

## County Wetlands Board Minutes

August 14, 2007

### **Call to Order**

The August 14, 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. Woodson Armstead  
Mr. Archie Brooks  
Mr. M. Dale Taylor

Staff present: Glen Nix  
Cathy Shiflett

Absent: Matt Kraegel, Planner

Also present was Mr. Robert Neikirk from the Virginia Marine Resources Commission (VMRC).

### **Minutes**

The Board considered the minutes of the July 10, 2007 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. John Tennant - Application #2007-1436

Chairman Smither read the applicant's proposal requesting to install 42' riprap revetment. The property for which the application is being made is located on Hunton Creek, at Tax Map # 40-109-6. Staff then read the VIMS report for the project.

Mr. Joey Scott, agent, was in attendance to represent the project. Mr. Scott suggested planting salt bush at the top of the revetment to help with runoff.

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

Mr. Hawksworth asked for clarification of the Board's "no wetlands impact" policy.

Mr. Neikirk explained that there could be wetlands impacted, but not filled, and the VIMS report did not note any fill on the project. He noted that a revetment impacts wetlands, but remains in the intertidal zone, thereby, not categorized as wetlands fill.

Mr. Scott stated that the work would be done as landward as possible of the wetlands grasses.

On a motion by Mr. Taylor, seconded by Mr. Woodson, and carried by unanimous vote, Application #2007-1436 was approved in accordance with staff recommendation that: 1) the bank above the riprap revetment shall be planted with appropriate vegetation to aid in preventing erosion, 2) no wetlands will be destroyed, and 3) an RPA permit will be required. This approval is valid for a term of 18 months.

B. W. M. Woodson, Delta Shores Improvement Association - Wetlands Application #2007-1373.

Chairman Smither read the applicant's proposal requesting to repair existing boat ramp 55ft. x 35 ft. The property for which the application is being made is located on Sturgeon Creek, Tax Map #40-14G. Staff then read the VIMS report for the project.

Mr. William Woodson, applicant, was in attendance to represent the project.

Chairman Smither opened the public hearing.

Mrs. Michelle Meredith, Delta Shores, questioned whether the existing property owners' water access would be affected by the proposed project.

Mr. Woodson stated the existing property owners' water access rights would remain in effect.

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

On a motion by Mr. Hawksworth, seconded by Mr. Taylor, and carried by unanimous vote, Application #2007-11373 was approved in accordance with staff recommendation that the repairs shall stay inside of the existing framework.

### **Old Business**

A. Godsey Properties, Inc. - Wetlands Application #2007-1029.

Chairman Smither read the applicant's proposal requesting to install 200' of bulkhead at the toe of the eroding bank. The property for which the application is being made is located on Wilton Creek, Tax Map #43C-1-76. 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.

Mrs. Margaret Hurt, neighboring property owner, stated objection to the appearance of the proposed bulkhead, since no properties in this section of the cove have bulkheads on site.

Mr. William Goettle, Mariners Point Lane, stated his objection to the proposed bulkhead.

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

Mr. Hawksworth asked for clarification regarding the 400' of wetlands impact or fill.

Mr. Neikirk explained that although this case has wetlands impact, it was in the non-vegetated community. He noted that the Board could ask for wetlands vegetation compensation, but this was not a requirement.

Mr. Brooks commented that the Board favored riprap revetment rather than a bulkhead, as riprap would have less impact to adjoining properties.

Mr. Taylor and Mr. Hawksworth stated their agreement.

Chairman Smither commented that the Board could make recommendations, but not changes to an applicant's request.

Mr. Nix noted that the President of the Coves of Wilton Creek Owners Association spoke at the previous meeting and stated the Association did not object to the project.

On a motion by Mr. Taylor, seconded by Mr. Hawksworth, and carried by unanimous vote, Application #2007-1029 was continued until the September meeting to allow the agent time to discuss the possibility of using riprap revetment with the applicant.

B. William Goode – Wetlands Application #2007-1163.

Chairman Smither read the applicant's proposal requesting to install a 160' marsh toe sill, proposed sill will tie into existing sill. The property for which the application is being made is located on the Piankatank River, Tax Map #45-10-6A. Staff then read the VIMS report for the project.

Mr. Jay Foster, agent, and Mr. William Goode, applicant were in attendance to represent the project. Mr. Foster explained Mr. Goode's intent was to protect the marsh, and that revised drawings had been submitted for 160 ft., which, in his opinion, would not impede the channel. Mr. Foster commented that the narrow marsh protects a tidal pond.

Mr. Goode stated his interest in keeping the channel open.

Chairman Smither opened the public hearing.

Mrs. Kathy Wright questioned how the project would affect the channel and questioned who would monitor and pay for remediation if there were negative effects to the channel.

Chairman Smither stated that the Board would not want to see negative impacts to the mouth of the Creek.

Mrs. Carolyn Wake, adjoining property owner, spoke in support of the application, and noted that the channel was manmade and is filled by natural processes. She stated that the emphasis should be on saving the marsh, and thanked Mr. Goode for his efforts.

Mr. John Wake, adjoining property owner, spoke in support of the application, and noted that Mr. Goode had helped the marsh and those persons in objection live up the Creek and do not see the marsh.

Mrs. Louise Miller stated that her father had dug the channel so that buy boats could have access across the flats to dock. Mrs. Miller stated that although she would respect the Board's decision, she felt the project would adversely affect the channel.

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

Mr. Hawksworth commented that he was concerned with the channel, even though it was manmade.

Mr. Taylor stated that he did not believe it was necessary extend the proposed sill around the beach any further at this time.

Mr. Brooks spoke in favor of approving 130' of marsh toe sill.

Chairman Smither agreed that 130' of marsh toe sill should be adequate to protect the marsh. He further commented that the Board wanted to limit negative impacts to the area.

Mr. Foster expressed concern about a breach of the tidal marsh, which protects the wetlands pond.

On a motion by Mr. Hawksworth, seconded by Mr. Brooks, and carried by unanimous vote, Application #2007-1029 was approved for a 130 ft. marsh toe revetment, with no hook on the end.

C. William A. Perkins, Jr. - Wetlands Application #2007-1227.

Chairman Smither read the applicant's proposal requesting to install a 44' riprap revetment. The property for which the application is being made is located on Montgomery Cove, Tax Map # 41-66-4. Staff then read the VIMS report for the project.

Ms. Michelle Meredith, 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.

On a motion by Mr. Armstead, seconded by Mr. Hawksworth, and carried by unanimous vote, Application #2007-1227 was approved as submitted.

**New Business**

**Adjournment**

With no further business to discuss Mr. Taylor, 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