

Middlesex County Wetlands Board

Minutes

August 12, 2014

Call to Order

The August 12, 2014 meeting of the Middlesex County Wetlands Board was called to order by Fred W. Dolezal (Chairman) at 9:00 A.M. in the Boardroom of the Historic Courthouse, Saluda, Virginia.

Present: Wesley Dolezal - Chairman
Monica Sanders-Vice Chairman
Woodson Armstead
John Boyd
David Laughton
(Alternate) (Dennis Mann) Present

Staff present: Dave Kretz, Zoning and Environmental Officer, Wally Horton, Director of Planning

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

Minutes

The Board considered the minutes of the July 8, 2014 meeting. The motion to approve the minutes was made by Mrs. Sanders and seconded by Mr. Boyd and carried unanimously.

Public Hearings

A. Wetlands Application # 2014-0771 submitted by Coastal Marine Consulting on behalf of Max Reavis. This request is to Install 130' of timber bulkhead against an existing bank within the Wetlands Board's jurisdiction. The proposed project is located on Jackson Creek, at Tax Map Parcel # 40-115B.

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

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal 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.

B. Wetlands Application # 2014-0827 submitted by Jim Jessie on behalf of Montague Island HOA c/o Frank Vayo. This request is to Remove existing community pier. Construct a new 4'x80' pier and a "L" pier head 8'x10' to the east (down river side). site will be accessed by an existing driveway within the Wetlands Board's jurisdiction. The proposed project is located on Rappahannock River, at Tax Map Parcel # 8A-2-1A.

Jim Jessie was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mrs. Sanders and seconded by Mr. Laughton, and carried unanimously with a 3 year time limit.

C. Wetlands Application # 2014-0890 submitted by Bayshore Design, LLC on behalf of Karl & Teresa Beier. This request is to Grade eroding bank back and establish vegetated cover on graded bank. Construct a 375' rip-rap revetment along the toe of graded bank and construct a 449' rip-rap sill, including (3) 5' weirs (lower sill openings) adjacent to eroding fringe marsh within the Wetlands Board's jurisdiction. The proposed project is located on LaGrange Creek, at Tax Map Parcel # 14C-11.

Craig Palubinski was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

Orneida J. Bull, an adjoining property owner, spoke in support of the project.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mrs. Sanders and seconded by Mr. Boyd and carried unanimously with an 18 month time limit.

D. Wetlands Application # 2014-0966 submitted by SBH Construction Co., Inc. on behalf of James E. Schilthuis. This request is to Replace an existing 12'x36' wooden boat ramp with a 12'x40' concrete ramp in the same footprint as the existing. An additional 4' of length is required for adequate off ramp slope within the Wetlands Board's jurisdiction. The proposed project is located on Porpoise Cove, at Tax Map Parcel # 45-3-A-6.

Betty Pugh was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mr. Loughton and seconded by Mr. Armstead, and carried unanimously with an 18 month time limit with the following Conditions: Subject to any modifications imposed by VMRC.

E. Wetlands Application # 2014-1000 submitted by Mid-Atlantic Resource on behalf of Trust of Rebecca Holland Eggleston. This request is to Construct approximately 190 linear feet of class I quarry stone revetment with upland grading and stabilization. Site will be accessed from the upland with minimal clearing required within the Wetlands Board's jurisdiction. The proposed project is located on Mill Creek, at Tax Map Parcel # 33-22-B1.

Karla Havens was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

David Turner, property owner, spoke on behalf of the project.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal 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 Conditions: Remove 4 pilings.

F. Wetlands Application # 2014-1005 submitted by Mid-Atlantic Resource on behalf of Nancy W. Muldowney. This request is to Construct a 140' rip rap revetment and a 145' marsh toe. Site will be accessed from the upland with minimal clearing required within the Wetlands Board's jurisdiction. The proposed project is located on Piankatank River, at Tax Map Parcel # 45-10-1.

Karla Havens was present to represent the application and to explain the proposed project.

Chairman Dolezal opened the hearing for comments from the public.

Ryan Ingram, an adjoining property owner, spoke in opposition of the project.

There being no additional comments, the public portion of the hearing was closed.

Chairman Dolezal 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 Dolezal asked for disposition of the application.

The motion to approve the application as submitted was made by Mrs. Sanders and seconded by Mr. Boyd, and carried unanimously with an 18 month time limit with the following conditions: Access to be from the shoreline and not from the uplands.

Old Business:

New Business:

a) Violation: Tax Map 41-165A Stingray Point Boat Works/Haywood Marine Construction

Staff representative, Dave Kretz, presented his Staff report to the Board that outlined the violations.

Chairman Dolezal asked Mr. Farinholt and Mr. Haywood to approach the podium and explain their actions with respect to the violations.

Chairman Dolezal began a brief period of questions and comments between the Board, Mr. Farinholt and Mr. Haywood.

There being no further questions or comments from the Board, Chairman Dolezal noted that this will remain an open violation until it has final resolution. He then asked for disposition, in the form of a resolution, of the violation.

Prior to disposition, Mrs. Sanders directed several questions towards Mr. Haywood.

Upon conclusion Chairman Dolezal asked for disposition of the violation.

The motion to find Mr. Farinholt and Mr. Haywood in violation of the Middlesex County Wetlands Ordinance with resolution per staff recommendations and implementation by staff with civil charges being assessed to Mr. Farinholt in the amount of five hundred dollars and Mr. Haywood in the amount of seven hundred and fifty dollars was made by Mr. Laughton and amended by Mrs. Sanders to increase the Charge amount to one thousand five hundred dollars for Mr. Haywood. A second was not made.

Chairman Dolezal again asked for disposition of the violation.

The motion to find Mr. Farinholt and Mr. Haywood in violation of the Middlesex County Wetlands Ordinance with resolution per staff recommendations and implementation by staff with civil charges being assessed to Mr. Farinholt in the amount of five hundred dollars and Mr. Haywood in the amount of five hundred dollars was made by Mr. Armstead and seconded by Mr. Boyd and carried with a 4 to 1 vote with Mrs. Sanders dissenting.

b) Violation: Tax Map 43-17-5 & 43-17-6 Louis Stone/Haywood Marine Construction

Staff representative, Dave Kretz, presented his Staff report to the Board that outlined the violations.

Chairman Dolezal asked Mr. Stone and Mr. Haywood to approach the podium and explain their actions with respect to the violations.

Chairman Dolezal began a brief period of questions and comments between the Board, Mr. Stone and Mr. Haywood.

There being no further questions or comments from the Board, Chairman Dolezal noted that this will remain an open violation until it has final resolution. He then asked for disposition, in the form of a resolution, of the violation.

The motion to find Mr. Stone and Mr. Haywood in violation of the Middlesex County Wetlands Ordinance with resolution per staff recommendations and implementation by staff with civil charges being assessed to Mr. Stone in the amount of five hundred dollars and Mr. Haywood in the amount of five hundred dollars was made by Mr. Armstead and seconded by Mr. Boyd and carried unanimously.

Adjournment

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

Respectfully submitted,

Wetlands Board Chair

Date