

Middlesex County Wetlands Board

Minutes

April 13, 2010

Call to Order

The April 13, 2010 meeting of the Middlesex County Wetlands Board was called to order by Chairman Tom J. Miller Smither at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia. The Pledge of Allegiance was led by J. Miller Smither.

Present: J. Miller Smither – Chairman
Tom Hawksworth – Vice Chairman
Dale Taylor
Woodson Armstead
Archie Brooks
Wesley Dolezal, Alternate

Staff present: Tripp Little, Wetlands Planner

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

Minutes

The Board considered the minutes of the March 9, 2010 meeting. On a motion by Mr. Taylor and seconded by Mr. Brooks, the minutes were approved.

Presentation

Mary Ann Willis was present and accepted a plaque of appreciation for her dedication and past service as an alternate on the Board.

Public Hearings

The following applications were considered by the Board:

- A. Eveleen Harrison – Application # 2010-0016.

The Application is to place 180' of riprap, Class I core w/Class II armor stone, along an existing bulkhead. The proposed project is located on the Rappahannock River, at Tax Map Parcel #41-18-1. This application was deferred from from 3/9/10 meeting and a public hearing was previously held. Staff recommend the application be approved as submitted. The application was approved on a motion from Mr. Hawksworth and seconded by Mr. Armstead. The motion was carried unanimously and the permit will be good for 18 months.

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

B. Melinda Dadds – Application #2010-0025

This request is to place 80' of 12" coir logs along an eroded bank. The proposed project is located on Porpoise Cove, at Tax Map Parcel # 45-3-B7.

Mr. Little read the VIMS Summary and then read the Staff report recommending the application be approved as submitted.

Michelle Meredith of Hammertime Marine 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.

Chairman Smither 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 was made by Mr. Brooks and seconded by Mr. Armstead, and carried unanimously. The permit will be good for 18 months.

C. Luttrell Lewis – Application #2010-0094.

This request is to construct a 48' low-profile groin. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 28-149.

Mr. Little read the the VIMS Summary recommending the addition of beach nourishment and then read the Staff report recommending the application be approved as submitted.

Mr. Lewis was present as a Owner..

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

Chairman Smither 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 with the addition of beach nourishment was made by Mr. Hawsworth and seconded by Mr. Armstead, and carried unanimously. The permit will be good for 18 months. Mr. Hawsworth amended the previous motion to include 30 cubic yards or 3 truck loads of sand. This motion was seconded by Mr. Brooks and carried unanimously. The permit will be good for 18 months.

D. Prescotte Rowe – Application # 2010-0140.

This request is to repair 3 groins, add a 12' spur to the easternmost groin, repair 2 +/- 60' sections of bulkhead, and add 12' of return to the eastern end of the bulkhead. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 39A-1-1.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved as submitted with the stipulation of Grading and/or backfilling which will be covered under RPA permit # 2010-008.

William Geyer 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.

Chairman Smither 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. Taylor and seconded by Mr. Hawksworth, and carried unanimously. The permit will be good for 18 months.

E. Joyce Sylvia – Application # 2010-0220.

This request is to install a 14'x50' offshore breakwater, and add 125 cubic yards of beach nourishment. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 30G-1-6.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved as originally submitted.

Jeff Watkins of Riverworks 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.

Chairman Smither 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 originally submitted with original drawings was made by Mr. Brooks and seconded by Mr. Taylor, and carried unanimously. The permit will be good for 18 months.

F. Winston Hellems – Application # 2010-0221.

This request is to install 100' of riprap revetment, install a 14'x50' offshore breakwater, and add 125 cubic yards of beach nourishment. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 30G-1-5.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved as originally submitted.

Jeff Watkins of Riverworks was present as Agent.

Chairman Smither opened the hearing for comments from the public.

Ms. Straub and Ms. Sullivan, adjoining property owners were present to voice their objections.

Chairman Smither began a brief period of discussion with both Ms. Straub and Ms. Sullivan after which the public portion of the hearing was closed.

Chairman Smither 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 originally submitted was made by Mr. Armstead and seconded by Mr. Taylor, and carried unanimously. The permit will be good for 18 months.

G. Ellen Womble – Application # 2010-0228.

This request is to install 102' of vinyl bulkhead 1' channelward of an existing bulkhead. The proposed project is located on Broad Creek, at Tax Map Parcel # 41-52-98.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved as originally submitted.

Doug Terry of Pier Pressure Construction 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.

Chairman Smither 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 against the existing bulkhead was made by Mr. Hawksworth and seconded by Mr. Brooks, and carried unanimously. The permit will be good for 18 months.

H. Ellen Womble – Application # 2010-0358.

This request is to install an 85' vinyl groin in place of an 85' timber groin. The proposed project is located on the Rappahannock River, at Tax Map Parcel # 41-53-47.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved as originally submitted with all portions of existing groin be removed and new installed.

Doug Terry of Pier Pressure Construction 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.

Chairman Smither 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 with the old groin to be removed and 30 cubic yards of appropriate size sand or 3 truck loads be brought in was made by Mr. Hawksworth and seconded by Mr. Armstead, and carried unanimously. The permit will be good for 18 months.

I. F. Kim Beale – Application # 2010-0230.

This request is to install 696' of riprap channelward of an existing bulkhead. The proposed project is located on Urbanna Creek, at Tax Map Parcel # 20B-10-1.

Mr. Little read the the VIMS Summary and then read the Staff report recommending this matter be deferred to the next meeting of the Board due to the fact the property was not properly marked when the Board went out to visit the site.

An Agent from Bayshore Design was present.

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

Chairman Smither 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.

Mr. Armstead made a motion to defer this matter to the May meeting, seconded by Mr. Brooks and carried unanimously.

J. James Cobb – Application # 2010-0261.

This request is to install 75 linear feet of riprap along an eroding bank. The proposed project is located on Sturgeon Creek, at Tax Map Parcel # 40-13-403.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved with the revisions submitted by Hammertime with any grading and/or backfilling to require approval of RPA modifications.

Brian Cobb 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.

Chairman Smither 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.

A motion was made by Mr. Hawksworth to approve application as revised with staff recommendations. Mr. Brooks seconded the motion and it was carried unanimously. The permit will be good for 18 months.

K. Patricia Marshall – Application # 2010-0328.

The proposed project is to install a 35' rock jetty and 135' of beach nourishment. The proposed project is located on Urbanna Creek, at Tax Map Parcel # 20B-6-9.

Mr. Little read the the VIMS Summary and then read the Staff report recommending the application be approved with revised drawings.

Carissa Agnese 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.

Chairman Smither 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 with staff recommendations and the a marker be placed at the end of the groin to alert boaters was made by Mr. Taylor, seconded by Mr. Hawksworth and carried unanimously. The permit will be good for 18 months.

Old Business

A. Harvey's Tree Service – Mr. Little sent a second letter to Harvey's Tree Service on February 26, 2010 with a 30 day time limit to pay the civil penalty. Mr. Little spoke to Mr. Hill who commented that the payment would be forthcoming. As of April 12, 2010 the civil penalty remains unpaid. Mr. Hawksworth made a motion to begin Legal proceedings against Harvey's Tree service, Mr. Brooks seconded the motion and it was carried unanimously.

New Business

A. Request for Extension – W# 2008-0534.

There were many objections to the original application and the extension of the permit, Staff recommends extension be granted with an expiration date of December 31, 2010. Mr. Armstead made a motion to grant a 9 month extension with no transfer of permit allowed in accordance with Staff recommendations and Mr. Brooks seconded. The motion was carried unanimously.

B. Request for Extension – W # 2008-1283.

There were no objections to the original application, Staff recommends a maximum extension of 18months to be valid for 3 years be granted. Mr. Hawksworth made a motion to approve extension of permit based on Staff recommendations, Mr. Brooks seconded and the motion was carried unanimously.

C. Chairman Smither presented a statement dated April 12, 2010 to each member of the Board and asked that it be included in the minutes.

Adjournment

Chairman Smither declared the meeting adjourned

Respectfully submitted,

Wetlands Board Chair

Date