

County Wetlands Board Minutes

September 9, 2008

Call to Order

The September 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
 Tom Hawksworth – Vice Chairman
 Archie Brooks
 Dale Taylor
 Woodson Armstead
 Mary Ann Willis

Staff present: John Halpin, Wetlands Planner

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

Minutes

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

Public Hearings

The following applications were considered by the Board:

A. Harvey Young – Application No. 2008-1335

The application to remove 50' of deteriorated timber bulkhead; excavate and place new vinyl bulkhead 2' landward of existing bulkhead, along with a 2' return to be placed at the north end of the new bulkhead. The proposed project is located on Sturgeon Creek, Tax Map Parcel No. 41-3-5.

Mr. Halpin read the VIMS report and then gave the staff recommendation that with assurance from the contractor that the boathouse will be stabilized the board should vote on disposition of the application as submitted.

Mrs. Michelle Meredith 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.

A period of questions and comments was conducted between the board and the agent. The Contractor, Mr. Jimmy Meredith came forward to answer a question from the board.

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

B. Graham Sherrod – Application No. 2008-1437

Chairman Smither stated that this application has been formally withdrawn, and the board will take no further action on this application.

Chairman Smither excused Mr. Dale Taylor from the board due to a conflict of interest with the next application. Mrs. Mary Ann Willis, alternate member replaced Mr. Dale Taylor.

C. Potomac Timber Investments, LLC. – Application No. 2008-1123

The application to: Demolish a portion of the existing southern boathouse, retaining the 35' x 150' landward portion with 6 slips. Construct an 8' x 273' pier extending southward from land, identified on the drawing as "A-Dock" with five 4' x 40' finger piers and 12 slips; an 8' x 368' T-head, identified on the drawing as "B-Dock" with an 8' x 48' L-head at the eastern end, eight 4' x 40' finger piers and 17 slips. Construct an 8' x 302' pier, identified on the drawing as "C-Dock" extending eastward from "A-Dock" with an 8' x 98' T-head, ten 4' x 40' finger piers, five 4' x 50' finger piers, and 32 slips. Construct an 8' x 210' pier, identified on the drawing as "D-Dock" extending eastward from land with an 8' x 88' T-head, twelve 4' x 40' finger piers and 24 slips. Construct an 8' x 185' pier, identified on the drawing as "E-Dock/Fuel Dock" extending eastward from land with a 10' x 108' T-head, eight 4' x 50' finger piers and 16 slips. Construct an 8' x 224' pier, identified on the drawing as "F-Dock" extending northeastward from land with an 8' x 130' T-head, five 4' x 60' finger piers, five 4' x 50' finger piers and 20 slips. Retain 3 existing bulkhead finger piers, with 6 slips and existing Travel-Lift. Demolish existing northern boathouse and replace with an 8' x 135' pier, identified on the drawing as "G-Dock", parallel to the bulkhead within the footprint of the boathouse; with four 4' x 40' finger piers and 8 slips. Install 277 linear feet of vinyl bulkhead in front of existing bulkhead. The proposed project is located on Urbanna Creek, Tax Map Parcel No. 20A-1-88, et.al.

Mr. Halpin read the VIMS report and then gave the staff recommendations that upon further review by both staff and VIMS it has been determined that no natural tidal wetland areas have been observed at this site. With assurance from Virginia Marine Resources Commission that this matter will receive full review before the Commission; staff recommends that the board votes to send the application to VMRC.

Ray Watson was present as the agent.

Chairman Smither asked Mr. Halpin to review to the audience the guidelines for the Public Comment portion of the Public Hearing.

Chairman Smither opened the hearing for comments from the public.

The board recognized Mr. Buddy Wyker. Mr. Wyker represented a group of citizens, and was given 12 minutes for public comment.

The board recognized Mr. Robert Calves. Mr. Calves was speaking as an individual, and was given 3 minutes for public comment.

Mr. Jim Ray came forward to speak, but had been previously represented by Mr. Wyker. Mr. Ray was informed that as such, his opportunity to speak was forfeited to Mr. Wyker.

The board recognized Mr. Dennis Byer. Mr. Byer was speaking as an individual, and was given 3 minutes for public comment.

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

A short period of questions and comments was conducted between the board and the agent.

There being no further questions or comments from the board, the motion to vote per staff recommendations was made by Mr. Hawksworth, seconded by Mrs. Willis. Chairman Smither asked Mr. Halpin to poll the board by individual. Chairman Smither stated that an Aye vote is to send this application to VMRC with no action from this board.

Mr. Brooks voted Aye.

Mr. Hawksworth voted Aye.

Mrs. Willis voted Aye.

Mr. Armstead voted Aye.

Chairman Smither voted Aye.

Carried unanimously, the board voted to send this matter to VMRC with no action from this board.

Mr. Dale Taylor returned to the board.

Old Business

The following previously heard applications were considered by the Board:

E. Tansill Ritchie Johnson – Show Cause

Violation for the filling of wetlands with rocks and soil without permit.

Mrs. Johnson was present as the owner.

There was a period of questions and comments between Mrs. Johnson and the board.

There being no further questions or comments from the board, the motion to approve to submit as an after the fact application was made by Mr. Hawksworth, seconded by Mr. Brooks and carried unanimously. Mrs. Johnson was instructed to see Mr. Halpin to begin the after the fact permit application.

Old Business

None to be discussed.

Adjournment

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

Respectfully submitted,

Wetlands Board Chair

Date