C. James and Martha Fitzgerald - Application #2006-2096.

Chairman Smither read the applicant's proposal to replace 42' x 5' wooden bulkhead including new 38' long section. 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.

No one was in attendance to represent the project.

Chairman Smither opened the public hearing.

Mr. W. F. Hutchens, adjoining property owner, objected to any expansion to the area on the eastern edge of the property. He noted the boat basin was a non-conforming use in a residential area, and Mr. Hutchens requested that staff assure that the project be constructed within the parameters of the application as submitted.

Chairman Smither related that the Board could only permit the project within the parameters as submitted. He further stated that revised drawings would be required for clarification of the proposed project.

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

On a motion by Mr. Brooks, seconded by Mr. Miller, and carried by unanimous vote, Application #2006-2096 was continued until the November 14, 2006 meeting as the property owner or an agent was not in attendance to address questions from the Board.

### **New/Old Business**

A. Deltaville Marina c/o Keith Ruse – Application #2006-1847

Mr. Higgins stated that Application #2006-1847, approved at the September 12, 2006 was inadvertently approved for an 18-month term, rather than 3 years, to run concurrent with VMRC approval for a commercial project.

On a motion by Mr. Armstead, seconded by Mr. Brooks, and carried by unanimous vote, Application #2006-1847 was approved for a term of 3 years to run concurrent with the VMRC permit.

B. Discussion re: Replacement of Bulkheads

Chairman Smither asked Mr. Neikirk to comment on VMRC's policy regarding replacement of bulkheads.

Mr. Neikirk stated that VMRC did not consider a complete replacement of bulkheads or piers under the general repair policy and would require new permits.

Mr. Higgins commented that due to the “No Net Loss” policy, more people want to qualify their replacement projects as repair. He stated that in such cases, the Wetlands Board wanted to establish that permits would be required. Mr. Higgins further noted that VIMS would want the replacement placed in the exact footprint of the replaced structure.

**Adjournment**

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

Respectfully submitted,

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Wetlands Board Chair

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Date