

## **Middlesex County Wetlands Board**

### **Minutes**

**December 9, 2008**

#### **Call to Order**

The December 9, 2008 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 Historic Courthouse, Saluda, Virginia.

Present: J. Miller Smither – Chairman

Mary Ann Willis

Archie Brooks

Dale Taylor

Woodson Armstead

Staff present: John Halpin, Wetlands Planner

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

Absent: Tom Hawksworth

#### **Minutes**

The Board considered the minutes of the November 12, 2008 meeting. On a motion by Mr. Taylor and seconded by Mr. Armstead, the minutes were approved unanimously.

#### **Public Hearings**

The following applications were considered by the Board:

A. Donald Perry – Application No. 2008-2046

The application to install 178 linear feet of rip rap along the eroding shoreline, in two sections. Section A to consist of 4' x 114' of rip rap placed as a marsh toe sill, to the south of the existing pier and 1' forward of existing vegetation. Section B to consist of 6' x 64' of rip rap revetment against bank to the north of existing pier. The proposed project located on the Rappahannock River, at Tax Map Parcel No. 41-14-A-7 was heard before the board.

Mr. Halpin reported to the board that after further consultation with the agent and contractor, the request was revised to install 182 linear feet of rip rap along eroding shoreline. (Section A) 114' x 6' placed as a marsh toe sill, to the south of existing pier, and 1' forward of existing vegetation. (Section B) 4 linear foot

repair to washed out area of existing rip rap revetment, with approximately 1 cubic yard of clean fill; and place a 64' x 6' marsh toe sill, to the north of the existing pier and 1' forward of existing vegetation. Plant wetlands vegetation between the eroded bank and the marsh toe sill to reestablish washed out vegetation.

Mr. Halpin read the VIMS report and then gave the staff recommendations that the board should consider the application as revised.

Mr. Brian Fletcher was present as the agent.

Chairman Smither opened the hearing for comments from the public. There being no comments, the public portion of the hearing was closed and opened for questions and comments from the Board

There being no further questions or comments from the board, the motion to approve the application with staff recommendations was made by Mr. Taylor, seconded by Mrs. Willis, and carried unanimously. The permit will be good for 18 months, expiring June 9, 2010.

#### B. The Cove Association, Inc. – Application No. 2008-2074

The application to construct an 18' x 100' breakwater, and fill shore with approximately 500 cubic yards of beach nourishment. The proposed project located on the Sturgeon Creek, Tax Map Parcel No. 40-27-5A was heard before the board.

Mr. Halpin read the VIMS report and then gave the staff recommendations that a planting plan for the planting of wetland vegetation on the eastern and western edges of the placed sand, between the breakwater and existing rip rap revetment should be incorporated into the application. This should greatly assist in the retention of sand behind the breakwater

Mr. Jeff Watkins was present as the contractor.

Chairman Smither opened the hearing for comments from the public.

Mr. Tim Reynolds, President of the Association, was recognized by the Chairman, and given three minutes to speak as an individual.

There being no further comments, the public portion of the hearing was closed and opened for questions and comments from the Board.

Mr. Brooks asked a question concerning erosion at the project site.

Mr. Watkins stated that the corner, on the west side of the project is getting severe energy, and is driving the rip rap out into the river and causing erosion.

Mr. Taylor stated the he feels the project should be moved east twenty feet.

Mr. Watkins stated that the project was designed putting the breakwater where it is to protect that corner from further erosion.

There being no further questions or comments from the board, the motion to approve the application, with staff recommendations for a planting plan was made by Mr. Brooks, seconded by Mr. Armstead and approved by a 4 – 1 vote, Mr. Taylor voting in dissent. The permit will be good for 18 months, expiring June 9, 2010.

**Old Business**

Mr. Halpin gave report to the Board on Mr. Krumbein and Mr. Giles.

**New Business**

Mr. Halpin gave report to the board on the decision of the Virginia Marine Resources Commission in regards to the appeal of Waterview Landing, LLC. VMRC No. 2008-0534, in which the Commission upheld the decision of the Middlesex County Wetlands Board by a 6 – 3 vote.

**Adjournment**

With no further business to discuss, the motion to adjourn the meeting was made by Mr. Armstead, seconded by Mr. Taylor and carried unanimously.

Respectfully submitted,

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Wetlands Board Chair

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Date