

# **Middlesex County Wetlands Board**

## **Minutes**

**October 13, 2009**

### **Call to Order**

The October 13, 2009 meeting of the Middlesex County Wetlands Board was called to order by Chairman J. Miller Smither at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia. The Pledge of Allegiance was led by Archie Brooks.

Present: J. Miller Smither – Chairman

Dale Taylor

Woodson Armstead

Mary Ann Willis

Archie Brooks

Staff present: John Halpin, Wetlands Planner

Absent: Tom Hawksworth – Vice Chairman

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

### **Minutes**

The Board considered the minutes of the September 8, 2009 meeting. On a motion by Mr. Taylor and seconded by Mrs. Willis, the minutes were approved unanimously.

### **Public Hearings**

The following applications were considered by the Board:

A. Christopher Friedl – Application No. 2009-1199

The application to: construct a 26' x 10.5' x 3.5' marsh toe sill for shoreline protection under a proposed pier at a site located on Montgomery Cove, at Tax Map Parcel No. 41-17-2 was heard before the board.

Mr. Halpin read the VIMS summary.

Mr. Halpin then read the Staff report: that a marsh toe sill would work well in this low to medium energy shoreline. Staff strongly recommends that a gap be left between the proposed sill and the existing sill on the adjacent property. Leaving a gap will allow for water to be able to enter behind the sill, and will allow access for crabs and other aquatic animals access to the marsh area.

Mr. Halpin read the Staff recommendation that: if the Board chooses to approve this application, Staff recommends consideration of the application as submitted.

Mrs. Michelle Meredith of Deltaville, VA was present as agent.

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

Chairman Smither called the agent back up, and began a brief period of questions and comments between the Board and the Agent

There being no further questions or comments from the Board, Chairman Smither asked for disposition of the application.

The motion to approve the application, as submitted was made by Mr. Brooks, seconded by Mr. Taylor, and carried unanimously. The permit will be good for 18 months, expiring April 30, 2011.

B. Linda Ludeke – Application No. 2009-1301

Mr. Halpin asked the Board Chairman for a brief recess to find out the cause of the absence of the applicant.

Mr. Smither granted Staff a five minute recess. Upon Mr. Halpin's return, the Chairman reconvened the Public Hearing.

Mr. Halpin asked the members of the Board for a continuance on this application.

A motion to continue the application until the November 10, 2009 Public was made by Mr. Taylor, seconded by Mr. Armstead, and carried unanimously.

### **Old Business**

A. Leonard Powell – Application No. 2009-1113

The application to: construct 214' of rip rap behind existing wetlands vegetation along the southwest and southern banks, changing to 121' of marsh toe sill along the southern bank, under existing dock and ending at existing rip rap at a site located on Jackson Creek, at Tax Map Parcel No. 40-231 was brought back before the board.

Mr. Halpin read the VIMS summary.

Mr. Halpin then read the Staff report: that Staff noted the erosion that is occurring primarily along the southwestern bank at this location. This erosion is being caused as much by stormwater runoff traveling down the lawn as by storm wave activity. There are some very healthy vegetated spots along this shoreline, especially the southern side where there are thick stands of black needle rush. In consideration of constructing the marsh toe sill, care should be taken not to damage this vegetation.

Mr. Halpin read the Staff recommendation that: if the Board chooses to approve this application, Staff recommends consideration be given to the following: adding clean sand nourishment to the marsh toe sill portion, along with vegetation plugs to encourage further growth within the marsh toe sill. The lip of the

revetment should be tapered into the hillside, to prevent a check dam effect to stormwater moving downhill; which would cause erosive action behind the revetment.

.Ms. Alicia Goodwin of Deltaville, VA was present as agent.

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

Chairman Smither called the agent back up, and began a brief period of questions and comments between the Board and the Agent.

A motion to approve the application with Staff recommendations was made by Mr. Taylor, seconded by Mrs. Willis, and carried unanimously. The application is tabled until October 13, 2009 when it will be brought back before the Board.

Chairman Smither asked the members of the board if there was any further old business. There being none, Chairman Smither moved on to new business.

### **New Business**

Mr. Halpin read the following statement to the Board: In a special called, closed door meeting on the afternoon of October 8, 2009, the Board of Supervisors voted to do away with my position; effectively ending my employment with Middlesex County on October 31, 2009. I do not know if this will be temporary or permanent; I do not know what their intentions are with the Wetlands Board. I have enjoyed working with you, and I wish Godspeed to the members of this Board.

There was a period of comments from the Board members concerning Staff's announcement.

Chairman Smither asked the members of the board if there was any further new business. There being none, Chairman Smither asked for adjournment.

### **Adjournment**

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

Respectfully submitted,

---

Wetlands Board Chair

---

Date