

Middlesex County Wetlands Board

Minutes

November 13, 2012

Call to Order

The November 13, 2012 meeting of the Middlesex County Wetlands Board was called to order by J. Miller Smither (Chairman) at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: **J. Miller Smither – Chairman**

Tom Hawksworth - Vice Chairman

Woodson Armstead

John Boyd

Monica Sanders

Wesley Dolezal (Alternate)

Staff present: Dave Kretz, Planner

Also present was Mr. Jay Woodward from the Virginia Marine Resources Commission (VMRC).

Minutes

The Board considered the minutes of the October 9, 2012 meeting. The motion to approve the minutes was made by Mr. Armstead and seconded by Mr. Boyd and carried unanimously.

Public Hearings

A. Wetlands Application # 2012-1467 submitted by R & W Marine Construction on behalf of Chadwick Gore. This request is to Replace the existing 158 ft. timber bulkhead with vinyl in the same footprint and backfill as needed within the Wetlands Board's jurisdiction. The proposed project is located on Jackson Creek, at Tax Map Parcel # 40-383.

Jay Foster was present to represent the application and to explain the proposed project.

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 property 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. Boyd and carried unanimously.

B. Wetlands Application # 2012-1531 submitted by R & W Marine construction on behalf of Jackson Creek Partners c/o Melanie Crittenden. This request is to Remove the existing timber bulkhead and tending pier. Replace the pier and construct a 229' vinyl bulkhead. Excavate behind old wall, remove all debris, install new anchor system and backfill within the Wetlands Board's jurisdiction. The proposed project is located on Jackson Creek, at Tax Map Parcel # 40-51-A.

Jay Foster was present to represent the application and to explain the proposed project.

Chairman Smither opened the hearing for comments from the public.

There being no further 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. Armstead and seconded by Mrs. Sanders.

Old Business:

A. Wetlands Application # 2012-1283 submitted by Joseph A. Scott on behalf of Howard Stears. This request is to Install 50' of vinyl bulkhead and two 12' return walls immediately channelward of an existing failing timber bulkhead. Site to be accessed by water and through existing yard within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 37A-4-51.

Joseph Scott was present to represent the application and to explain the proposed project.

Chairman Smither, having previously opened and closed the public portion of the Hearing, 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. Hawksworth and seconded by Mr. Boyd and carried unanimously with an 18 month time limit.

B. Wetlands Application # 2012-1352 submitted by Coastal Marine Consulting on behalf of Mary Johnson. This request is to Grade existing bank and install 90' of Class I and Class II Rip Rap within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 41-37-4.

Vaughn Haywood (Contractor) was present to represent the application and to explain the proposed project.

Chairman Smither, having previously opened and closed the public portion of the Hearing, 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. Armstead and seconded by Mr. Boyd and carried unanimously with an 18 month time limit with the following condition: Submit revised drawings showing the structure straightened at the second Eastern Stake.

New Business:

Extension Request

Wetlands Application # 2011-0328 submitted by Michelle Meredith on behalf of Richard E. Dougherty. This request is to install a 20' long x 8' wide x 3' high marsh sill toe. This marsh sill toe would join the existing rip rap that is currently protecting the neighboring marsh area. Backfill with 8.3 cubic yards of sand and plant with 150 Spartina Altemiflora plugs within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 42A-3-1.

Michelle Meredith was present to represent the extension request.

Chairman Smither began a brief period of questions and comments between the Board and the Agent Michelle Meredith.

There being no further questions or comments from the Board, Chairman Smither asked for disposition of the permit extension request. The motion to extend the permit as originally approved was made by Mr. Armstead and seconded by Mr. Boyd and carried unanimously with an 18 month time limit.

The Board carried out a discussion that centered on Storm damage policy as adopted by the Board of Supervisors and the re-occurring issue with projects that are not staked at the time of Board site visits. It was suggested that additional fees be charged to applicants or agents for sites that are not staked at the time of Wetlands Board site visits. Several Board members questioned staff on whether or not enough emphasis was placed on the staking requirement in correspondence that was being sent to agents and applicants. Staff produced an example of a typical letter sent to an agent or applicant and noted that an entire paragraph in bold print was devoted to the staking and benchmark requirement. Mr. Jay Woodward noted that the applicants and agents would experience a penalty in the form of delays in the project and lost time for having to attend the Public Hearing a second time and that additional monetary penalties may be unnecessary. Chairman Smither inquired if the Wetlands Board had been placed on the Agenda for the Board of Supervisors next meeting. It was noted by Staff that the Wetlands Board was in fact tentatively placed on the December 18, 2012 Board of Supervisors Agenda. It was also noted by staff that a few problems had occurred with respect to storm damage permitting but Planning Staff would work with The Board of Supervisors in the future for each storm event. Vice Chairman Hawksworth noted that it may be unnecessary to address The Board of Supervisors regarding storm damage policy and to allow Planning Staff to work directly with the Board of Supervisors. With that Mrs. Sanders made a motion to obtain in writing Board of Supervisors storm damage and repair policy for any specific event and include adopted policy for such event into Wetlands Board member packets. The motion was seconded by Mr. Hawksworth and carried unanimously.

Adjournment

Mr. Armstead made a motion to adjourn the meeting; it was seconded by Mrs. Sanders and carried unanimously.

Respectfully submitted,

Wetlands Board Chair

Date