

## County Wetlands Board Minutes

April 8, 2008

### **Call to Order**

The April 8, 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 Woodward Building, Saluda, Virginia.

Present: Mr. J. Miller Smither – Chairman  
Tom Hawksworth – Vice Chairman  
Mr. Woodson Armstead  
Mr. Archie Brooks  
Mr. Dale Taylor  
Mrs. Mary Ann Willis

Staff present: Matt Kraegel, Planner

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

### **Minutes**

The Board considered the minutes of the March 11, 2008 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. Jeff Harrington– Application # 2008-0244

Chairman Smither read the applicant's proposal requesting to construct a new timber and vinyl bulkhead 120' long x 5' high, 2' in front of the existing bulkhead, as well as build a 10' return wall on the end. The property for which the application is being made is located on Sturgeon Creek at Tax Map #40-74-2. Staff then read the VIMS report for the project.

Jeff Harrington was present to represent the project.

Chairman Smither asked if he had any question or comments about the report.

Jeff said that he would only take what is necessary to build the wall as close as possible.

Chairman Smither opened the public hearing.

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

Mr. Hawksworth stated that he would like for the project to be remarked with a string with benchmark distances.

Mr. Brooks said that if the distance of 2' changes then it needs to be remarked.

On a motion by Mr. Hawksworth, seconded by Mr. Taylor, and carried by unanimous vote, Application #2008-0244 was continued to next months meeting.

B. Mary Hensley– Application # 2008-0247

Chairman Smither read the applicant's proposal requesting to stake down mesh bags of oyster shells between mean high water and mean low water to act as breakwaters. The property for which the application is being made is located on the Piankatank River at Tax Map #43-6-3A. Staff then read the VIMS report for the project.

No one was present to represent the project.

The project area was also not marked on the property.

On a motion by Mr. Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2008-0247 was continued to next months meeting.

C. Piankatank Shores Civic Association – Application # 2008-0303

Chairman Smither read the applicant's proposal requesting to remove the existing 12' x 48' deteriorating boat ramp and replace it with a new 12' x 48' boat ramp. The property for which the application is being made is located on the Piankatank River at Tax Map #37A-3-7A. Staff then read the VIMS report for the project.

Christine Breddy was present to represent the project.

Chairman Smither asked if she had any question or comments about the report.

Christine Breddy said that she had no problems with the report.

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 #2008-0303 was approved as recommended: 1) The existing tidal marsh surrounding the proposed ramp should be avoided by construction equipment and avoided as a staging area for construction materials. 2) Demolition debris should be removed and disposed of properly in an approved upland location. 3) The ramp must go in the same footprint. This approval is valid for a term of 18 months

NOTE: At this time Chairman Miller Smither had to leave the meeting. Vice Chairman, Mr. Hawksworth, then conducted the rest of the meeting. Ms. Mary Ann Willis was present to fill in.

D. Jamaica Shores Association – Application # 2008-0451

Chairman Smither read the applicant's proposal requesting to remove the existing 12' x 58' concrete boat ramp and replace it with a new 14' x 68' boat ramp, as well as install a 108' x 4' pier next to the ramp. The property for which the application is being made is located on the Rappahannock River between Tax Map #2A-1-12 and 2A-1-13. Staff then read the VIMS report for the project.

Frank Evans was present to represent the project.

Chairman Smither asked if he had any question or comments about the report.

Frank stated that the additional 2' was to insure the safe launching of boats.

Chairman Smither opened the public hearing.

John Crown, an APO, stated that he owned the land that Mr. Evans was planning to build on.

Bobby Crown also came up to speak, and stated that he was worried about losing the beach in front of his property during construction.

Mr. Evans stated that the reason that the sand is there is because the boat ramp was acting as a groin.

Ed Kriz, a member of the Jamaica Shores association, came up and showed us a deed. The deed showed the Judge Shaw has deeded the land to the Association.

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

Mr. Armstead asked Mr. Evans, "why couldn't the people using the ramp just put up some poles on both sides of the ramp and back down between the poles"?

Mrs. Willis stated that she was not convinced that the extra 2' was necessary.

On a motion by Mr Taylor, seconded by Mr. Armstead, and carried by unanimous vote, Application #2008-0451 was approved with boat ramp dimensions of 12' x 68'. Other conditions include that demolition debris should be removed from the water and disposed of properly in an approved upland location. Also no overnight mooring is allowed for the pier. This approval is valid for a term of 18 months

### **Old Business**

#### A. Extension request for Application # 2006-2096

Joey Scott was present to represent the request.

On a motion by Mr. Taylor, seconded by Mr. Armstead and carried by unanimous vote, the extension request for Application 2006-2096 was approved given that the new bulkhead is placed in the same footprint as the existing bulkhead.

#### B. Doris Greene

Mrs. Greene and Mr. Giles were not present to represent their case. The joint permit application has been received and will be advertised for next month's meeting.

On a motion by Mr. Taylor, seconded by Mr. Brooks, and carried by unanimous vote, it was agreed that legal action should be taken against Mr. Mark Giles for his un-permitted work.

#### C. Monica Fahey – Violation # 2008 – 01.

Ms. Fahey was not present however she told me that her check for the permit was in the mail.

This application will be advertised for next month's meeting.

On a motion by Mr. Taylor, seconded by Mr. Brooks, and carried by unanimous vote, it was agreed that legal action should be taken against Mr. Mark Giles for his un-permitted work.

#### D. Keith

The Wetlands Board reviewed the results from legal action taken against Mr. Keith.

### **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,

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Wetlands Board Chair

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Date