

## **Middlesex County Wetlands Board**

### **Minutes**

**June 8, 2010**

#### **Call to Order**

The June 8, 2010 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 Chairman J. Miller Smither.

Present: J. Miller Smither – Chairman  
Dale Taylor  
Woodson Armstead  
Tom Hawksworth, Vice Chairman  
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 May 11, 2010 meeting. On a motion by Mr. Armstead and seconded by Mr. Taylor, the minutes were approved.

#### **Public Hearings**

The following applications were considered by the Board:

A. Joseph A. Lewis – Application # 2009-1366

The Application is to install 114 linear feet of vinyl bulkhead channelward of an existing bulkhead. The proposed project is located on Broad Creek, at Tax Map Parcel # 41-52-92.

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

Joseph Lewis Jr., was present as 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 Owner.

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

B. Winston Wright – Application # 2010-0613.

The Application is to install 2 marsh toe sills, backfill with approximately 79 cubic yards of clean sand, plant with Spartina, and install 2 “oyster castles”. The proposed project is located on Sturgeon Creek, at Tax Map Parcel # 40-104-28.

Mr. Little read the VIMS Summary and then read the Staff report recommending the application be approved with the stipulation that Class 1 Stone be used, that both sills be at a finished height of at least 1 foot above mean high water.

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

C. Diane Lee on behalf of the Mill Creek Harbor Association – Application # 2010-0676.

The Application is to install 112 linear feet of timber bulkhead channelward of an existing bulkhead, and to install 2, 8’ return walls. The proposed project is located on Mill Creek, at Tax Map Parcel # 41-64-A.

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

Ms. 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 that the return wall be relocated to avoid disruption of vegetation was made by Mr. Hawksworth and seconded by Mr. Armstead, and carried unanimously. The permit will be good for 18 months.

### **Old Business**

A. Harvey’s Tree Service – Mr. Little was able to obtain a summons against Mr. Harvey Hall of Harvey’s Tree Service for a Class I Misdemeanor for operating without a valid contractors license. He was informed by the Magistrate on duty that he was not able to obtain summonses for the Wetlands Violations. Those would need to be done by petition from the Wetlands Chairman along with Legal Counsel to the Circuit Court. Chairman Smither will handle this matter as per by the Bylaws.

**New Business**

Mr. Robert Neikirk of VMRC conducted a presentation regarding “The Coastal Primary Sand Dunes and Beaches” laws that were changed by the General Assembly in 2008. At the conclusion of the presentation, a motion was made by Mr. Hawksworth to send a request to the Board of Supervisors asking them to adopt the Beaches and Dunes Act of 2008 to run in concurrence with the Wetlands Ordinance. That motion was seconded by Mr. Taylor and approved unanimously.

**Adjournment**

Mr. Taylor made a motion to adjourn the meeting, it was seconded by Mr. Brooks, and carried unanimously.

Respectfully submitted,

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Wetlands Board Chair

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Date