

Middlesex County Wetlands Board Minutes

January 9, 2007

Call to Order

The January 9, 2007 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. Tom Hawksworth – Vice Chairman
Mr. M. Dale Taylor
Mr. Woodson Armstead
Mr. Archie Brooks

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

Election of Officers

Mrs. Easterbrook advised the Board that officers were to be elected at the meeting. Mrs. Easterbrook opened the floor for nominations for Chairman.

On a motion by Mr. Armstead, seconded by Mr. Hawksworth, and carried by unanimous vote, Mr. Smither was reelected Chairman.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Mr. Hawksworth was elected Vice Chairman.

Minutes

The Board considered the minutes of the December 12, 2006 meeting. On a motion by Mr. Hawksworth, 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. Howard Reynolds - Application #2006-2728.

Chairman Smither read the applicant's proposal requesting to construct 90' of riprap revetment with associated bank grading. This project is located on Meachim Creek, at Tax Map # 30A-2-2. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, was in attendance to represent the project. He explained that the project was designed to minimize impacts to vegetated and nonvegetated wetlands.

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. Hawksworth, and carried by unanimous vote, Application #2004-2728 was approved as submitted. An RPA Modification Permit will be required. This approval is valid for a term of 18 months.

B. Todd Gehr - Wetlands Application #2006-2840.

Chairman Smither read the applicant's proposal requesting to construct a 150' riprap revetment for shoreline erosion control. The property for which the application is being made is located on Hunton Creek, Tax Map #40-8-4. Staff then read the VIMS report for the project.

Mrs. Karla Havens, agent, explained that the contractor would work with staff to address drainage issues related to 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. Hawksworth, seconded by Mr. Armstead, and carried by unanimous vote, Application #2006-2840 was approved based on staff recommendation that the revetment stay behind the wetland vegetation. An RPA Modification Permit will be required. This approval is valid for a term of 18 months.

Old Business

A. Notice to Comply – Barnett Keith

Chairman Smither introduced Notice to Comply – Barnett Keith for the unauthorized clearance of vegetation and possible fill.

Mrs. Easterbrook stated that a neighbor signed for the first certified notification, and Mr. Keith received the 2nd notice on January 5, 2007. She further stated that Mr. Keith wanted to obtain local legal counsel. Mrs. Easterbrook commented that VIMS report concluded there were moderate environmental impacts on the site.

Chairman Smither recommended that the Board find Mr. Keith in violation. The Board discussed photographs of the site.

On a motion by Mr. Brooks, seconded by Mr. Hawksworth, and carried by unanimous vote, the Wetlands Board found Mr. Barnett Keith in violation of Wetlands regulations.

Mrs. Easterbrook stated she would notify Mr. Keith and request that he attend the February 13, 2007 Wetlands Board meeting.

B. Civil Penalty - Charles and Cynthia Krumbein

Mrs. Easterbrook gave an update on the Krumbein situation. She explained that the Krumbein's son was in contact with the County Attorney in an attempt to resolve the legal issues in the case. Mrs. Easterbrook noted that the son had not been aware of the civil penalty. Discussion followed.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, the Board voted to authorize Chairman Smither to contact the County Attorney and the Krumbein's son in an effort to conclude the case.

New Business

A. VIMS Funding

Mrs. Easterbrook stated that VIMS had not received State funding this year and had requested that local Wetlands Boards send letters to State representatives in support of VIMS funding.

Mr. Taylor questioned whether the Board of Supervisors should also send a letter supporting VIMS funding.

Mr. Taylor made a motion, seconded by Mr. Hawksworth, to contact the Board of Supervisors and request that they join the Wetlands Board in a letter of support to continue State funding for VIMS.

After further discussion, Mr. Taylor amended the motion to add that Chairman Smither would first contact Delegate Harvey Morgan for comment prior to sending the letter supporting VIMS funding. The motion passed by unanimous vote.

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,

Wetlands Board Chair

Date